

# Official Report (Hansard)

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# Northern Ireland Assembly

Tuesday 5 February 2013

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

*Members observed two minutes' silence.*

## Speaker's Business

**Mr Speaker:** Before we move to the first item of business, I advise Members that I will be absent from the Assembly next week due to official business.

## Private Members' Business

### Internet Safety for Children

**Mr Speaker:** The first item of business is a cross-party motion relating to internet safety for children. The Business Committee has agreed to allow up to 1 hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mrs Overend:** I beg to move

*That this Assembly recognises the dangers for children associated with the internet; commits to building on the work which is already ongoing in this area at both Westminster and Stormont; and calls on the First Minister and deputy First Minister to take the lead on the publication of a cross-departmental internet safety strategy to help children enjoy the internet safely.*

As children and young people spokesperson for the Ulster Unionist Party and, importantly, as a parent, I am delighted to open this debate on internet safety, which coincides with UK internet safety day. I hope that we, in this jurisdiction and this Assembly, can contribute something positive on this important issue. I thank colleagues from across the parties for agreeing to support the bringing of this motion to the House. I also thank one of the junior Ministers, Ms McCann, for agreeing to respond to the debate. It is heartening to know that the junior Minister considers it an important issue.

The internet and social networking is a wonderful tool. The digital revolution is as important as other periods of technological change in history. We cannot imagine life without Facebook, Twitter, e-mail and the internet, and the way in which it enriches our young people's lives and is so much part of day-to-day life. However, the internet and social media have a more sinister side. There

are risks to our children and young people in the online world.

I am indebted to the National Society for the Prevention of Cruelty to Children (NSPCC) for the briefing paper on the issue, which categorises some of the challenges into content harm, which is things that they see; conduct issues, which is the way that they behave; and contact harm, which is about people who they may meet. There are some things that we can do better to protect children, and I have no doubt that this debate will touch on those and that Members will highlight solutions and actions.

It is important to recognise some key facts about internet usage. Ofcom's recent figures show that three in four five- to seven-year-olds use the internet, as do nearly all — 95% — eight- to 11-year-olds. All 12- to 15-year-olds use the internet. How long do they spend online in the average week? Five- to seven-year-olds spend about six hours online weekly. The figure is just over eight hours for eight- to 11-year-olds, and 12- to 15-year-olds spend just as much time online — over 17 hours a week — as they do watching television.

Worryingly, in 2011-12, the Child Exploitation and Online Protection (CEOP) Centre received an average of 1,300 reports a month. Thirteen per cent of UK nine- to 16-year-olds have been bothered or upset by something online in the past year. Dealing with peer pressure and bullying at school is very difficult at the best of times, but, with the additional aspect of contact through the internet and mobile phone exchanges, the problems that our young people experience can be frightening.

I am one of those stick-in-the-mud mums who refuses to allow her children to have a Facebook profile, yet 98% of eight- to 15-year-olds who have an active social networking site use Facebook despite the minimum age being 13. It is often a sign of getting older when your children show you how to work certain gadgets. Thankfully, I am not there yet, but it is often the case that our young people know more about how to work online than parents do, yet parents need to be responsible and find out more about how to protect our young people and provide help and guidance. I am thankful for contact from Ofcom, which today launched a new advice section on its ParentPort website to empower parents to take informed steps to protect their children in the way that they feel is most appropriate.

Government in London and Northern Ireland Departments have been proactive in dealing

with internet safety. We have seen the establishment of the UK Council for Child Internet Safety (UKCCIS), on which Northern Ireland is represented by the Department of Health, Social Services and Public Safety. The development of the Child Exploitation and Online Protection Centre, which polices the internet supported by the work of the Internet Watch Foundation, has done much to promote the removal of illegal child-abusive images from internet providers. UKCCIS also works with UK internet and phone providers to introduce parental controls and filtering mechanisms combined with safety advice through large stores. There is no doubt that children in Northern Ireland have benefited from those developments.

Departments in Northern Ireland have also done much to develop internet safety. For example, the Department of Education has produced guidelines on acceptable use policies, signposting and controls through C2k. We have also seen moves to try to mainstream protections through the curriculum developments. There is also guidance available to the sports sector on good practice in relation to social media.

However, the pace of evolution is rapid and so must our response be. Part of the challenge is around co-ordination and strategic direction. Internet safety is not found as an issue in the 10-year children's strategy or action plan. Many of the levers, such as action through regulators, are excepted matters, and there is locus in Whitehall, meaning that oversight is diluted through diffusion of responsibility across Administrations and across Departments here.

We also do not have an overarching e-strategy, although I am grateful to the junior Ministers, following my meeting with them in October, for undertaking a gapping and mapping exercise. We agreed at that meeting to raise the issue on the Floor of the Assembly through an all-party motion, and I have kept my word on that agreement. We will, no doubt, hear more from junior Minister Ms McCann on developments and on some of the themes identified in their exercise. I welcome the fact that my colleague Michelle McIlveen and her Committee for Culture, Arts and Leisure have, as part of the Committee's focused inquiry, undertaken to look at the issue of new social media and cyberbullying. I look forward to hearing from the Committee Chair on the findings to date.

We are aware of the growing prevalence of cyberbullying and some of its very harmful consequences. It is important that parents and all those who work with children and young

people gain a better understanding of the online world and how new technology can be used by children to bully and harm others. The NSPCC, in its paper to Members, has rightly highlighted the development of "sexting" as a phenomenon. I hope that the Minister of Justice will comment further on this. The exchange of sexual messages or images and creation of such images is at best inappropriate and often is breaking the law. Research has shown that the primary threat in this area comes from peers, not stranger danger. It is coercive, and, primarily, girls are the victims. This is one area in particular where we could collectively do something to raise awareness in line with the theme of Safer Internet Day, which has the slogan "Connect with Respect".

Internet safety affects us all, and, as politicians, we have responsibilities to find ways to co-ordinate our activities and to ensure a joined-up approach on this issue. I welcome recent developments here, but there is an urgent need for a co-ordinated approach. The Office of the First Minister and deputy First Minister is in the best possible place to lead this initiative, and I hope that, through this, we can identify where the gaps are and the best ways of filling these. I commend this motion to you, and I look forward to hearing contributions from Members on how we can take forward improved safety for our young people from this debate.

**Miss M McIlveen:** I commend the proposer of the motion, and I was delighted to co-sign it. The issue of internet safety is not a new matter to the Chamber. Indeed, in the previous mandate, the Assembly unanimously backed a motion that I tabled calling on the then Education Minister to implement the recommendations of the Byron review. Needless to say, we are back here today to discuss the matter.

I am happy to inform the House that, as the proposer of the motion mentioned, the Culture, Arts and Leisure Committee is examining the issues around cyberbullying and social media, including education on safe and effective use of the internet for children and young people and their parents. That is part of our investigation into consistency in child protection across the Department of Culture, Arts and Leisure's remit. As part of that investigation, we have heard evidence from Wayne Denner of BeattheCyberbully. In addition, I have met Jim Gamble, the former head of CEOP and now CEO at INEQE Safe and Secure.

As Mrs Overend highlighted, the internet is an amazing tool for all of us, and it is really for sharing information and learning. Society is

rapidly changing in the way that many of us socialise. Many of us in this Chamber use Facebook and Twitter accounts, but there are also other social platforms out there such as Google+, Snapchat, You Tube and many others. The internet is also becoming much more accessible through tablets, smartphones and with the introduction of 3G.

This is all for the benefit of a faster and broader internet, and therein lies potential dangers. These dangers include not only grooming but access to inappropriate content and cyberbullying as well as the risks that are associated with "sexting" and the self-generation of images. This can have a devastating effect on the development of a child's attitudes and perceptions.

Only yesterday, it was reported that CEOP was warning of an alarming new trend of grooming children on the internet. The organisation had 1,145 cases reported to it in 2012. The NSPCC has also reported a significant rise in the numbers of reports that it has had through its ChildLine services on the issue of online approaches.

At the Committee, Wayne Denner gave an example of a young teenage couple in the United States. The boyfriend was sitting among his friends and asked the girl to take a photograph, which she did. The boy then shared the picture with his friends, and his friends shared it on Facebook.

He highlighted how the picture had been taken for a specific purpose but was then used for malicious enjoyment that ended in cyberbullying.

#### 10.45 am

I would welcome a clear cross-departmental internet safety strategy. Sometimes the criticism is levelled that too many messages are delivered from a variety of sources, which can cause confusion for parents, carers and children. It is good that there is such activity in the field of internet safety, but clarity of the message is much better. The common message that I hear is that we need to talk to our children and young people with a clear message on internet safety, and we need to make parents, teachers and carers aware of the signs and symptoms of cyberbullying.

Besides the many children who benefit from internet use, there are those who are subjected to horrific cyberbullying and exploitation. An approach needs to be taken that empowers

parents, carers and children to engage with confidence with the new media. I will take schools as an example. There is consensus among those to whom I have spoken that we need to provide more education on the responsible use of the technology. Jim Gamble advocates prioritising the aspects on which we focus resources and suggests that a curriculum is built around that for online conduct, content and contact. Does a child, parent or carer know how to block online, how to support a friend, how to report an ISP, how to report to a responsible adult, how to report to the police or CEOP or how to seek help?

I want to thank the NSPCC for its work on the issue. It carried out research in 2011 into what primary-school children in Northern Ireland were being taught about internet safety. It highlighted differences in practice across the five boards, ranging from 80% of schools in the Belfast area to 60% of schools in the Western Board area.

I referred to spotting the signs of inappropriate internet contact, and INEQE advocates what it calls "SOS". Those are things that are related to school, such as not wanting to go; things you observe, such as changes in behaviour, depression or aggression; and things that children say, such as threatening to run away or to hurt themselves. INEQE and Beatthecyberbully stress the need for education on the signs and symptoms.

I support the call for a cross-departmental internet safety strategy, and I hope that the work being undertaken by the Culture, Arts and Leisure Committee can help to inform that. Certainly, from what I have noted to date, there is a recognisable need for such a strategy to prioritise, educate and support parents, professionals and children so that the internet can be understood and safely enjoyed.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. I welcome the motion, particularly as it is being debated on Safer Internet Day. I thank the Members for tabling it.

The world has become a very small place indeed, and, every day, global connections are made, just at the push of a button. This, combined with the rise of smartphones, means that almost any information can be discovered online at any time. All that has great advantages, but with those technological advances come inherent dangers, particularly to young and vulnerable people.

I welcome the fact that the motion calls for a cross-departmental approach to the internet

safety strategy. Although OFMDFM takes the lead on issues for children and young people, it is important to remember that there is a responsibility on every Department for such issues.

As I said, the internet comes with serious concerns. Cyberbullying, in particular, has come to a head recently. Bullying has never gone away, but it has grown new legs with the rise of social networking and thus a rise in cyberbullying. As we know, it can have serious effects on a child's mental health. Unfortunately, that has been seen in too many instances. One example is the tragic events that unfolded recently in Donegal. It must be remembered that the internet is a public place and that homophobic, sectarian, racist or just nasty comments or threats need to be treated as seriously as if they had been said elsewhere. Cyberbullying is everywhere, and a child can be affected with or without a profile on social networking sites. Those without a profile can often unknowingly be the butt of cruel jokes. So, avoiding sites is not the solution to avoiding the problem any more.

Of course, social networking sites and forums are dangerous not only because of bullying but because they present opportunities for predators to access young and vulnerable people online. Studies have shown that almost 30% of children have had contact online with someone they have never met before. Sexual grooming and sexual bullying is, therefore, a serious and hugely dangerous issue that is growing at an alarming rate. Children can be overexposed to explicit imagery that is harmful to their development and can affect how they see themselves. It can also affect their self-esteem. Again, there is a clear link with mental health issues for children.

Today, children are highly oversexualised, whether by images in shops, clothing, song lyrics or music videos, and it is difficult to avoid. The internet makes this imagery more widely accessible. Practical measures can be taken to combat it. Often, parents are unable to monitor their children's online activity. It is essential that parents are well equipped with the skills and knowledge to deal with any issues that may arise. Parents and all those who play a significant role in a child's life must be empowered and have the capacity to protect their child.

It is vital that children are informed about internet safety, and they must be equipped with the contact details of sources of help. A great example of that is ChildLine. A close friend of mine works for ChildLine, and it constantly



deals with calls relating particularly to social networking sites, bullying and online peer pressure. It also deals with more sinister sites such as pro-ana websites, which encourage young girls to become anorexic or to develop eating disorders. Again, those dangers show more links with the mental health of young and vulnerable people.

The internet is, obviously, a complex being. While we must ensure that young people are protected from online dangers, there is another angle to this. The internet can be hugely beneficial for young people, particularly in enhancing their education. However, not all young people have access to that resource. Coming from a rural background, I am aware that many areas still do not have broadband and that people often have to drive for miles to access it. Other than location, the prevalence of social deprivation in the North also means that some families and children do not have access to the internet at home, and that needs to be addressed.

The very real dangers that are posed online have been recognised, and it is clear that we are all aware of the extent of the problem and are prepared to play our part in dealing with the emerging issues. Therefore, I welcome the call for a cross-departmental strategy to help children to enjoy the internet safely. It is important that we continue to move forward with technology, but children must be taught to do so safely and with respect for others.

**Mr Rogers:** I am glad that Members have brought the motion to the House today.

It is obvious that the internet has brought many benefits to society in Northern Ireland. A recent report indicated that 69% of households in Northern Ireland had taken up broadband and over one third of adults now use their mobile phone to access the internet. People in Northern Ireland use the internet for a wide variety of purposes. However, as we are all aware, the internet also has a darker side. Violent and pornographic material can be found online in a couple of clicks. Social networking sites can be used to bully and abuse other people. That reminds me of a lady from Burren who walked from south Down to London recently to highlight the availability of suicide packs on the internet. The internet poses risks to children and young people in particular. It has made harmful content that was inaccessible a number of years ago readily available to children and young people.

There has been no Northern Ireland-specific research, but it is constructive to consider

studies on the issue that have been done in the UK and beyond. A survey in the UK in 2005 indicated that 36% of those between the ages of nine and 19 had accessed a porn website by accident. It further found that 10% of those surveyed had intentionally accessed pornographic material. In 2008, a survey on sex education found that 27% of boys under the age of 18 in the UK accessed pornography every week, with 5% accessing it every day.

In a 2009 article on a child abuse survey, Michael Flood wrote that children and young people's exposure to pornography:

*"can lead to emotional disturbance, sexual knowledge and liberalised attitudes, shifts in sexual behaviour, and sexist and objectifying understandings. Particularly for boys and young men, the use of pornography can exacerbate violence-supportive social norms and encourage their participation in sexual abuse."*

Cyberbullying can have serious detrimental effects on victims. It damages their sense of worth and self-esteem. As the report 'Virtual Violence II' states:

*"Purposeful recurring attacks can easily overwhelm a young person being cyberbullied, leaving them feeling anxious, tormented and increasingly marginalised."*

As Members will be aware, legislative responsibility for online regulation remains a reserved matter for the United Kingdom Government at Westminster. It is therefore pertinent to consider the major legislation that is being considered at Westminster; namely, Baroness Howe's Online Safety Bill. The central proposal in Baroness Howe's Bill is the introduction of an opt-in system for accessing pornography online. That system would require internet service providers to provide a filtering service to ensure that pornographic material could not be accessed on the internet unless the user had opted in to view it. The system would ensure that children and young people could not stumble across such material online by accident and would protect them from the consequences of such images.

At present, such material is one of the major issues in child protection. Last year, ChildLine had 4,000 counselling sessions that focused on internet and mobile phone images. Callers were aged between 12 and 15. Most schools already provide lessons on the topic, which can no longer be left to choice. It is important that it become an integral part of the pastoral care system in schools. It is something that many

parents struggle with. In the past, they had some control. Their children were using the computer in the same room, and parents could see what was going on. However, the internet is now on their children's mobiles.

Young people experience all sorts of new forms of abuse on a scale never previously experienced. I commend Safer Internet Day. As the NSPCC says, we cannot put the genie back in the bottle, but we need to work with schools, parents and technology companies so that they all play their part in making this place safer for us all. I call on the Assembly to bring forward an internet safety strategy to ensure that all children are kept safe.

**Mr McCarthy:** I speak on behalf of my party colleague Chris Lyttle, who apologises for being unable to be with us this morning, and to confirm the Alliance Party's support for the motion, which recognises the potential dangers for children associated with the internet, acknowledges the work being done in the Assembly and, indeed, at Westminster to tackle the problem and, finally, calls on the First Minister and the deputy First Minister to begin work on publishing a cross-departmental internet safety strategy to help children in our region use the internet safely. I believe that the House will unite in its support for the motion.

There is no doubt that the internet has delivered many benefits to society. It has almost become part of the fabric of life. It is used daily in most homes, schools and workplaces throughout the land. However, with the increased role of the internet come the increased risks associated with it. Those risks exist for all internet users, but of particular concern and, indeed, relevance to the debate, as Members have said, are the risks posed to young children.

Ninety-one per cent of five- to 15-year-olds in the UK live in a household with internet access. Nearly 50% of nine- to 13-year-olds in the UK have a Facebook account. With many children now accessing the internet, there is the risk of being exposed to such things as pornography, grooming and bullying online. It has become an increasingly worrying trend in recent times. Although the dangers are well documented in the media, we cannot allow complacency in the fight to defend our children against them. Therefore, I believe that all Members will join in endorsing Safer Internet Day 2013, which happens to be today. I ask all internet users to consider the campaign slogan, "Connect with Respect". I urge parents in particular to use this day to think about their children's use of the internet and about how they can ensure that their children are safeguarded from anything of

a dangerous nature online. Ultimately, the person best placed to prevent something happening is a parent who monitors and liaises with their children about what they access when they are on the internet. That is not to undermine the role that we, as policymakers, can play in this battle, and there has been good work done here and at Westminster on the issue.

#### 11.00 am

At Westminster, an Online Safety Bill was introduced in the House of Lords in 2012. It has three goals: first, to make provision for the promotion of online safety; secondly, to require internet service providers and mobile phone operators to provide a service that excludes pornographic images; and thirdly, to require electronic device manufacturers to provide a means of filtering content. It is good to know that this important issue is under review, and I believe that my esteemed colleague Naomi Long MP has written to the Secretary of State for Culture, Media and Sport about it.

In Northern Ireland, the Department of Health's ministerial subcommittee on children and young people has made child internet safety one of its main priorities, and DFP was previously involved in the makeITsecure campaign, which is aimed at promoting protection for internet users, including children. DENI has produced guidance for schools in relation to the acceptable use of internet and digital technologies in schools, and the Culture, Arts and Leisure Committee recently launched a focused inquiry on safeguarding across the culture, arts and leisure sector, which we welcome.

Although there has been very good work done in this regard, more remains to be done. Alliance therefore supports the motion's call for the implementation of a cross-departmental internet safety strategy, which would seek to be as robust as possible in tackling the dangers that children may face when using the internet. The cross-departmental aspects are very important, as the issue encompasses many areas, including health, justice and education.

The internet is now a huge part of people's lives, and my party and I fully support the motion.

**Lord Morrow:** I, too, welcome the opportunity to contribute to this morning's important debate on internet safety for children. I commend Members for tabling the motion for debate.

Child safety online is a critical subject in the 21st century. The internet clearly brings many benefits for children and young people. It has enriched their lives enormously, allowing them to communicate with their friends in new ways and to discover more about the world. It has opened up many new opportunities for them. However, as many Members have already alluded to, the internet also has a shadowy side. I do not want to go over what has already been said, but suffice it to say that we need to do more to protect children and young people as they use the internet.

In the short time available to me today, I would like to focus on the Bill introduced in the House of Lords by Baroness Howe of Idlicote on the subject of online safety. I will briefly outline what the Bill seeks to achieve before concluding by saying why it is thoroughly necessary for our society today. The Bill consists of four clauses, but, due to time constraints, I will focus on clause one, which requires internet service providers (ISPs) and mobile phone operators (MPOs) to provide an internet service that is free from pornography. Amendments have been tabled to widen the scope of the Bill to include violent material, but those have not been accepted to date. The Bill's aims would be achieved through the creation of an opt-in system for accessing pornography online. Such a system would mandate ISPs and MPOs to provide a filtering service to ensure that pornographic material could not be accessed on the internet unless the user has opted in to view it. The system would ensure that children and young people could not come across such material online accidentally and would protect them from the consequences of consuming such images, which, as I am sure Members are aware, can be deeply serious.

The introduction of an opt-in system would be hugely beneficial for Northern Ireland and the UK more generally for three reasons. First, Baroness Howe's Bill would place requirements for an online safety system on a statutory basis. That would ensure that every ISP would be compelled to offer the protection system in the future, which would ensure that children and young people are prevented from accessing material that may be detrimental to their well-being. Currently, the four main ISPs have only agreed to introduce an active choice system on a voluntary basis. Although a step in the right direction, that is a much weaker system than an opt-in system and nowhere near as effective. Furthermore, there is nothing to stop the ISPs ending that service as and when they see fit. Baroness Howe's Bill would mandate ISPs to provide effective filtering software, with age

verification included, which would ensure that children and young people across the Province were protected.

Secondly, Baroness Howe's Bill would cover ISPs beyond the four major providers in the UK, that is TalkTalk, Sky, Virgin and BT, which control the lion's share of the market at around 91%. That leaves 9% of the market not covered, which represents some two million people. That is a significant number of people who are not certain of being offered a filtering system. I suggest to honourable Members that Baroness Howe's Bill would remedy that problem.

Thirdly and finally, the Howe Bill covers mobile phone operators as well as ISPs. In Northern Ireland in 2012, Ofcom reported that 35% of adults access the internet through their mobile phone. I would not be at all surprised if the figure was similar, if not higher, for children and young people. At the current time, however, there is no statutory requirement for an online filter to be provided by mobile phone operators.

Fortunately, MPOs have been generally better than ISPs with regard to online safety, with many operating an opt-in system since 2004. However, there are still gaps. For example, the MPO 3 does not by default provide a filter for contract phones offered over its network. If Baroness Howe's Bill was passed, it would deal with that gap.

In conclusion, I urge honourable Members from all sides of the House to support Lady Howe's Bill as it makes its way through the House of Lords.

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

**Lord Morrow:** Yes.

**Mr McCallister:** Will Baroness Howe's Bill extend to Northern Ireland and cover the entire UK?

**Mr Speaker:** The Member has an added minute.

**Lord Morrow:** Yes, I can assure the Member that that would be the case. He has made an important point, and I am glad that he asked that question. It allowed me to clarify that.

I urge honourable Members from all sides of the House to support Lady Howe's Bill as it makes its way through the House of Lords. The Howe Bill is a much better way forward than the active choice compromise, which was advanced by

the Prime Minister. I spoke in favour of it on 9 November at Second Reading in the House of Lords.

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

**Lord Morrow:** I strongly believe that, if the Bill is passed, the internet will be a much safer place for young people and children. I commend the motion to the House.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a Cheann Comhairle. As Chair of the Health Committee, I welcome the opportunity to take part in the debate. I also welcome the junior Minister here and look forward to hearing what she will say.

It is important to commend those who secured the debate. Your timing was spot on because this is internet safety day. So, fair play on that. I am delighted that the motion seems to be supported by all Members and parties in the House. It is useful with a motion such as this that party politics are left at the door. We want to move forward on this.

As other Members have said, internet safety is of great importance to us all. It is also of concern to the Health Committee, and I thought it was important that I updated Members on this. It requires cross-departmental working and commitment, but there are key responsibilities for the Department of Health.

Other speakers mentioned that the Department of Health leads on the safeguarding subgroup of the ministerial subcommittee on children and young people. A key issue for the safeguarding subgroup is the promotion of child internet safety. The Health Department is also the parent Department for the Safeguarding Board, which was established in September last year. The Health Committee, in our scrutiny role, dealt with the legislation that underpins the Safeguarding Board as it passed through the Assembly, and we have a keen interest in ensuring that it is effective.

Given the dangers that the internet can pose to children and young people, of which we are all aware and which Members mentioned today, and the fact that technology is constantly changing, I as Committee Chair expect this issue to remain high on the Safeguarding Board's agenda. Parents obviously have a huge role to play in making sure that their children are aware of the potential pitfalls of the internet, including cyberbullying, accessing pornographic and violent sites, being lured into

exploitive relationships by adults posing as other young people and so on. The reality is that parents need to be confident about how to control the sites that their children can access and talk to them about how they can keep themselves safe if they ever come across unwanted attention online.

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

**Ms S Ramsey:** Yes.

**Mr Wells:** The Member speaks through the prism of someone who is perhaps considerably younger than most parents. As a parent myself, I can say that, when this issue first arose, it was and still is a complete nightmare for the vast majority of over-50s. Parents are in no position to control their children's internet access, because they do not have the scientific or technological knowledge to do so. Therefore, it is incumbent on society to put in place restrictions at a more general level, so that parents are not forced into a situation where they have to take on something that they have not a clue what to do about.

**Mr Speaker:** The Member has an added minute.

**Ms S Ramsey:** I agree totally with the Member, and I thank him for his nice comments about me being young. I agree totally that this is a learning curve for all of us. Technology changes every day, and, no matter how young or old you are, we all need to learn how to use new technology for the best, rather than allowing people who make money to use the internet for their own reasons.

We as a Committee have called on the Safeguarding Board to look at the issue of parenting, and I think that it is useful to mention that today. As the Member said, supporting parents along that journey is a two-way process. We took the view that the Safeguarding Board should examine the issue of parenting in its work programme. We will discuss that in the near future, as it is one of the recommendations to come out of our recent report on health inequalities.

Another risk associated with the internet is suicide and self-harm, and it is important to mention that. Published studies have suggested that certain internet sites can influence the occurrence of suicide, be it as the result of a copycat effect or, indeed, the glamorisation of suicide on tribute sites, and we need to look at that.

One issue that was recently brought to my attention as Committee Chair is that certain internet sites enable young people to access legal and lethal drugs. We dealt with that issue after being written to by a father whose son had taken his own life by ingesting tramadol, which he purchased from an offshore internet site. I know that the father has recently met the Minister. He wanted to highlight to the Committee the availability of prescription-only drugs online. He said that some sort of educative approach needs to be developed to alert parents and carers to the dangers of such sites and how vulnerable young people can be.

The internet is a great tool when used effectively, but the reality is that it can also be used to access drugs and to bully people. My colleague mentioned the recent incident in Donegal involving two young sisters. We have written to the Department on the issue, and we are glad to hear that it is actively working to prevent the misuse of medicines ordered online.

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

**Ms S Ramsey:** It is clear that internet safety for children and young people is a wide-ranging and complex issue, and as Committee Chair I am delighted to take part in this debate today. I commend the motion.

**11.15 am**

**Mr McCallister:** Like colleagues, I welcome the opportunity to speak in the debate and to add my support to this very important issue. I support what Ms Ramsey said: we are all in agreement here that something has to be done. For instance, we could get support for Baroness Howe's Bill, as Lord Morrow suggested, and look at how that could add to the tools that we need to tackle this growing problem. I think that we all accept that it is a problem that is going to grow and grow as more people become even more familiar with the internet and as we do more things online. The opportunities and dangers for our children and young people increase as we go down that road.

In opening the debate, Mrs Overend talked about the various aspects from content harm to conduct. We have to look at all of those across the board. One of the biggest difficulties that we face is the international dimension of the internet. You can have sites set up anywhere in the world; they do not have to be local. So, you have to look at what Lord Morrow talked about: how do you prevent that coming into the

home? How do you help to train and guide parents and warn them of the risks of the internet? Many parents might use the internet and have a passing knowledge of it, but they are in no way experts in how to prevent some of this. The Safeguarding Board for Northern Ireland has a key role here, and I was part of the Health Committee when it looked at that legislation.

I also share with Ms Ramsey a real concern about suicide and self-harm. When we looked at that issue, we saw that the internet played a hugely harmful role across the board, whether that was around the availability of legal drugs that could be purchased for a dangerous purpose or cyberbullying, which others, including Mrs Overend, have spoken about, and the risk of that leading to suicide and self-harm. It also means that there is now no safe place for children who are being bullied at school. Home is not the refuge that it once was. Children do not have the chance to close the door and be away from all of that, because the bullying is coming right into the home, be that through Facebook or text messaging, for instance. That is the real risk. Colleagues have spoken about photographs being placed and being used inappropriately. Once it is out on the web, there is virtually no getting it back. It is out there to stay, permanently.

There are all those dangers, and there is the international dimension of how you regulate it. We need to play our part here; we need to play our part nationally. I would be intrigued to hear more details of the Bill that Lord Morrow talked about, and, hopefully, I will encourage my colleagues in the House of Lords to support that Bill and to speak in favour of how you can make a change at the source and limit the content that goes into a huge percentage of people's houses.

**Lord Morrow:** Will the Member give way?

**Mr McCallister:** Certainly.

**Lord Morrow:** I am interested in his interest in the Bill. If he feels that it would be useful, I can give an undertaking that I will provide him with a copy of the Bill that is going through the House of Lords, and he can talk to his colleagues about it. I would value their support.

**Mr Speaker:** The Member has an added minute.

**Mr McCallister:** I am grateful to Lord Morrow for that. It would be quite useful. It might also be useful for the Safeguarding Board and the

Health Committee to look at it to see if it will work and make a tangible difference to internet safety.

We all agree that it is a hugely difficult problem to tackle, but that should not deter the House, Westminster or, indeed, those at European Union level from doing what we can and must do, be that with internet and mobile phone providers across the board, to help protect our children — for instance, from the dangers of accessing even legal drugs for dangerous purposes — so that they cannot come to any harm through the internet. Let us try always to have the guiding principle that the internet can be and has been a remarkable force for good in all our lives, particularly for learning. Let us make sure, however, that we do whatever we can to protect our children and young people from that negative side of the internet. We need to make sure that we do all that we can to protect them and the most vulnerable in our society from the misuses that are out there on the internet.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** I am conscious that, as I respond to the debate, we have a number of young people in the Gallery. A couple of Members referred to being a parent. I am a parent of three teenage children and know how difficult it is to try to take responsibility for making sure that our children are safe. I am one of those parents who came late to the internet and technical equipment, if you like.

Child internet safety is a real concern for all of us and more so for those who have children or are in a position of leadership with the responsibility to ensure that our children and young people are safe and protected from online dangers. Given that child internet safety cuts across a number of Departments, I am grateful for the opportunity to speak to this important motion. I thank the proposer of the motion, Mrs Overend, and all the parties for showing cross-party support in the debate. I will respond to the debate and then go into some of the issues that Members raised. I hope that I will be able to answer any questions, if not today then in future meetings with Members.

It is a pressing issue for us all because so many gruesome stories are reported by the media about children or young people entering the cyberworld. Some Members referred to the fact that that can often end in tragic and devastating circumstances for those children and young people, their parents and their wider communities. How much do we really know

about internet safety? The stories reported are often the extreme ones. In the everyday life of a child, the very real and present dangers of being online are usually much more subtle. Those dangers are also becoming increasingly prevalent as our children and young people grow up in a truly digital age. The internet is a significant part of all our children's lives. New technology brings new challenges and risks. Smartphones, BlackBerrys, iPads and tablets all represent new ways in which our children and young people communicate and socialise at home and outside the home. An entirely new vocabulary has developed to describe the challenges, and we have new terms such as sexting, cyberbullying, video messaging and SMS.

Today is Safer Internet Day, and this year's themes are online rights and responsibilities, and "Connect with respect". I had hoped to visit two schools this morning, along with Jonathan Bell, to promote Safer Internet Day and hear at first hand from primary- and secondary-school children about their internet experiences and their views on child internet safety. However, weather did not permit, and I was also concerned that I would not be here at this important debate. I had to ensure my attendance in the Chamber for the debate, but I wish the schools well and hope that the event went well.

Some of you had the opportunity to hear from Jeff Haslam on the survey results published today by the Safer Internet Centre. The survey was completed by over 24,000 children who reported their internet experiences. It is incumbent on all of us to consider their issues and concerns today and in coming months. Although the messages and feedback that we knew that pupils would give this morning were very encouraging, especially because of the way in which the schools had endorsed Safer Internet Day, there is no room for complacency when it comes to the protection of our children, especially given the speed of change. We have not had a chance to study any of the full details of that survey yet, but the headlines reveal that internet safety is every bit as important to children as it is to their parents and carers. Children recognise that there are two sides to the internet safety coin. They know that they are entitled to feel safe online, but they understand that they have a responsibility to treat others with respect. They want the tools to enable them and their friends to stay safe.

The EU Kids Online survey is based on direct interviews with children aged between nine and 16 from 25 countries across Europe. From that, we know that nearly half of all the children in

Europe go online in their bedroom, where parents may not be able to monitor their safety. The same report indicates that going online is now thoroughly embedded in children's daily lives. On average, children spend 88 minutes a day online. Those aged 15 to 16 years old spend 118 minutes online a day, which is twice as long as nine- to 10-year olds.

Closer to home, we have further evidence on internet use here by final year primary 7 schoolchildren, who are all aged 10 and 11 years old. The Kids' Life and Time survey, which was undertaken in 2009 by Paula Devine and Katrina Lloyd at ARK, showed that almost half of those schoolchildren — 48% — said that they were on social networking sites such as Bebo, Facebook and MySpace. That is despite the fact that the terms and conditions that those providers set out state that children using them must be aged 13 and over. Of those who said that they used those sites, 29% said that they used them a lot. That points to the reality that younger children want to use the communication tools that they see others using, including parents and older brothers and sisters. The study also showed that 14% of boys and 6% of girls who use the internet in their bedroom said that their parents or teachers had not talked to them about internet safety. The same local survey showed that one in eight respondents had experienced bullying either online or by text. That was slightly more prevalent among girls, with 15% having experienced such bullying as opposed to 11% of boys. Perhaps more disturbingly, the experience of cyberbullying was associated with poor psychological well-being for boys and girls.

The researchers who compiled those findings concluded that there is a need for a policy focus that raises awareness and involves support programmes to meet the needs of much younger internet users than previously envisaged. Given that those findings relate to this region, they help to reinforce the point that none of us — teachers, parents, elected representatives, policy officials and other stakeholders — can ever be complacent on the issue of child internet safety.

The motion recognises that work is ongoing in this area. In 2009, OFMDFM published 'Safeguarding Children', a cross-departmental policy statement on the protection of children and young people. It sets out a safeguarding policy framework across government, explains the Government's safeguarding agenda and identifies gaps and actions to close those gaps. There is real value to be gained from this debate, because it offers an opportunity to

discuss gaps and potential approaches to address these issues.

Jonathan Bell and I met Sandra Overend last November, and we also met the NSPCC and the recently established Safeguarding Board. In each case, the need for cross-departmental co-ordination on child internet safety was identified. We tasked our officials with undertaking a scoping exercise to engage with other Departments and agencies as part of a stocktake of actions that are under way. Following that exercise, it is our intention to establish a round-table discussion group of relevant stakeholders to assist in identifying and co-ordinating future action.

We work closely with the Safeguarding Board, which the Department of Health established last autumn. It will play a key role in setting the strategic direction for the safeguarding of our children. Following our discussions with the Safeguarding Board, I anticipate that child internet safety will become a priority issue for it. Officials will continue to engage with the board on that and other matters relating to child protection and safety.

Much is already being done on child internet safety. The Department of Education has shown strong direction by delivering on a number of policies to ensure that our children are protected in the school environment. For example, C2k, which is a directorate of the Western Education and Library Board, provides a fully managed ICT service to approximately 19,000 teachers and 322,000 pupils in over 1,000 schools.

### **11.30 am**

On 1 April 2012, a new five-year contract to the value of almost £170 million commenced to continue and enhance the C2k service to include, for example, an e-safety monitoring system that helps teachers to identify cyberbullying and other child protection concerns. The C2k e-safety strategy is kept under continuous review. The system operates a rigorous internet filtering policy that is updated daily to block access to sites that are classed as unsuitable across all schools.

The Department of Education has also issued guidance to schools to help them draw up policies on the safe and effective use of the internet and digital technologies in school. The Department of Health, Social Services and Public Safety is also taking positive action on protecting vulnerable children from exposure to potentially harmful content on the internet and in video games. The Department also

participates in a cross-border child protection group of officials, which was established under the auspices of the North/South Ministerial Council. The group routinely keeps officials apprised of developments in internet safety on both sides of the border. Through its funding, commissioning and other relationships with partner bodies, the Department of Culture, Arts and Leisure is in a strong position to influence positively those partners to adopt policies and practices that safeguard children. Those include promoting child internet safety.

In sport in particular, there is a growing awareness of the increased use by adults and young people of social networking sites. Sporting organisations see the benefits around the use of such media. However, there are very real risks for children and young people, such as text-bullying by peers, grooming for sexual abuse and the sending of offensive and inappropriate material. More specifically, Sport NI is working closely with the NSPCC's child protection in sport unit to provide advice and support and to recommend best practice to sports clubs and community and voluntary organisations.

The Arts Council will be developing guidelines to enable those in the arts sector to increase awareness and actions that they can take to support child internet safety. Libraries NI also has strategies in place, which include training programmes to encourage children to use the internet as an information tool.

I hope that that demonstrates that the Executive are committed to the promotion of child internet safety and that it remains a high priority for the First and deputy First Minister.

I am conscious of time, so I will comment on some of the issues that Members raised. In opening the debate, Mrs Overend gave the statistics for how many hours a week young children spend on the internet, and I also did that. She raised some important issues. As she pointed out, we do not have an overarching e-safety strategy. However, I hope that today may be the start of a debate and discussion on how we can get and develop that co-ordinated response.

Miss McIlveen, who is the Chair of the all-party group on children and young people, gave us an example of the need to work in a curriculum-based way in schools. She mentioned Jim Gamble, and although Miss McIlveen is not in the Chamber at the moment, I can say to her that officials have met Jim Gamble and will be taking that forward also.

Megan Fearon highlighted the serious issue of cyberbullying and mentioned the recent tragic case of two young sisters taking their own life in County Donegal. She said that it was essential that parents are well-equipped to deal with the problems of internet bullying and internet safety.

Sean Rogers gave statistics that show how easy it is for boys and young men to access pornographic sites, and he illustrated the correlation between pornography and violent sexual crime. He said that we need to ensure that people do not have intentional or unintentional access to pornographic sites.

Kieran McCarthy pointed out, as did most Members, that there is a positive side to the internet as well as a very negative one.

Lord Morrow used his time to advocate introducing the opt-in system and said that the Bill to do that is currently going through the House of Lords. He urged Members to discuss having a system through which providers would have to install a filter to guard against children and young people in particular from accessing pornographic sites.

Sue Ramsey, Chairperson of the Health Committee, said that it was significant that all parties were supporting the motion, and she gave an update on the ministerial group that has responsibility for the safety of children and young people. She used her contribution to raise the serious issues of suicide and self-harm and the way in which young people can access legal and illegal drugs on the internet. We need to be conscious that that can happen and we need to do something to challenge it.

John McCallister referred to the key role of the Safeguarding Board and said that we need to work together to make sure that we protect our children and young people.

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

**Ms J McCann:** Just let me finish by saying that we did have some suggestions for the future, and it is incumbent on all of us to take the issue very seriously. I hope that this will be the start of us coming together to look at issues around internet safety for our children and young people, because it is a very serious issue and we all need to do something around it.

**Mr Durkan:** First, I congratulate Mrs Overend for bringing forward this extremely important and extremely relevant motion. I apologise for missing the start of her introduction; it took me



three hours to get here this morning. I also commend all parties that are supporting the motion and all Members who have spoken on it today, which is internet safety day.

There has been consensus today that the internet is a powerful tool. Miss McIlveen pointed to the fact that many of us, as public representatives, use the internet, and social media in particular, as a quick and effective means of getting our messages across to, and interacting with, the public. Sometimes they are less than adoring, it must be said. Many use the internet to educate and many use it to learn, but the sad reality is that there are sick and evil people out there who use it for their own nefarious purposes. We as an Assembly must do all in our power to protect our children from those online predators.

Almost 50% of children aged 10 to 11 are currently on a social networking site. That is an alarming statistic, but not a surprising one. Junior Minister McCann referred to other worrying findings of that survey. My own son, Luke, is 11, and he got his first phone at Christmas. Thus far, we have had no problems with that, apart from having to top it up every turn around, but I had previously taken the time to speak to my son about the dangers of the internet, and, I must say, it was very heartening to hear him say that he had already been told about that in school. Indeed, yesterday I received a text message from his school informing parents that PSNI education officers would be in the school today to give more information to the children on internet safety.

That education is paramount in the promotion of internet safety, but educating children is much easier than educating parents. Efforts must be redoubled in this regard and must be a central aspect of any strategy. Parents must be informed of the simple measures they can take to minimise the risk to which their children are exposed but without restricting their children's development or being too overbearing. What software can they install? Is the cost prohibitive? If so, maybe we can help with it. PCs or laptops in a home should obviously be located in a living area rather than a bedroom. That is one measure, but, granted, with the advent of the smartphone, it has become much more difficult to achieve.

Parents should be made aware of signs to look out for and sites to avoid that might be particularly circumspect or attractive to predators. One such site could be moshimonsters.com — I am not sure whether Members are aware of it — on which the child adopts the persona of a cute wee gremlin-type

monster, and those monsters in turn befriend one other.

Two years ago, a constituent of mine was horrified to learn that her nine-year-old daughter had been "befriended" by a 45-year-old man, who was asking all sorts of questions about her and, even more worryingly, about her whereabouts.

The dangers are not limited to social networking sites. Many games consoles have an online facility whereby people can pit their wits, playing all kinds of games, such as 'FIFA', 'Call of Duty' and many more, against other friends and against strangers. Last night, I used Facebook to highlight today's debate, and, via that medium, one lady informed me that the 'Xbox Live' online facility had been used by a man to pass explicit messages to her son.

Lord Morrow mentioned Baroness Howe's Bill, which is progressing through the House of Lords at present. Hopefully, that Bill will gain support and be passed, as it will make cyberspace a much safer place for our children.

Ms Ramsey, quite rightly, focused on the role of the Safeguarding Board. It is imperative that, in bringing forward a strategy, OFMDFM, as the lead Department, draws on the experience and expertise of those who work in this field.

Junior Minister McCann is well aware, as are we all, that this issue cuts across many Departments. Nevertheless, it is very important that those Departments collaborate on this issue. Unfortunately, such collaboration has not always been evident. I am glad that the other junior Minister is out today highlighting this issue, and I appreciate that junior Minister McCann came here today to respond to the debate.

This Assembly must support parents and education providers by bringing forward an internet safety strategy aimed at eradicating the many problems and pitfalls that have been highlighted in the Chamber today. Although we stress the need for online safety, we must also ensure that parents are confident to allow their children to explore the web without worry or fear.

We live in a digital age, and, as a Government, we should support the increased digital ability and capability of our young people. However, in order to do so, we must ensure that there is a strong safety net in place for our young people's protection. I support the motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly recognises the dangers for children associated with the internet; commits to building on the work which is already ongoing in this area at both Westminster and Stormont; and calls on the First Minister and deputy First Minister to take the lead on the publication of a cross-departmental internet safety strategy to help children enjoy the internet safely.*

## Social Networking Websites

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members will have five minutes.

I remind Members that, as there appear to be ongoing investigations into comments that have been made on social networking sites, they should be careful not to say anything that might impact on any cases that may come before the courts in future.

**Ms McCorley:** I beg to move

*That this Assembly notes the growing number of people and hate groups who use social networking websites to verbally abuse other users; further notes the use of these sites by sexual predators to groom victims; and calls on the Minister of Justice to explore the introduction of better regulation of these sites and tougher penalties for people who use the sites to commit crime.*

Go raibh maith agat, a Cheann Comhairle. Molaim an rún. It is appropriate that we are having this debate and, indeed, the previous debate on internet safety for children, on safer internet day. This debate is a natural follow-on to that debate.

Caithfidh teachtaireacht shoiléir a chur amach go bhfuil muid tiomanta an méid is mó a dhéanamh ar an ábhar seo. We in the Assembly need to set out a clear and unambiguous message that we are committed to doing all in our power to ensure that any possible regulation of the social media is put in place in order to prevent abuse, hate crime, sexual exploitation and, indeed, any other online crime.

**11.45 am**

I note the SDLP amendment, which we are keen to support, but we would seek to broaden it to include all online crime instead of limiting it to hate crime. I also stress that, in asking for additional police resources, we are absolutely clear that the PSNI is still obligated to tackle online crime within the limits of its current resources. We are in no way suggesting that,

in the absence of additional resources, the issue will not be addressed with the same rigour as other crimes. I ask that, in the spirit of the debate, we are united on this important issue on Safer Internet Day.

The growth and spread of social networking websites is a phenomenon that would have been impossible to predict 20 years ago. Tá ár saolta laethúla athraithe acu ó thaobh teagmhála agus gnó de, idir cúrsaí pearsanta agus cúrsaí proifisiúnta. They have changed the way that people communicate and go about their daily lives, personally and professionally. Social networking has changed the world, and our lives have been enormously enriched as a result.

The internet has a particular relevance to how our children and young people communicate with one another. Ach tá gné dhorcha dhiúltach ag baint leis seo fosta. However, there is a dark and very negative aspect to that also. When children go out of their homes, their parents want to know where they are going, who will be with them and who they will be meeting. We need therefore to view the internet and social websites in much the same way. When they go online, how do we know where they are going and who they are talking to? We need to think about crime online in the same way that we think about crime offline. It is wrong no matter where it happens, and we need to find ways to ensure that online perpetrators are brought to book.

The numbers of people using social networks are increasing dramatically on a daily basis, and there are now very few people who do not access them. An Ofcom study in 2011 told us that 91% of children live in a household with internet access. Tá fón cliste ag trí mhilliún páiste idir ocht mbliana agus cúig bliana déag d'aois. Three million 15- to 18-year-olds have a smartphone; 12- to 15-year-olds spend as much time on the internet as they do watching TV; seven and a half million Facebook users are under 13 and five million are under 10; and 43% of five- to 15-year-olds have a social network profile, which is a figure that rises to 80% for 12- to 15-year-olds. It is clear that the problem is one of scope when it comes to cyberbullying and sexual exploitation.

Looking at cyberbullying, certain statistics are worrying, as they flag up some serious gaps. Níl ach 50% de thuismitheoirí le páistí idir cúig bliana agus cúig bliana déag d'aois ag déanamh maoirseachta orthu agus iad ar líne. Only 50% of parents of five- to 15-year-olds supervise their children's use of the internet. Over 90% of victims of cyberbullying will not

inform their parents or a trusted adult about the abuse, and 28% of 11- to 16-year-olds have been targeted, threatened or humiliated through the use of mobile phones or the internet. Bullying has always been a problem in the schoolyard and other places, but the internet takes it into a whole new arena where, apparently, there are no boundaries.

The extreme impact that cyberbullying can have was all too evident last year in the tragic case of Donegal sisters Erin and Shannon Gallagher. Thirteen-year-old Erin from Ballybofey killed herself after being taunted on a social networking website. I ndiaidh beagnach dhá mhí, ba chúis bróin é gur chuir Shannon — deirfiúr do Erin a bhí cúig bliana déag d'aois — lámh ina bás féin fosta. Almost two months later, Erin's 15-year-old sister Shannon sadly also took her own life. At her funeral, Father John Joe Duffy questioned the level of resources available to deal with bullying and the failure to monitor and ban websites.

Such concerns are nothing new when it comes to social networking, especially as children and young people are increasingly accessing websites, chat rooms and information forums that promote and/or incite risk-taking, dangerous behaviours, self-harm, suicide and eating disorders. Abusers can gain access to young people who are vulnerable and immature, and while there can be positive aspects of participating in social networking, such as having a place to express feelings and seek support, there are also serious downsides. Such websites, combined with a propensity among some children to engage in high-risk behaviour, can make it easy for the sexual predator to take advantage. That can result in serious exploitation, including exposure to pornography, engaging in sexually explicit conversations, being encouraged to pose in sexually provocative ways and posing naked via webcams.

Abusers can use public online interactive spaces to find and meet children and young people, which allows them to engage in a grooming process. As well as online sexual abuse, this has resulted in actual contact abuse in some cases. Whatever its guise, the grooming process can result in many young victims feeling guilty and responsible for inappropriate interactions, exploitation and actual abuse. They can find it extremely difficult to seek help or disclose their abuse because of their own personal feelings of culpability and shame. In some cases, they do not even identify it as abuse, as their feelings have been manipulated to such an extent that they perceive their abuser as a genuine partner.

Statistics for this aspect of online abuse are startling. In a 2006 Dutch survey, it was revealed that 47% of girls aged between 13 and 19 had received unwanted requests to do something sexual in front of a webcam, although thankfully the vast majority of them refused to do so. Some 88% of sexy images that young people upload to the internet to share with just their own friends are stolen and end up being used on parasite sites.

Education is key to tackling the problem. Wayne Denner provides some very valuable tips and ideas in his 'Beat the CyberBully' e-book. Parents and teachers have a clear responsibility to tackle cyberbullying and explain the dangers of sexual exploitation through education and awareness raising. It is crucial that children and young people fully understand what constitutes appropriate and, perhaps more importantly, inappropriate online behaviour if we are to prevent this spiralling problem from spinning totally out of control. Ach ní leor é sin. However, that is not enough. We need to look at all the possible ways in which we can make the internet a safer environment. That will require better regulation and tougher penalties for those who commit such crimes.

I turn now to hate crime via the internet. Social networking sites have created a space where those who perpetrate and encourage hatred and violent attacks feel that they can do so with impunity.

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

**Ms McCorley:** Yes.

**Mr Allister:** Would the Member care to comment on the fact that the exhortation "Boycott all Orange-owned businesses" has now appeared on a Sinn Féin website? Does she take the view that that is an attempt to direct people to discriminate in their business practices and is, in its own way, a propagation of hate? Does she defend that proposition?

**Ms McCorley:** As far as I am aware, that is not a Sinn Féin website.

**Mr Allister:** It bears your banner.

**Mr Speaker:** Order. Allow the Member to continue.

**Ms McCorley:** Social networking sites have created a space where those who perpetrate and encourage hatred and violent attacks feel that they can do so with impunity. That has

been all too evident in the North over recent months after Belfast City Council's democratic decision in respect of the Union flag. The pages of Facebook and other sites have been littered with personal threats, incitement to commit sectarian murder and a litany of anti-Catholic and homophobic comments. We all know what the repercussions of that have been: the burning of politicians' offices; the attempted murder of a police officer; massive disruption and inconvenience on our streets; and the devastation of parts of the economy.

Clearly, we cannot quantify the full extent of the cause and effect of what appears on social network sites and subsequent activity. However, what we do know is that they play some part. Therefore, we are duty-bound to try to regulate internet sites' activity and not just remain bystanders. Facebook has failed to satisfy many observers that they are taking this problem seriously enough.

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

**Ms McCorley:** Mar a dúirt mé cheana, tá oideachas an-tábhachtach de dhíth idir daoine óga agus seandaoine. Education is of the utmost importance. We need to ensure that we teach children how to —

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

**Ms McCorley:** — avoid being drawn into the worlds of cyberbullying and hate crime. I commend the motion.

**Mr McDevitt:** I beg to move the following amendment:

*"; and further calls for additional policing resources so that online internet hate crimes are able to be fully investigated".*

I thank those who tabled the motion for bringing this second motion on this important topic to the House this morning. As Members have noted, it is Safer Internet Day.

This motion deals with bullying. It took our society a few generations to come to terms with bullying in its old-fashioned, traditional form. Having come to terms with it in the schoolyard, society began to accept that bullying also takes place in the workplace. I suggest that we might want to reflect on that from time to time as we go about our business in this House. It is wrong, and it is not a sign of machismo to be able to cope with bullying. It is a sad reality of society that people have to cope with bullying.

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

I am a huge advocate of social media. It is one of the great revolutions of our time to be able to democratise communication, remove the barriers to free speech and allow people to interact with other people without any type of restriction. It is a very beautiful thing that we should protect and defend. However, with that right comes a responsibility to do so in a respectful manner that is consistent with the values and standards of modern society.

On Twitter, I have been told to go home when I was sitting at home. I have been told that I have a foreign accent when I am in Ireland. People have told me that I am nothing more than a — the word is not one that I can repeat in the House, but it is an expletive that begins with "c". In fact, one well-known commentator who makes his living writing for a well-known newspaper told us on his Facebook page that my whole party is a bunch of — again, it is a word that begins with "c" but cannot be repeated in the House. Is that funny? Is that acceptable? Is that smart? Mr Humphrey seems to think so.

**Mr Humphrey:** Absolutely.

**Mr McDevitt:** You do think so? That is sad. I say that it is sad as a colleague, as a parent and as someone who is meant to hold a position of leadership in this society.

When people use their freedoms to abuse, bully and denigrate, they demonstrate two things: first, that they do not understand what freedom is; and secondly, that they do not have enough respect to have the right to exercise those freedoms without some restriction.

That is only the tip of the iceberg because kids in schools put up with a lot on Facebook. If you care to drop by some of the less-well-known social networking platforms, which are more frequented by teenagers, you will find abuse and comment that is not right in a civilised society in the 21st century. You will find young boys objectifying their female classmates, girls abusing other girls and people using a badge of identity — we have plenty of badges in this part of the world to use and abuse — to threaten, diminish and dehumanise people. That is a very sad indictment not only of that individual but of society. It is an indictment on us all.

Days such as this in a place such as this are important because, like charity, dealing with the problem starts with the individual. It starts with

your personal conduct, your attitude towards life and your respect for rights. Unfortunately, some people will refuse to accept or appreciate their duty as citizens, and, for those people, there must be penalties and consequences. I entirely accept Ms McCorley's comments about the spirit of the amendment, but we tabled the amendment to point out that, unfortunately, we need to police the internet. Unfortunately, we need to prosecute internet abuse and crime, and we need to be big enough to understand that bullying in its extreme form is a crime that is not acceptable, and people will be held to account for it in the criminal justice system.

How do we make that possible? I am a member of the Policing Board, and other colleagues here who are on the board will probably concur with what I am about to say.

How do we support police services, be it our local police service — the PSNI — or CEOP or whatever other agency may be established, hopefully in an accountable manner, in this jurisdiction? How do we support them in successfully prosecuting individuals who step beyond what is legal when they are in the online environment?

**12.00 noon**

We can support them by standing behind the legislation. The statute book is not bare. There is some legislation that is worth reflecting on. The Digital Economy Act 2010 has provisions that allow websites to be closed down and injunctions to be brought. The Communications Act 2003 makes it illegal for electronic communications networks to be used "in an improper manner". Indeed, there is a famous case in Britain that is currently under appeal concerning a gentleman who made a threat to plant a bomb in an airport in Scotland. He then claimed in his defence that the threat was a joke. He found himself at the sharp end of the Communications Act 2003 for making what, I think, anyone would consider an exceptionally sick joke. As I said at the beginning of my remarks, it is not funny. Even that is not funny.

The Obscene Publications Act 1959 is worth noting and referring to. It is explicit about the publication of obscene material, including child pornography and extreme adult pornography, as is the Human Rights Act 1998. Often cited in the House as a big problem, the Human Rights Act defends you from being abused online. It says that the freedom of expression that we all enjoy and cherish is not absolute and comes with specific duties and responsibilities:

*"The exercise of these freedoms ... may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary."*

It would be fantastic if that could be summarised into plain English and put on Facebook's home page, because that is the deal when you speak in public. You speak in public knowing that your right comes with responsibilities.

We thought that we would table the amendment because all the statutes that I talked about and the internet hate crime provisions that have existed in recent years need to be properly policed. When we talk about extra resources, we are talking not just about more man power, woman power and people power but about expertise. We are talking about people who have an interest in and the capacity to police this type of environment. That is absent in many police services around the world. CEOP is not a police service but an agency, and it is very expert at that work. Many senior officers will tell you that they wish that they had the capacity to police internet crime in a more serious manner and to interpret the law in a more sophisticated and effective manner. That is why we tabled the amendment and why we think that it is important to acknowledge in the motion —

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

**Mr McDevitt:** — that the PSNI needs to address those matters. I thank you for your time, Mr Principal Deputy Speaker.

**Mr Givan:** The motion is very timely, and, given that this is Safer Internet Day, it is important that we debate the issue. There is nothing that the Members who spoke previously said that I find myself in disagreement with.

Facebook and Twitter have been used to describe all of us in the House in pretty unpleasant terms, me included — some might say, "Understandably so". I support people's right to be grossly offensive and to express

themselves. That is what a democracy is about. What I do not support is social media being used illegally. Prosecutions have been brought in cases relating to Members of the House because the line has been overstepped. It is in that respect that I support better regulation. Undoubtedly, Facebook is slow to respond to the way in which it is used by individuals. Whatever grievances people may have, Facebook has been slow to respond, and its forums have been used, in my view, to incite violence. That is wrong, and it makes better regulation necessary.

We live in a new age, in which people feel that, when they sit behind a computer, they are at liberty to say things that they normally would not say to your face. They have been well described to me as "keyboard warriors". They fight a battle as though they are unknown and have anonymity behind the screen. Therefore, they say things that they would not say to your face. They say things that they would not say in any normal public forum, yet they will say them on a computer. That type of thing needs to be challenged. Any form of democracy needs to balance the right to freedom of speech and the breaking of the law. Better regulation is necessary.

Mr McDevitt majored on how social networking is used for bullying. Undoubtedly, that should concern us all, but, primarily, my concern is the use of social networking by sexual predators who prey on children. The Child Exploitation and Online Protection Centre (CEOP) has said:

*"individuals with a sexual interest in children can now access and engage directly with a pool of potential victims on an unprecedented scale."*

That should concern us all. It should require all of us to make sure that the decisions that we take put the interests of those vulnerable children first and foremost so that we protect them. CEOP provides intelligence and expertise that the police service here has been able to utilise. To deprive the police of that, which is what will happen if the NCA is not brought into being, would be hugely deplorable. The politicians who yesterday debated that issue should reflect on what they say today about the need to protect vulnerable children. They should make sure that, when it comes to looking at the issue in future, as the Westminster legislation progresses, they reflect on all of that. I will leave my comment at that, because I do not want to rehearse the argument about how people want, for political reasons, to handcuff the PSNI to stop it doing its job effectively.

There is also a need for better education and increased awareness. People who upload photographs even of their own children, as well as young people who upload their own photographs, should be aware of how those photographs remain online in perpetuity. Even if you try to remove them, it is too late, and they can often get into the hands of individuals who can use them to exploit and target children and young people.

The United States has looked at restricting Facebook and social networking sites in public places. We need to look at whether we have a duty to block social networking sites in our public places, in our libraries and in our schools. That needs to be given proper consideration, and we should be in a position to act on it. I accept that, for a lot of this, responsibility is still a reserved matter, and ultimately it is Westminster that needs to take this on and lead on it.

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

**Mr Givan:** It is important that we take all of this very seriously. I support the motion and the amendment. Those of us who are genuine will not seek to restrict the police when it comes to considering the NCA, which will be taking on CEOP's duties.

**Mr Elliott:** I thank the Members who tabled the motion and am happy to participate in the debate. It is the second of two motions of a similar nature, but it relates to something that is clearly very important to society.

We all need to recognise the growing trend in communications. Many of us appreciate the speedy messages that you can get out now. When I played football at local level in my youth, I recall that I had to wait until the Wednesday following the Saturday match before I found out how all the other teams had fared. Now, you have instant results. That happens not only in football and sport but throughout the community. We know what is happening in the Chamber instantly not because it is on television but because it is either broadcast over the internet or people use Twitter or Facebook to get the message out. Clearly, there are great opportunities.

I do not always agree with Mr McDevitt, but I do so on this occasion. I empathise with what he said. Recently, I followed one of the conversations about him, if you can call them that. He is not the only person to come in for that type of abuse, as I would call it. I have

come in for serious abuse in the social networking field, and some of it came from other MLAs. We are all in the cut and thrust of politics, but, when you are called a "clampit" over the social network by Mr Flanagan, it is not always the most appropriate thing. I am sure, Mr Principal Deputy Speaker, that you would not allow that type of talk in the Chamber, therefore, I do not see why you should have it over the social network. To refer to a village in his community as a "black hole" is not entirely appropriate either. Therefore, we all need to reflect on what we say over the social network. Although that is the very moderate side of abuse, it gives a very bad example to those who can abuse it in a more systematic and devious manner. I refer to the bullying and abuse of young people and children.

In the Chamber, we have debated long and hard on many occasions suicide and mental health issues. There is serious abuse in many of our schools in Northern Ireland not only of children but, quite often, of teachers by their pupils. That must be curtailed and cut out.

I am concerned about some aspects of the legislation. I know that there is some cover in legislation, but I do not believe that there is enough.

I listened to Mr McDevitt, and I totally agree with him that we need more expertise and resources. However, I remind him and others on that side of the House that we had the opportunity yesterday to assist with that, just as Mr Givan highlighted. We had the opportunity to put more resources and more expertise into Northern Ireland to help with abuses on social networking sites. Did they accept them? No. They rejected them outright, simply because they are national and UK-based. That is my belief.

**Mr McDevitt:** I really appreciate Mr Elliott letting me in here. There is no question that we need the expertise that is currently in CEOP. In fact, the former director of CEOP said in the 'Belfast Telegraph' today that it should not be incorporated into the NCA and it would be better remaining as an independent agency. We wholeheartedly support that. However, we also need expertise in the PSNI for more routine online hate crime. CEOP deals with child abuse; it is very specialist. The NCA, in whatever form or accountability, will deal with a certain type of very high level abuse. We need resources and expertise in the PSNI to deal with the ordinary common or garden stuff that Mr Elliott has been talking about.

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

**Mr Elliott:** Thank you very much, Mr Principal Deputy Speaker.

Of course, the PSNI needs that expertise, as do other agencies. It is not just the PSNI. We have a raft of agencies in the social care movement in particular that need that expertise. Nevertheless, when you are getting resources to deal with that wider aspect — the international criminal aspect — why do you not accept them? That is the question that needs to be answered. There are opportunities to have additional resources that will facilitate that not only in Northern Ireland but across a much broader spectrum. You have rejected them; you have turned your back on them. That is extremely disappointing.

**12.15 pm**

**Mr Dickson:** I, too, support the motion and the amendment.

There is no doubt that the internet and social media have many positive aspects. Indeed, they have totally changed how we communicate, as others have said, the sharing of information, and how we can and do express ourselves. However, they also have a dark and sinister side. A platform has been created on which abusive and threatening views can be voiced easily against individuals and groups. We have seen what that can lead to. Recently, we have seen a mix of what could be described as legal and illegal activities on social media in Northern Ireland that have whipped up a frenzy of hatred and distrust in the community. We have all heard stories about people taking their own life after sickening and horrible messages were left on their social media pages. Few of us in the Chamber are immune to such messages being sent to us and to being described in those terms. It is not just a matter of being fragile about those sorts of comments; many of them have been deeply offensive and, for most people, cross a serious line by any standard.

Bullies, of course, are always cowards. Nowadays, the internet allows them to hide not behind the poison pen letter but behind the screen and keyboard, while they torment people. Sadly, it is also a platform for hate speech motivated by prejudice based on ethnic origin, race, religion or belief, sexual orientation or disability. It also has serious social undertones. Messages of that type are designed to tell groups or individuals that they

are not welcome in communities. With organisations' capabilities in social media, that can, as we know all too sadly, be used to incite violence, something about which we must have serious concern in Northern Ireland, given the events of recent days. We are not immune to racist attacks. In recent years, we have needed to be particularly alert to attempts to use social media to incite that particular type of hatred.

The internet and social media can be used in a positive way to stamp out racism and other types of hatred and prejudice. For example, there are various campaigns to combat racism. One of the most successful has been in the area of football and soccer. As far back as 2005, Criminal Justice Inspection identified hate crime as a major problem in Northern Ireland. At that time, it talked about the need for swift action to be taken to punish and deter people from hate crime. Sadly, its 2012 follow-up report found that very little has actually been done by PSNI, the Assembly or its agencies to deal with that problem. In 2012, the Institute for Conflict Research compiled figures which show that nearly 14,000 hate-motivated incidents were reported to police during the past five years.

The second part of the motion refers to the use of the sites by sexual predators. That can be linked to the first point about bullying and harassment. For example, there have been incidents when women and girls have been cajoled into activities online by people who then blackmail them or circulate photographs across the internet. When such material enters schools, universities or workplaces, bullying often follows. Tragically, as we know, that can lead to loss of life by suicide.

Online sex offenders use gaming sites, social media and chat rooms to contact victims, particularly young people, to groom them with the intention of persuading them online or offline into sexual activities. That is psychological manipulation at its worst to gain the person's trust. That is why there needs to be protection from those dangers. Indeed, the fight against online sexual predators must be led by parents. Parental responsibility is vital. Parents should know what their children are doing on computers. They should know what they can do and seek guidance from schools and teachers if they do not have the appropriate technical expertise or knowledge themselves. It is important that we see a cross-cutting approach to this from the PSNI and the Department of Education, like many of the crimes we discussed yesterday afternoon —



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

**Mr Dickson:** Finally, it is somewhat rich that our colleagues in the SDLP have moved an amendment asking for additional resources for the PSNI when those resources are available from the NCA.

**Mr D McIlveen:** I, too, support the motion and the amendment.

At the outset, we have to be very clear about the fact that bullying in any form has to be condemned by the House. We have to send out that message loud and clear. I also think that it is refreshing in some respects to hear a motion coming forward from Sinn Féin asking for tougher penalties. In my time in the Assembly, this must be the first time that there has been a call from Sinn Féin for tougher penalties for anything, so we can take some heart from that. However, we have to accept that there are some inconsistencies given the events in the Assembly over the past 24 hours. This motion asks for greater monitoring of sexual predators, in particular, who use social networking websites to groom victims. Bearing in mind that CEOP is probably the most effective tool in combating that and given the decision taken in this place yesterday, we have effectively torn apart the relationship that the PSNI would have with CEOP, which would have been very clearly through the NCA.

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

**Mr D McIlveen:** Yes, I will.

**Mr McDevitt:** As a member of the Policing Board, Mr McIlveen will know three things about CEOP. The first thing is that there are no warranted CEOP officers in Northern Ireland. The PSNI does not need a CEOP officer to have a warrant in Northern Ireland to do its job. Secondly, the founder of CEOP, Jim Gamble, who is from this parish, as journalists would say, is in today's 'Belfast Telegraph' saying that the incorporation of CEOP into the NCA is a bad mistake and is politically motivated. He is arguing against the NCA operating outside the accountability frameworks and in favour of CEOP staying the way it is, which is where we support it and absolutely agree it should remain.

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

**Mr D McIlveen:** I thank the Member for his intervention. What I also know is that, at this

moment in time, CEOP does operate in Northern Ireland. Therefore, by disassociating ourselves from the National Crime Agency, we will lose that tool. I respect what the Member says, but I have had conversations with members of the PSNI, and they have expressed deep concerns about the major loss of resource that this will represent. So, to some extent, we have to accept the inconsistencies.

I also agree with Mr Allister's point. Hatred through websites is not exclusive to Facebook, Twitter and other forms of social networking. Mr Allister made the point very well. I can also think of that well-known merchant of hatred, Éirígí, which regularly propagates on its website spurious comments about the British monarchy, the British Army, even around Israel and boycotting Israeli goods and about Members of the Assembly. We have been tarred by that brush as well. What is good for the goose must be good for the gander, and, if there is to be greater monitoring of these websites, I hope that it will extend to groups such as that, which bring nothing constructive to Northern Ireland and are unrepresentative of anybody.

We have to accept, though, that this will be a difficult nut to crack. I had a conversation very recently with a leading anti-bullying campaigner, and he was making a relevant point. Like, I suspect, most people in the Assembly, I visit the internet — some of us probably more confidently than others. We have to accept that children who are at school today have grown up with access to the internet, and, rather than visiting the internet, they live within the internet. In many ways, the internet is their social life. It is where they go to meet their friends and talk to them. In many ways, that is good and makes communication much easier, but it makes things very open to being manipulated and to being exploited for negative effect. So, more education is the key. I support the motion, but we have to accept that the issue will have to be dealt with primarily at home. There has to be greater parental responsibility around what children look at and what they do whenever they are on the internet. We also have to recognise that, as there are 901 million users on Facebook alone, regulation of such a vast empire will be exceptionally difficult. This can be only one of a number of ways that we can deal with this problem.

I support the motion and the amendment. A number of the other issues that were raised are relevant. I hope that, given the events of the past 24 hours, other Members may reflect on some of the issues that were raised today and, perhaps, be man or woman enough to admit it when a bad decision is made.

**Mr Lynch:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. Molaim an rún seo fosta. As somebody who has resisted getting involved in the social networking on Facebook and Twitter — my younger colleagues tell me that you cannot survive without it, but I have survived the best without it — I say that maybe that is one of the best ways to prevent the abuse that Tom spoke about.

I welcome the opportunity to speak in this important debate on a subject that, we read in the newspapers almost every day, is a growing phenomenon. We cannot ignore the sheer growth of social networking in recent years. As the last Member who spoke said, there are something like one billion people on Facebook. It is a generational thing. My small knowledge of the subject, positive and negative, comes from having a 15-year-old in the house.

The motion is not about preventing or closing down opportunities for social networking for positive purposes. As has been said throughout the two debates — I was in the Chamber for half of the previous one — there are many benefits, including, as was outlined, social, educational and information resources. I have a small story about that. A friend of mine was estranged from his family from the age of two or three. After 27 years, it was through Facebook that he got in contact with them, and he now has a good relationship and grandchildren as well. So, there are positive aspects such as that, but we are debating the negative and dark sides.

We have a responsibility to protect the most vulnerable in society. Internet hate crime is growing throughout these islands. There are examples of sports personalities being targeted because of some decision they made. We have witnessed similar dangerous and abusive statements made recently in relation to the flags issue. We are often told that offensive material of that nature cannot be tackled because it may not be illegal. We have the growing issue of cyberbullying, which was addressed —

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

**Mr Lynch:** No, not this time, thank you — which was addressed by junior Minister McCann at the end of the last debate. Social networking sites have also been used by sexual predators to groom victims. I do not wish to cover that ground again.

To address those negative aspects, we need better monitoring and regulation in cyberspace so that offensive comments are removed faster and posters are held accountable as well as

those who share and propagate those comments. Social networking sites cannot be trusted to self-regulate. They have failed many young and vulnerable people. I call on the Minister of Justice to explore the introduction of better regulation. I accept that this is a complex area. Many would argue that there is also the issue of free speech, but some form of regulation must be part of the solution. As most Members have said, we need better education and respectful and responsible use of the internet.

**Mr Principal Deputy Speaker:** The Business Committee has arranged to meet immediately on 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 debate stood suspended.*

*The sitting was suspended at 12.30 pm.*

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

2.00 pm

## Oral Answers to Questions

### Health, Social Services and Public Safety

**Mr Deputy Speaker:** I must tell Members that questions 9 and 10 have been withdrawn and require written answers.

#### Voluntary and Community Sector: Contracts

1. **Mr Hazzard** asked the Minister of Health, Social Services and Public Safety whether his Department provides training for groups in the voluntary and community sectors to help them to tender for contracts. (AQO 3313/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** My Department does not provide training courses in tendering for the voluntary and community sector. Last year, officials in the Department carried out a review of the barriers faced by that sector in seeking public funding opportunities. In following up the review, my Department found that there are a number of courses available in Northern Ireland. One such programme, supported by the Public Health Agency (PHA), delivers courses in finding opportunities and winning tenders in the health sector.

The voluntary and community sector plays an important role in delivering services to communities across Northern Ireland, particularly in the field of health and social care. I welcome any efforts made by organisations to try to become self-sustaining.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. How does the Department plan to provide training and support to local community groups and services that feel under threat by what is happening and want protection and guarantees for their future?

**Mr Poots:** The Department does not see that as one of its key roles. We wrote to the Northern Ireland Council for Voluntary Action (NICVA) and Chief Officers 3rd Sector (CO3) asking a series of questions to assess the barriers faced by organisations. Respondents

raised a number of issues such as the skills gap, cash flow and capital, perceptions of the sector, the process being prohibitive to smaller organisations, and proportionality.

The Possibilities programme, supported by the PHA, has been developed by the Ashton Community Trust and the Larne Enterprise Development Company. Workshops have been delivered to support social enterprises in finding and winning tenders in the public health sector. Business mentors have been recruited, and mentoring sessions have been facilitated with individual social economy enterprises. A number of best practice visits are arranged for this quarter.

**Mr Weir:** What assistance has the health estates investment group provided as a centre of procurement expertise?

**Mr Poots:** The health estates group, in its role as a centre of procurement expertise for construction works and design, does not have involvement in training voluntary and community groups. It did, however, issue procurement guidance to arm's-length bodies in December 2011, helping small and medium-sized enterprises and social economy enterprises to access public sector contracting opportunities. Social economy enterprises include the voluntary and community sector.

I would like to look at opening up capital investment for that area, because organisations such as the Northern Ireland Hospice, the Northlands drug addiction unit, Mencap and other bodies have been seeking to develop capital programmes, and I can see public benefit being derived from such an investment.

**Mr Kinahan:** Does the Minister recognise that the community and voluntary sector can often access the most disadvantaged? Is that advantage recognised in the tender process?

**Mr Poots:** Well, it can be. Again, in the Health and Social Care sector, the South Eastern Trust has engaged with the Colin community, a social economy business that provides domiciliary care in that community. That has enabled close to 70 people who were previously unemployed to come into permanent employment, and many of those people have moved on through that social economy business to permanent employment elsewhere. That has been a very successful programme. We can build in procurement measures to give those communities a better opportunity to win contracts.

## Health: Early Intervention

2. **Mr Boylan** asked the Minister of Health, Social Services and Public Safety, given the evidence from the Scottish Government on early intervention and the savings to the economy, to outline the steps he is taking to ensure cross-departmental commitment to early intervention. (AQO 3314/11-15)

**Mr Poots:** My Department is actively engaging with other Departments on a number of early intervention initiatives. For example, discussions are under way with Departments with a key interest in children and young people about the establishment of an interdepartmental early intervention fund. Also, I recently secured £5 million of funding through the Office of the First Minister and deputy First Minister's (OFMDFM) Delivering Social Change framework to deliver increased direct family support and support for parents' projects, both of which have strong early intervention elements.

I firmly believe that by adopting early intervention approaches to policy development and service development, we can deliver improved outcomes for children, young people and families. I also recognise that intervening earlier in the lives of children and families has the potential to deliver economic gains, as evidenced in Scotland. I have a strong personal interest in early intervention and the benefits that it can bring. I am fully committed to ensuring that early intervention remains a key priority for my Department, and I will continue to work with other Departments in areas of common interest.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. I welcome the fact that the Minister has secured some funding, but is he looking for any other funding to help the Public Health Agency to develop more intervention programmes?

**Mr Poots:** We only recently received the £5 million of funding from OFMDFM, so we have to roll that out. At present, I am not seeking additional funding. Investing in early intervention in families, young people and children has proven to be cost-effective, and that is why I was very keen to get the kind of support that we have received from OFMDFM. I put on record my appreciation for that funding.

**Mr Dunne:** What does the draft Fit and Well strategy propose on early intervention?

**Mr Poots:** The draft, which was developed through engagement with all Departments and endorsed for public consultation by the Executive, aims to improve health and well-being and reduce inequalities in health. It takes account of research showing that a shift in emphasis towards co-ordinated support for children in their early years will bring benefits, not only to children but to society as a whole, and is the most likely route to breaking the cycle of disadvantage and reducing inequalities in health. Giving every child the best start is, therefore, identified as a strategic priority.

It also proposes support for families and children as a priority area for collaboration across Departments and sectors, with the aim of enhancing support through the incremental development of targeted and universal programmes. If endorsed, it would provide strategic direction to reinforcing action to tackle inequalities. The social gradient in early years and cross-departmental commitment to and collaboration in early intervention are already evidenced through, for example, the work that my Department and its agencies are taking forward under the Delivering Social Change framework.

**Mr Rogers:** I acknowledge the Health Department's work on early intervention. Will the Minister give me some examples of savings made through early intervention?

**Mr Poots:** Savings can be delivered very strongly through early intervention. We have families who are heavily dependent on support, such as income support, and so on. In such families, there is little prospect of employment, educational outcomes are poor and, very often, the young people end up in the criminal justice system. It is much cheaper to invest in supporting children in the 0-3 age group than it is to support them in the juvenile justice system at the age of 15. There is a chance that children who receive early support will go on to make a success of their life. Unfortunately, far too many of those who end up in the juvenile justice system end up in and out of our prisons for the rest of their life.

## Older People: Health and Social Services

3. **Mr Girvan** asked the Minister of Health, Social Services and Public Safety to outline the actions that have been taken to improve services for older people. (AQO 3315/11-15)

**Mr Poots:** Longer life expectancy is something to celebrate, and I am determined that

improvement in services for older people will continue to have prominence. This includes the further promotion of independence; re-ablement; multiagency working; maintaining people well in the community; and enhancing the provision of services closer to home. The approach builds on current policies and strategies, such as those outlined in care management, safeguarding, the dementia strategy, direct payments, GP contracts, medicines management, the carers' strategy and the life-course approach in the recently published draft public health framework, which supports healthy ageing and early intervention.

A single assessment framework has been introduced to promote more effective integrated working and information-sharing among Health and Social Care staff working to meet the needs of older people. The new integrated care partnerships, proposed under Transforming Your Care, are intended to have an initial focus on the needs of frail elderly people and those with long-term conditions, such as stroke, diabetes and certain respiratory conditions, as well as those in need of palliative and end-of-life care. Where appropriate, I also want to continue the progress made on remote telemonitoring.

Other issues being progressed include the development of an older people's service framework, a review of current nursing home standards and the development of an adult safeguarding policy framework. I am also consulting on 'Who Cares? The Future of Adult Care and Support in Northern Ireland'.

**Mr Girvan:** I thank the Minister for his answer. Will he provide an update on his efforts to promote Northern Ireland internationally as a leader in Connected Health?

**Mr Poots:** Last week, I was in Brussels, as were the First Minister, the deputy First Minister and the Minister of Enterprise, Trade and Investment. Northern Ireland is officially recognised as a reference region for innovation in Connected Health. That is very positive, and we are giving a lead. Recently, representatives from Chile visited the Basque region and Northern Ireland because we are the two leading centres in the world for Connected Health.

The Connected Health programme is rolling out. I would like it to be rolled out faster than is currently happening. We need a better buy-in from our GPs in particular to ensure that that is the case. I hope that they will step up to the mark.

We are also working with the European innovation partnership on active and healthy ageing, which aims to identify and remove the persisting barriers to innovation across the health and care delivery chain through interdisciplinary and cross-sectoral approaches. The overall aim of the partnership is to increase by two the average number of healthy life years in the EU by 2020. That is a priority area, and the pillars have been defined as prevention, screening and early diagnosis, care and cure, and active ageing and independent living.

**Ms Lo:** In the context of Transforming Your Care, with its stronger emphasis on care in the community, what additional measures will the Minister put in place to combat isolation for older people?

**Mr Poots:** The Member asks a very relevant question. Often, in engaging in Connected Health and so forth, fewer people call with older people in those instances. If we roll out primary care clinics successfully, we need to create an opportunity for more older people's events to take place in those clinics. They will have the potential to see a podiatrist, an occupational therapist or various experts. That goes alongside their coming to that facility for a day event at which they can engage with other older people in their community. That important element can enhance their mental health and well-being as well as their physical health.

**Mr Cree:** Minister, given that we have an ageing population with more demands on the elderly, will you explain why the out-turn expenditure for 2011-12 shows that less is being spent on care for the elderly than the previous year?

**Mr Poots:** The out-turn that was spent in 2011-12 was £739 million. I will break that down: £218 million was spent on nursing homes; £157.5 million was spent on domiciliary care; £110.3 million was spent on hospital care; £96.1 million was spent on residential care; £14.5 million was spent on day care; and £24.7 million was spent on social work. I want the hospital figure to come down because I do not want our elderly people to be in hospital. I also want the residential care figure to come down and the domiciliary care figure to go up to enable people to live and have care in their homes.

**Mr A Maginness:** I congratulate the Minister on Connected Health and its achievements. In order to build on that, is there any further discrete line of funding that can be used to assist the elderly in that area?

**Mr Poots:** We are getting recognition for our work in Europe. The First Minister and deputy First Minister met Commissioner Geoghegan-Quinn last week, and I met Commissioner Borg. We are getting connections right at the centre of Europe. Although I want to give something back to Europe by showing leadership and demonstrating that Northern Ireland is not just a taker and has something positive to give, I think that we can give more if we get a little. That is the argument that we will be making. If Northern Ireland gets a little support, we can set examples that other larger regions can use in the future. I think that Northern Ireland could be very well recognised in that respect.

**2.15 pm**

**Mr Deputy Speaker:** Mr Fra McCann is not in his place.

### Neurology: Private Provision

5. **Mr Lunn** asked the Minister of Health, Social Services and Public Safety whether funding for the private provision of neurological services has risen or fallen in the past two years. (AQO 3317/11-15)

**Mr Poots:** The two most recent years for which completed funding information is available are 2010-11, in which there was no independent sector provision for neurological services, and 2011-12, in which 2,548 new outpatients were referred to the independent sector at a cost of £1.33 million. A further £1.4 million has been made available to refer an estimated 2,874 new outpatients to the independent sector during the current year, 2012-13.

**Mr Lunn:** I thank the Minister for his answer. He will be aware that his predecessor turned down an offer from the former Parkinson's Disease Society to provide a specialist nurse, which is a position that is badly needed in Northern Ireland. The society was going to cost that position and pay for it for two years. Is there any prospect of the Minister reconsidering that decision?

**Mr Poots:** I would be very happy to talk to the society. I think that Parkinson's disease is a very traumatic illness for anybody to contract and for any family to have to deal with. If the society has indicated that it can assist us in caring for people with Parkinson's disease and in making life better for them, I will very happily meet it and talk to it about its proposals.

**Mrs D Kelly:** Is the Minister aware of the waiting lists for therapeutic treatment from allied health professionals? They will know and appreciate the contribution that such therapy makes to interventions and recovery in neurological illnesses. Will the Minister give any commitment for funding to reduce the waiting lists in these specialities?

**Mr Poots:** The funding that went to the private sector has been used to reduce waiting lists, which have been reduced by some 6%. Nonetheless, we need to do further work on that, and we have set targets to reduce waiting lists further. It is a challenging area and one that got really badly behind. Therefore, it is important that we use whatever tools we can to drive those figures down. On some occasions, that will mean using the private sector, because there is a bit more flexibility there. People with neurological conditions need our help and support. Those conditions can be very debilitating. Therefore, it is important that we continue to do that.

**Ms P Bradley:** Following on from that, will the Minister give us an update on the implementation of the stroke strategy?

**Mr Poots:** I am pleased that there is now greater awareness of the symptoms of stroke following the success of the FAST campaign, which was launched in June 2012. There was a 25% increase in 999 calls for possible stroke in the two months following the launch of the campaign. I would say to the public that it is better to be safe than sorry. If they suspect a stroke, they should call 999 and allow the experts to decide.

A Northern Ireland stroke dataset register is being developed. That will support patient care, improve communication between primary and secondary care and assist in monitoring the quality and level of care that is provided to stroke patients. It will collect information on stroke and transient ischaemic attack (TIA) patients, and it will follow up patients for up to one year after a stroke. My Department's policy framework 'Living with Long Term Conditions' provides a strategic direction to help commissioners and providers to plan, design and develop more effective services to support adults living with long-term conditions, including stroke and neurological disorders.

### Organ Donation

6. **Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to outline what actions he has taken as a result of the

Assembly debate on organ donation on 22 February 2012. (AQO 3318/11-15)

**Mr Poots:** I am pleased to inform the Member that the recent NHS blood and transplant activity data for Northern Ireland indicate that transplants for Northern Ireland residents have increased in recent years, while the number of people on the active transplant waiting list is falling. It is also noteworthy that 30% of the Northern Ireland population have now added their names to the organ donor register. Although that is a huge achievement, I recognise that more needs to be done, as around 200 people are awaiting an organ transplant.

In June 2012, to ensure that the momentum of progress in the field of organ donation is maintained and built on, I established the Northern Ireland Committee for Organ Donation and Transplantation, which is made up of commissioners, clinicians, NHS Blood and Transplant (NHSBT) representatives and the voluntary sector. My Department has also been working with NHSBT, in conjunction with the other UK health administrations, on the development of a new UK organ donation and transplantation strategy that is designed to build on the momentum and success of the original Organ Donation Task Force (ODTF). I expect to have a draft of the strategy for approval within the next few weeks, and NHSBT aims to publish the final version in the spring.

There is sustained interest in the introduction of an opt-out system for organ donation in Northern Ireland, so I propose to conduct a public survey on attitudes towards such a system, and the views of transplant-related charities, donor families and those on waiting lists in the health service community will also be sought.

**Mrs Dobson:** I welcome the fact that the Health Minister, the First Minister and the deputy First Minister recognised this morning — conveniently enough — the need for change. As the Minister will be aware, I will be bringing a private Member's Bill to the House. Today is a very personal day for me because it is the fourth anniversary of my son's transplant.

Does the Minister support the broad policy intent of my Bill and believe that a soft opt-out system is the best solution to help save lives in Northern Ireland?

**Mr Poots:** This is not something in which my interest has been aroused only recently. A relative of mine is one of the longest surviving

donor transplant recipients in Northern Ireland. Indeed, last year, my best man's sister was buried because she did not get a liver transplant in time.

We have grave concerns about all these things. That is why, when David Cameron visited here for the only time, I raised the issue of introducing an opt-out scheme right across the UK. That would be the most successful scheme, given the numbers of potential participants across the UK. I further raised it with the Health Minister in England, and he indicated that Westminster was not prepared to move forward at that time.

Therefore, we have been having conversations with our Welsh counterparts on how to move this forward. Indeed, Joe Brolly has also been actively pursuing the issue in recent days. Through all of that, I believe that we can continue to drive organ donation upwards. I believe that an opt-out scheme can help maximise that, and I believe that an opt-out scheme with a strong educational emphasis will fully maximise the number of organ donations that we have in Northern Ireland.

We had a fantastic experience this morning with one lady who is donating her kidney. She does not know to whom it is going to go. It is being checked to see who it will be suitable for, but she wants to help someone else have life so is offering her kidney, and not to a relative or anybody else whom she knows.

**Dr McDonnell:** I congratulate the Minister on this very good news today. He is to be commended by the whole House —

**Some Members:** Hear, hear.

**Dr McDonnell:** — for the effort that he has made. I also congratulate our good friend Joe Brolly for the tremendous effort that he has made through campaigning recently and for his own tremendous generosity. He is like the lady today, the only difference being that he knew the acceptor and was motivated by that.

The Minister mentioned dialogue with the Minister in England. What opportunities are there for efficiency, effectiveness and cohesion with London, with Wales, as you mentioned, and perhaps Scotland? As well as to change the system, there is a great need to increase coherence right across these islands. Perhaps the Minister will tell us what developments he has had with Britain and Dublin on whether there is some way in which to create greater efficiency in matching donors with organs?

**Mr Poots:** We work very closely with the UK authorities in particular, but the UK authorities work with the ROI, and we help each other on these issues.

We have a good success story in Northern Ireland, particularly on live organ donation. Pauline Haslett, who won the Nurse of the Year award, has been leading on that and has been doing some brilliant work. Last year there were over 50 live donor kidney transplants. This year, until this point, there have been 46, and obviously that will continue until the end of March. So, great opportunities have been identified and have really brought the list down. That is significant work, which has been doing really well, and Joe Brolly will have assisted it with the altruistic step that he took.

Also, in terms of deceased donors, we are at 30%, which is higher than any part of the UK. But, we are not satisfied with being the best in the UK. We want to be even better and to continue to drive that up. We will work very closely with others, but we will not allow ourselves to be held back by others.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. This is a good day for the House and for the Health Department. It is not that often that the Health Department gets good days, but we need to commend all who are involved in the campaign, and, more recently, some personalities who have been involved in the campaign.

Minister, I am aware of it, and I think that it shows the power of local Ministers and local accountability. In your previous answer, you mentioned the issue of a strong education campaign or strategy around that, and I think that that is vital. Is there going to be a strong publicity campaign parallel to that? When we make good decisions, we need to ensure that our people are aware of them and want to get involved in the campaign for organ donation.

**Mr Poots:** Public awareness and education are vital, because when the Spanish introduced the opt-out rule they did not see a significant rise until they engaged in public information and education. Then, they saw the real benefits of the opt-out. Without providing public awareness, we will not be using this to maximum effect. That is why public awareness is essential.

### Ministerial Subgroup on Suicide

**Mr Maskey:** Ceist uimhir a seacht.

7. **Mr Maskey** asked the Minister of Health, Social Services and Public Safety to outline the agenda for the next meeting of the ministerial subgroup on suicide. (AQO 3319/11-15)

**Mr Poots:** Is that seven? A meeting of the ministerial co-ordination group on suicide prevention was held on 30 January. The next meeting of the group will be in August. The agenda for the meeting held last week covered: departmental progress on reporting on actions to tackle suicide and promote mental well-being; Public Health Agency (PHA) progress reporting on implementation of the Protect Life action plan; the recently published report on the evaluation of Protect Life; the Health Committee's Youth Talks report; and mental well-being within the undergraduate teacher training programme.

**Mr Maskey:** I thank the Minister for that report about the last meeting and the forthcoming meeting in August. Will suicide issues be included in the training of all teachers and social workers?

**Mr Poots:** A course of work is being done and has been done on training. The Department of Education (DE) will take a key role on that. The Health Committee asked whether mental well-being promotion and suicide awareness is included in the training of new teachers, and the DE is to report on that position. It was not able to do so at the last meeting. At present, the PHA is working with relevant bodies to enhance mental health promotion education in undergraduate health training.

**Mr McCallister:** I am grateful to the Minister for his reply. I note that the recent 2011-12 out-turn figures show that spending on mental health, health promotion and disease prevention have gone down, despite inflationary pressures. Can the Minister assure me that efforts and expenditure on suicide prevention have not suffered because of that?

**Mr Poots:** Last year was the first year for around six years in which there was actually a drop in the number of suicides; so, we are looking at how we do things and how we can do them better. That will continue to be the case. It is not an issue that we can be complacent about. Traditionally, mental health has been the poor relation in the health service, and it is something that we cannot afford to not spend money on.

Our interventions can be done better in that people who go to a GP for help will often need to be referred more quickly to psychiatric



facilities. Psychiatric facilities need to be able to discharge people much more quickly so that GPs can take up more of a role thereafter. Earlier interventions can deliver considerable value for money.

**2.30 pm**

## Justice

**Mr Deputy Speaker:** Mr Samuel Gardiner is not in his place to ask question 1. I call Mr Stephen Moutray.

### Community Safety Strategy: Crime Against Elderly People

2. **Mr Moutray** asked the Minister of Justice for his assessment of the effectiveness of the community safety strategy in tackling crime against elderly people. (AQO 3329/11-15)

**Mr Ford (The Minister of Justice):** The community safety strategy, which was published last July, sets the framework for building safer, shared and confident communities. An important part of the strategy is to help older and vulnerable people to feel safer by reducing crime and the fear of crime. The Committee for Justice recently agreed action plans to set the priorities for delivery over the next two years. In ensuring the safety of older people, the focus will be on a number of issues, including engaging directly with older people to improve our understanding of the fear of crime and its impact and effective responses, and promoting intergenerational practice to build trust and confidence. The action plans will also help to promote and support regional and local initiatives, including home security schemes to prevent burglary; information days for seniors; support for the Quick Check scheme to prevent bogus callers; and the promotion of Crimestoppers and neighbourhood watch schemes to reduce crime and the fear of crime. Policing and community safety partnerships (PCSPs) play a key role in building confidence locally through engaging and consulting with communities on the issues that matter to them. PCSPs across Northern Ireland are delivering a range of projects and initiatives with local communities to tackle crime and improve the safety of older and vulnerable people. The effectiveness of the strategy will be measured by how well it delivers on these outcomes, and it includes a range of indicators on levels of crime and perceptions of safety of older people.

**Mr Moutray:** I thank the Minister for his response. One area of concern is that the police have not been successful in pursuing those responsible for crimes against the elderly. Indeed, figures last year suggested that, for every 18 offences, only one person was charged. Does the Minister agree that there needs to be a greater clear-up rate in that regard?

**Mr Ford:** I certainly agree with the Member that we would all wish to see a higher clear-up rate across all crime. The reality is that crimes against older people are still extremely rare in this society. Only two in 1,000 people aged 65-plus were the victim of violent crime last year. That said, if you happen to be one of those two individuals, it is still a serious crime. I certainly wish to see PCSPs continuing to do the good work that they are doing to follow on from previous work by community safety partnerships (CSPs) and district policing partnerships (DPPs) alongside the police so that we can provide that confidence for older people.

## Legal Aid

3. **Miss M McIlveen** asked the Minister of Justice to outline the reasons for the shortfall in the legal aid allocation for 2012-13. (AQO 3330/11-15)

**Mr Ford:** The main cause of the legal aid funding pressure relates to civil legal aid, as the changes that I have made to criminal legal aid are now beginning to take effect. Expenditure on criminal legal aid has reduced from £60 million in 2009-2010 to £48.3 million in 2011-12 and is further forecast to reduce to £35 million by 2014-15. However, civil legal aid expenditure has continued to increase, contributing to the shortfall in the legal aid allocation for this year. Prior to devolution, net expenditure on civil legal aid increased from £11.4 million in 1999-2000 to £36.9 million in 2009-2010 and has further continued to rise to £53.3 million in 2011-12. In particular, forecast expenditure relating to Children (Northern Ireland) Order 1995 cases in the High Court increased by £7 million or 68% throughout 2012-13. There has also been a higher than anticipated rate of processing of claims by the Taxing Master. This underlines the importance of the civil legal aid reforms that I am now bringing forward. With regard to the 2012-13 pressure, additional budget cover of £16 million has already been provided to fund part of the current shortfall. My officials continue to work to identify further funding.

**Miss M McIlveen:** I appreciate the Minister's answer on the issue. It is obvious that he is taking it seriously, but, given the fact that we are in a strapped economic climate and job losses are inevitable, when will he be able to bring forward substantive proposals in order to alleviate future problems?

**Mr Ford:** I appreciate Miss McIlveen's point. She talks about substantive proposals, and there are substantive proposals under way to deal with civil legal aid expenditure. As far as this year is concerned, we have effectively ensured 94% of the anticipated costs, which, given the very significant increase in unanticipated in-year costs, shows that good work is being done by my officials. There is clearly more work to be done.

The substantive issue, however, is to tackle the burgeoning cost of civil legal aid. We have shown over the past two years that the efforts made to tackle criminal legal aid have resulted in reduced expenditure. With the support of the Justice Committee and the Assembly, we will be able to ensure that we also tackle the civil side.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister ensure that legal aid is structured in such a way that access to justice is not curtailed to the degree that only those who can afford it will receive it?

**Mr Ford:** It is my intention to ensure that we maintain the ability of those who require legal aid to access it, whether it is for civil matters or criminal matters, as far as possible. That is why the reductions in expenditure, which have happened so far on the criminal side, have been reducing the amounts paid in individual cases and not taking issues out of scope. I believe it would be the wish of the House, as we proceed with the civil legal aid reforms, to either find a suitable alternative way of dealing with issues that come to the civil courts or ensure that we fund them in a way that gives people access to justice but does not necessarily continue paying barristers and solicitors at the current unsustainable rates.

**Mr Allister:** I declare the interest that, in the past, I have been a recipient of legal aid fees. I have no current interest to declare.

There has been a substantial backlog in payments to practitioners. As a consequence, the Legal Services Commission has advised that some of that backlog will not be cleared up until the new financial year on cheque runs which begin then. Will legal aid then be subject

to late payment commercial debt facilities? Are those obtainable from the legal aid services in respect of late payments? Will that add to the cost?

**Mr Ford:** Mr Allister correctly declared a former interest, which shows that he is better informed on the mechanics of receiving legal aid than I am. As I highlighted, having obtained an additional £16 million against an unforeseen pressure of £22 million, a very small sum of money will not be paid. I am also well aware that, in many cases, lawyers do not submit their bill for legal aid for some months or, on occasion, years after the event. So, I am not sure whether lawyers who have their payments delayed by a week or two would necessarily have any justified case for seeking additional payments.

**Mr A Maginness:** I listened with interest to what the Minister said about legal aid for family cases. Has he conducted an equality impact assessment of the substantial and severe reduction in representation for those involved in family proceedings? What repercussions has that assessment shown?

**Mr Ford:** I thank Mr Maginness for his question, which highlights the fact that we are seeking to ensure that we maintain an appropriate level of legal aid expenditure. The question about the appropriate level of representation is, however, different. There has been a significant increase, particularly in family cases, in recent years in the number of lawyers funded for a variety of parties in cases. Although the question about the EQIA is a legitimate one — an EQIA will be carried out as part of a policy review — we also need to recognise that, not so many years ago, significantly fewer lawyers were funded for the average children order case than are currently funded. I must declare my former professional interest and say that I do not necessarily believe that funding lawyers when things go wrong is the best way of dealing with difficult cases involving children. I would prefer to fund social workers and health visitors to get things right in the first place.

**Mr Deputy Speaker:** As Mr Adrian McQuillan is not in his place, I call Mr John McCallister.

## Stalking

5. **Mr McCallister** asked the Minister of Justice whether he has any plans to introduce legislation to make stalking a criminal offence. (AQO 3332/11-15)

**Mr Ford:** Stalking, as it is called, is an invidious behaviour. While it appears to be targeted particularly against women, it can be directed against anyone. Current legislation in Northern Ireland already allows for prosecutions in relation to what is known as stalking. Prosecutions can be brought under harassment legislation for a number of offences. The Protection from Harassment (Northern Ireland) Order 1997 allows for the general offence of harassment and the offence of putting someone in fear of violence. Penalties can be up to seven years' imprisonment. I am aware that both England and Wales and Scotland have recently created offences specifically called "stalking". I will keep the developments in Great Britain under review to assess the need to strengthen the powers in Northern Ireland.

**Mr McCallister:** I am grateful to the Minister for his reply. Are there any means of recording complaints of stalking in Northern Ireland according to physical and/or psychological harm?

**Mr Ford:** In recording offences, it is for the police to record complaints made to them, as well as to record successful prosecutions and unsuccessful court cases. In a debate earlier today, we highlighted stalking, cyberstalking and other offences that go beyond the traditional assumption of physically following someone. At the moment, we see that our legal system is capable of dealing with that, but we will also need to learn the lessons that come from other jurisdictions.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a chuid freagraí. In light of the Minister's previous answer, is the Department doing or has it done any work with the PSNI to ensure that members of the PSNI are properly trained to ascertain, establish and recognise the particularly difficult and, at times, very sensitive offence of harassment, including stalking?

**Mr Ford:** As ever, I need to be cautious when talking about what the Department should do by way of training in conjunction with the PSNI. That is very much an operational issue for the police. However, there are a number of issues for which the Department is involved in ensuring suitable training. Examples include the training of prison officers dealing with sex offender programmes in prison and work that is done jointly through the multiagency risk management arrangements. The Department has a role to play in all those issues. However, as ever, the Department cannot direct individual

agencies on how they operate their own training procedures.

## COBRA Civil Contingencies Committee

6. **Mr D McIlveen** asked the Minister of Justice what input he or his Executive colleagues have to COBRA civil contingencies committee meetings. (AQO 3333/11-15)

**Mr Ford:** I have had no occasion to input to COBRA civil contingencies committee meetings. There are, of course, strategic co-ordination arrangements in place to deal with a major emergency in Northern Ireland through the Northern Ireland central crisis management arrangements.

**Mr D McIlveen:** I thank the Minister for his answer. The Minister will be aware that, in light of the Algerian crisis, the Prime Minister indicated that the United Kingdom might be a potential target for north African terrorism. Given the inglorious tradition of north African terrorism being connected with Irish republican terrorism, is the Minister satisfied that dissident republicans will not be used by north African terrorists as a means of attack on the United Kingdom, as they have been in the past?

**Mr Ford:** I fear that Mr McIlveen is trying to take me into matters of national security and international arrangements that are not for the devolved Department. However, I can assure him, in case anybody in the House needs assurance, that the Department is committed to playing its part in supporting the PSNI in the work that it and other agencies do against terrorism and other serious crimes of the kind that we discussed yesterday. We will continue to do that as best we can.

**Mr Kinahan:** Are we right to assume that COBRA has not requested any help on this matter from the Executive?

## 2.45 pm

**Mr Ford:** There have been no requests from COBRA to the Department of Justice. I understand that there have been occasions in the past, for example in the case of swine flu, which involved the former Health Minister, and ash dieback, which has apparently featured some of my ministerial colleagues. They have not involved the DOJ.

**Mr McDevitt:** The Minister will be aware that we have a legislative gap in Northern Ireland in civil contingency and emergency planning.

Does the Minister agree that we are now 10 years out of date with the rest of the UK and it is now time to introduce a contingency planning Bill, so that emergency services and other organisations can operate within a clear statutory framework at times of civil crisis?

**Mr Ford:** I am very reluctant to agree that Northern Ireland is 10 years behind other UK regions in any respect. There are clearly issues, and we need to ensure that the arrangements through NICCMA are the best possible arrangements for Northern Ireland. I have not had any representations from any services with which I deal to suggest that there is a need at this stage for further legislation, much of which, I believe, would lie with OFMDFM rather than with my Department.

## Personal Protection Weapons

7. **Ms P Bradley** asked the Minister of Justice, in light of the present dissident republican threat and the murder of Prison Officer Black, what direction he has given regarding the issuing of personal protection weapons. (AQO 3334/11-15)

**Mr Ford:** I have not issued any direction on the issuing of personal protection weapons. I have no power to do so.

**Ms P Bradley:** I thank the Minister for his answer. I kind of knew that anyway. Has he had any discussions with the Secretary of State to ensure that the Northern Ireland Office provides the home security scheme and that the criteria are not over-restrictive?

**Mr Ford:** I have had a number of discussions, particularly since the tragic murder of David Black, with the Northern Ireland Office, the Prison Service and the police about some of those arrangements, but the home protection scheme and the rules for the issuing of personal protection weapons are entirely for the NIO and not for the Department. I have been assured that cases, particularly for prison officers who had not seen themselves as needing that sort of protection, will be expedited, and I understand that that is the current position. If she has specific concerns, the Member needs to go directly to the NIO.

## Police Rehabilitation and Retraining Trust: Grafton Recruitment

8. **Mr F McCann** asked the Minister of Justice whether the Police Rehabilitation and Retraining Trust has received sponsorship,

donations or other unspecified assistance from Grafton Recruitment during the lifetime of that company's private contract with the PSNI. (AQO 3335/11-15)

**Mr Ford:** The Police Rehabilitation and Retraining Trust has not received any sponsorship, donations or any other form of unspecified assistance from Grafton Recruitment during the lifetime of that company's private contract with the PSNI.

**Mr F McCann:** Go raibh míle maith agat, a LeasCheann Comhairle. Does the Minister share my concern that there is a history of that company offering advice to retired policemen so that they can come back into the police force?

**Mr Ford:** I am really sorry, Mr Deputy Speaker, but I do not know how I can answer a question about a private company having dealings with private citizens. The specific question was around sponsorship or unspecified assistance, and I have answered that.

## Magilligan Prison

9. **Mr G Robinson** asked the Minister of Justice for an update on the plans to rebuild HMP Magilligan. (AQO 3336/11-15)

**Mr Ford:** As I have stressed on a number of occasions, further work is needed before a definitive decision can be made on the future of Magilligan prison. That decision will be based primarily on enhancing public protection and public safety through providing opportunities for prisoners to address their offending behaviour and preparation for release back into the community. I have committed to returning to the Assembly to update Members on emerging decisions following publication and subsequent consultation on the Prison Service estate strategy, including the future of Magilligan, by the end of March.

**Mr G Robinson:** Will the Minister assure those who depend on Magilligan for their livelihood that a decision will be made as soon as possible to ensure no loss of quality staff?

**Mr Ford:** As I have outlined, I can assure Mr Robinson that I will be back to the Assembly by the end of March to give that detail. Given the amount of discussion that is needed on the whole issue of the prison estate, that is an appropriate and reasonable timescale so as not to rush it but to give it full consideration.

The issue of those who are dependent on Magilligan for their livelihood is of course, in most cases, for staff of the Prison Service. The key thing is to ensure that we use the staff in the best way possible to meet the needs of prisoners from all parts of Northern Ireland.

**Mr Elliott:** In an earlier statement, the Minister indicated that Magilligan might have a partial rebuild and a partial refurbishment. Is that still the view, and, if so, how will he identify which part will be a partial rebuild and which a partial refurbishment?

**Mr Ford:** Mr Elliott's question is definitely inventive, but, having said that I will come here by the end of March to give the results of the consultation and the outcome of the decision-making process, I do not believe that I am in a position to give the answers that Mr Elliott seeks in the first week of February.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Anne Owers's report identified a gap in the links between Magilligan prison and the community in facilitating the rehabilitation process. Given the stay of decision on Magilligan, will the Minister outline what steps have been taken to build up those community links so that we can be assured that there will be a proper rehabilitation process if the newbuild is at Magilligan?

**Mr Ford:** I thank Mr McCartney for that question, which puts its finger on the key issue of the future possible use of Magilligan. In the past, we have highlighted the difficulties of Magilligan's location. Whatever some people may wish to do to replicate Robben Island in Northern Ireland, that is not the way in which you provide an atmosphere in which it is possible to rehabilitate prisoners towards the end of their sentence. The key issue for me was the discussions that I had personally with, for example, representatives of local business and local councils. The ongoing discussions being engaged in by my officials and the local councils are looking at the opportunities that will be present for rehabilitation. I am glad that those discussions, which started off with three councils, now include four: Derry, Limavady, Coleraine and Ballymoney councils are all involved in looking at the possible ways in which they could contribute to rehabilitation. Obviously, there is an element of that that might benefit their citizens, if their focus is geographically on Magilligan. I cannot give the detail of that. The next meeting with the councils will be next week. I am satisfied that progress is being made.

## Prisons: Strategic Efficiency and Effectiveness Programme

10. **Mr Easton** asked the Minister of Justice for an update on the strategic efficiency and effectiveness programme. (AQO 3337/11-15)

**Mr Ford:** Following each meeting of the prison review oversight group, which I established to scrutinise progress on the prison review team (PRT) recommendations, the group provides a summary report to the Justice Committee. To date, three reports have been provided to the Committee, and a copy of each has been deposited in the Assembly Library. The oversight group will publish its first annual report shortly, and it will also be deposited in the Library.

The strategic efficiency and effectiveness (SEE) programme, which sits within the wider PRT reform programme, will realise a fundamental end-to-end transformation of the Prison Service and deliver over half of the recommendations in the PRT report. We should not underestimate the achievements so far. They include the introduction of the new prison custody officer grade, the amalgamation of support grades into the new grade and the development of a new training programme for these members of staff. To facilitate these reforms, 175 new recruits have been appointed, and 287 staff have been released under the voluntary early retirement scheme. The introduction of a new target operating model and core working day in October last year provided a first step towards delivering the most efficient and effective staffing model for the three establishments in the future. These steps are the foundations of change that will be built on by the SEE programme over the next two years.

**Mr Easton:** I thank the Minister for his answer. One of the visions of the SEE programme is the rewarding of staff. Will the Minister give us a bit more detail on what the programme will encompass for the reward of staff?

**Mr Ford:** One of the key points about rewarding staff was the voluntary early retirement scheme for those who had served in difficult times. There is the opportunity to provide a much more rewarding job than was previously the case, with much more significant professional work to be done in engaging with and rehabilitating prisoners and maximising the work that can be done by uniformed staff alongside other staff in, for example, teaching and skills training. That is the kind of thing that will provide a much greater opportunity for

prison officers to gain job satisfaction. It will also contribute to making society safer.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Is the Minister satisfied that there is a rigorous implementation plan to see through the necessary reform?

**Mr Ford:** Yes, I am satisfied of that. Like any significant programme, it took some time to get under way. However, if Members take the opportunity to go to the Library and read the three quarterly reports that have been published, they will see the amount of work that has been done and continues to be done.

### Prison Service: Voluntary Early Retirement Scheme

11. **Mr Anderson** asked the Minister of Justice for an update on the Northern Ireland Prison Service voluntary early retirement scheme. (AQO 3338/11-15)

**Mr Ford:** Deputy Speaker, I was going to say that, with your permission, I would take questions 11 and 12 together, but I shall not.

Some 544 members of staff applied to leave NIPS under the terms of the voluntary early retirement scheme. As I have just said, 287 individuals have left the service to date. Business case approval has been given for a total of 360 staff to leave. A business case seeking approval to extend the scheme to cover all those who initially applied will be submitted to DFP shortly.

**Mr Anderson:** I thank the Minister for his response. He is racing through the questions, but I hope that I will get a substantive reply to my supplementary question. Many officers who applied for the early severance scheme are still waiting, as you say, to leave the service. Are you aware that that puts undue stress on them and their families, and will you outline precisely the £10 million resource recently announced in the February monitoring round for the exit scheme? Will that be used to ensure that those officers are released without delay?

**Mr Ford:** I am certainly aware that those who wished to leave but have so far been unable to do so are, in many cases, anxiously awaiting news. That is why we advanced the business case and obtained the additional funding from DFP in the latest monitoring round, which Mr Anderson has just highlighted. We continue to develop the business case to allow all those

who wish to leave to do so within the broad terms of the scheme. Clearly, we do not want to retain staff who have served for long years and now feel that the time is right for them to go, but nor can we do that without a proper business case being accepted by DFP.

### Prisons: Contingency/Emergency Facility

13. **Mr Weir** asked the Minister of Justice what progress has been made in identifying and deciding on the location for a contingency/emergency prison facility. (AQO 3340/11-15)

**Mr Ford:** During the compilation of the estate strategy, consideration was given to the need for contingency accommodation to deal with population pressures and associated overcrowding. Following consideration of the viable options, it has been decided that the provision of contingency accommodation is best served by increasing the capacity of the accommodation in the three existing prisons. To that end, the recent opening of a new accommodation block at Maghaberry has allowed the opportunity to vacate, for the short term at least, one of the square houses. Plans for an additional accommodation block at Maghaberry are being developed, and proposals have been made to add an additional storey onto that new building to cater for any foreseeable capacity pressures.

**Mr Deputy Speaker:** For the record, I should have said that Ross Hussey was not in his place for question 12. I can now call Peter Weir for his supplementary question.

**Mr Weir:** In light of the fact that the Minister has ruled out any additional facilities other than in the existing prisons, what plans does he have for the site at Millisle?

**Mr Ford:** I am not sure whether Mr Weir was in the Chamber when I answered his colleague Mr Robinson's question about Magilligan. The entire issue of the estate strategy will be reported on at the end of March and, I am afraid, not in the first week in February.

### Police Rehabilitation and Retraining Trust: Funding

14. **Mr McAleer** asked the Minister of Justice whether the annual allocation of funding by his Department to the Police Rehabilitation and Retraining Trust is subject to scrutiny by the

Equality Commission and the Audit Office.  
(AQO 3341/11-15)

**Mr Ford:** Neither the Equality Commission nor the Audit Office has a role in the allocation of funding to the Police Rehabilitation and Retraining Trust.

**Mr McAleer:** The Minister has answered my question. Go raibh maith agat.

### Office of the Police Ombudsman

15. **Mrs Hale** asked the Minister of Justice what assurances he can give that the Police Ombudsman's office will not be diverted from its central purpose of overseeing current policing activity. (AQO 3342/11-15)

**Mr Ford:** The Office of the Police Ombudsman for Northern Ireland provides an independent means of handling all complaints against the police. The office remains absolutely committed to the thorough and impartial investigation of matters that fall within its remit.

In March 2012, my Department announced an additional £10 million to enable OPONI's history directorate to conclude investigations within six years, with a fully resourced dedicated directorate in the office to look at historical investigations. I am assured that the additional resources made available specifically for historical investigations will enable the office to carry out both historical and, just as important, current works to the highest investigative standards.

**3.00 pm**

**Mr Deputy Speaker:** We do not have time for a supplementary question, but I think that it is in order to congratulate the Minister and Members for managing to get to question 15, which is a record.

## Question for Urgent Oral Answer

### Horse Meat

**Mr Deputy Speaker:** Mr Joe Byrne has given notice of a question for urgent oral answer to the Minister of Health, Social Services and Public Safety. Before he asks his question, I remind Members that, if they wish to ask a supplementary question, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary question. I will then call other Members who are on their feet to ask a supplementary question, taking account of the same issues that I do at Question Time.

**Mr Byrne** asked the Minister of Health, Social Services and Public Safety, given the news regarding horse meat being found in meat production, what investigations his Department will conduct in relation to horse meat found in Northern Ireland.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** This is a matter for the Food Standards Agency (FSA) and district councils. Investigations are already under way on products stored at the cold store in County Down that tested positive for horse DNA. This is part of a wider investigation that is taking place in both jurisdictions. I am not in a position to provide any further details on that investigation so as not to prejudice any further enforcement action and possible legal proceedings. The Food Standards Agency has advised me that, based on current information, this is not a food safety issue.

**Mr Byrne:** I thank the Minister for his answer. Obviously, the issue is causing grave concern in the wider community. Will he state when the FSA in Northern Ireland was alerted to the possible concerns regarding DNA horse meat in Northern Ireland? Will he reassure the House that his Department and the Department of Agriculture and Rural Development (DARD) are doing everything to make sure that the authenticity of meat products going through Northern Ireland is properly certified and up to the required standards?

**Mr Poots:** The FSA was informed on 4 February at 6.15 pm by the Food Safety Authority of Ireland (FSAI) that samples taken by the Republic of Ireland's Department of Agriculture, Food and the Marine from a company called Rangeland Foods showed levels of equine DNA of up to 75%. On 4

February 2013, the FSA received results of samples that were taken from a consignment of 12 samples taken: two tested positive for equine DNA at levels between 60% and 100%. So, the information has been coming forward, and the FSA has been investigating as indicated.

It is clear, and this must be made clear to the public, that the scientists who work in the FSA have no food safety concerns at this point. This is more a matter of labelling and of the information that has been put forward to the public. It is also a matter of consumer confidence. However, this is not a food safety issue.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for giving us that information.

Although he said that this is not a food safety issue, and I appreciate that, there is a high level of public concern, which the Minister acknowledges. The Committee had an update last week from the Food Standards Agency when it teased out some of the issues. Although this might not be an issue for food safety, are there any implications for public health in the discovery of horse meat in these and other products? It is important to stress that point. I appeal to the Minister and the relevant authorities to try to get as much of this information out as quickly as possible so that we can alleviate people's fears.

**Mr Poots:** At this minute, there are no issues of concern for public health. Horse meat is commonly used in other parts of Europe, although it is not used so commonly here. There is some slaughter of horses in Northern Ireland. However, none of the companies in the Northern Ireland Meat Exporters Association (NIMEA) is involved in the slaughter of horses. There is some slaughter of horses in the Republic of Ireland. In other parts of Europe, it is much more common.

If people buy a beefburger, they expect it to be a beefburger. If it contains horse meat, the label should say that it contains horse meat, and people can then make their own choice. That is the issue here: at this time, what it says on the label is not exactly what people are buying. Therefore, consumers have an issue with confidence, and that needs to be addressed. I am making it clear that, at this stage, there is no evidence of any kind that this is a food safety issue.

**Mr Frew:** Can the Minister reassure the House that the meat that is being investigated at present is not from animals that were born and bred and whose meat was processed in Northern Ireland and that it was, indeed, imported from elsewhere in the world?

**Mr Poots:** That investigation is taking place. At this stage, I cannot state clearly from where that latest consignment of meat, which has been identified to contain a high level of horse DNA, has come. We will seek to ascertain the facts. I should say that the meat has been tested and there are no veterinary substances, for example, in it. The problem was that some of the meat may have come from illicit sources where the animals may have received injections of antibiotics. There is no case of that at this stage. The meat is fit for human consumption. The issue is that people were buying something that they did not actually anticipate it to be.

**Mrs Dobson:** Does the Minister recognise the vulnerable state of the agrifood industry and agree with me that the vast majority of producers operate perfectly legitimately? Will he give a commitment to the House that his officials will not take any action that would cause long-term damage to the industry?

**Mr Poots:** Officials have acted reasonably and responsibly thus far. They have given the public information about an issue that is of concern to them. The public are rightly concerned that they are buying a product that may contain something that they did not believe would be in it when they bought it. If people want to buy burgers that contain horse meat, they can make that choice. When it is not labelled as such, they cannot make that choice.

A further issue is that thousands of people are involved in the production of good-quality meat in Northern Ireland. I know that there is huge anger and resentment among those individuals, who do their job very well and get a limited income for doing so, that some fly-by-night merchants think that they can grab an easy euro and damage the entire industry in the process. I will give assurances that I want the Food Standards Agency and, indeed, the PSNI, in conjunction with the FSAI and an Garda Síochána, to pursue rigorously whoever is involved and ensure that they are punished appropriately for that involvement.

**Dr McDonnell:** I think that the Minister is saying that the cowboys need to be rooted out. We all agree with him on that.



He referred to a storage facility in County Down. I am concerned that the owner of a storage facility could be the focus of blame or contamination. My understanding is that when someone rents out a storage facility, it is the responsibility of the person or company who puts in the meat in it, rather than that of the owner of the storage facility. It is important that we clarify that the owner of the cold store is not to blame for what goes into it.

**Mr Poots:** It is obviously not the responsibility of the owner of the building but that of whoever handles the foodstuff. Twelve consignments were tested. Ten of them were clear and two contained horse meat. That indicates that perhaps there has been an attempt by some people to filter something that they got at lower cost into the food chain, thus increasing their profit. The individual who bought the meat may be innocent, because it could have gone through a number of companies before it arrived with that particular company. However, companies in the business must ensure that due diligence is applied when they acquire foodstuffs, so that they can stand over what they are selling to others.

**Mr Allister:** I think that the House understands that the Minister's focus of responsibility relates primarily to food safety, but this is an issue that, undoubtedly, has cross-departmental ramifications. In that regard, will the Minister agree that government, as a whole, needs to be active in any investigation? That needs to include the allegation that the Ulster Society for the Prevention of Cruelty to Animals has put on record of its belief that organised crime is involved in the provision of these carcasses. Will the Minister support a cross-departmental investigation that will embrace the possibility of the involvement of organised crime and the exploration of that?

**Mr Poots:** I am very happy to work with the Department of Enterprise, Trade and Investment and the Department of Agriculture and Rural Development, which are the key Departments with responsibility, to identify the source of the horse meat and, if there is fraud involved, to work with the PSNI in pursuing those individuals.

It is incumbent on us that we work together to ensure that the good name that has been built up in Northern Ireland since the BSE crisis of 1996, and the quality product that is supplied and recognised across Europe, is maintained and that we do not allow individuals who are prepared to take short cuts to damage an entire industry. The industry is too important and too

valuable to us. My role, first and foremost, is to ensure that public health is not impacted. At this stage, we have no indication whatsoever that this is a public safety issue.

**Mr Givan:** I welcome the Minister's assurance that, based on scientific evidence, the food safety aspect is not something to be concerned about. However, it is something that consumers will be very concerned about and that when they go into our supermarkets and buy something that says that it is a beefburger that that is exactly what they are buying. There is a responsibility on the large stores and multinationals to ensure that they are having due diligence and are sourcing all their products from reputable organisations.

**Mr Poots:** At the outset, I will say that not all supermarkets have been stocking burgers that contain horse meat, but a number of the large companies have. I referred to meat companies having due diligence in identifying the source of the food to ensure that they are getting exactly what it says and that it is the quality that they would expect, and the same applies to the supermarkets. It is not good enough for supermarkets to go for price alone and not to ensure that what they are selling to the public is bona fide. Unfortunately, in this case, their credibility has been damaged over the past few days. I trust that, in future, they will ensure that more effort and application is put into the companies that they acquire their food from and that they will ensure that they acquire their food based not on price alone but on quality, safety of supply and a whole range of criteria in which the public can have confidence.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I rise as a Newry and Armagh MLA based in Newry. There was some publicity on the radio this morning when I was travelling down about a company in Newry where horse meat was found in its storage facility. The company issued a statement saying that it was storing a parcel of raw material that it never purchased. It was not purchased by the company, and it never reached the food chain through the company. It went on to say that all tests are being carried out routinely on their own finished products, that is, burgers —

**Mr Deputy Speaker:** Mr Brady, do you have a question?

**Mr Brady:** That company received adverse publicity this morning, and I think that needs to be addressed.

**3.15 pm**

**Mr Poots:** Mr Brady has, obviously, read out a statement from the company, and I have no issue with that. An investigation will take place to identify who did own the meat and where they sourced it. I hope that the individuals who own it will co-operate fully with the investigation and assist us in identifying the source so that those involved in this can be punished.

The people involved in this have the potential to do huge damage to a key industry in Northern Ireland. Although, again, this is not a public health issue, it has huge potential to damage consumer confidence. Therefore, those people need to be identified, found and punished.

**Mr Beggs:** Food standards and accurate labelling of products are devolved matters. I understand that there has not been random DNA testing on meat products in Northern Ireland in recent years to give consumers a higher degree of reassurance. Why has that not been happening in recent years?

**Mr Poots:** The ability to achieve the sensitivity of the DNA testing that is now taking place has been quite recent. However, the testing that was carried out in Newry would indicate that this is not a trace element. Certainly there were traces in some of the earlier tests, which could come about from just having animals killed in the same plant without it being horse meat. That is a completely different scenario. What we are talking about this morning is a situation where there was a significantly higher DNA content, which would indicate that there was quite a lot of horse meat in that consignment.

## Private Members' Business

### Social Networking Websites

*Debate resumed on amendment to motion:*

*That this Assembly notes the growing number of people and hate groups who use social networking websites to verbally abuse other users; further notes the use of these sites by sexual predators to groom victims; and calls on the Minister of Justice to explore the introduction of better regulation of these sites and tougher penalties for people who use the sites to commit crime. — [Ms McCorley]*

*Which amendment was:*

*"; and further calls for additional policing resources so that online internet hate crimes are able to be fully investigated". — [Mr McDevitt]*

**Mr Easton:** The internet is one of the most influential inventions for this generation. The immediate access to any information you can imagine has changed our society. People now have access to information whenever and wherever they want. With the advent of the smartphone, tablets and laptops we really are the most accessible we have ever been in our generation.

Social networks make up a vast proportion of our accessibility. As an elected representative, social media allows me to be in close contact with my electorate. They can post on my walls any concerns that they have or ask questions, and I am able to update them on what I am doing in their interests. That is a positive and important role of social media.

Sadly, as technology has marched ahead, our legislation has not quite kept pace with the changes. There appears to be a large amount of confusion as to what comments risk prosecution and what is simply the right to freedom of speech. That confusion is before we enter the world where people are intentionally using such sites for illegal reasons such as sexual grooming of our children.

When I was growing up, home was a sanctuary, where a child could go and feel safe. A person could lock their door and leave the world outside. The rise in technology means that children and younger people no longer have that sanctuary. If they are being bullied at school, that bullying can continue in the home through social media.

Although many sites have age restrictions, many young people are well-trained in how to get around them. I know of a six-year-old who has social media accounts and whose parents are not the most knowledgeable about technology. Obviously, that is a major safety risk. Nobody would leave a 10-year-old in the centre of Bangor and tell them to talk to anyone they want, but with social media there is a risk that they will be doing just that.

Just because they are physically in their bedrooms or the living room does not mean that they are not conversing with strangers, giving potential identifying information such as school names or how they get home from school to people, the majority of whom I would hope to be upstanding citizens. However, it takes only one to pose a real danger.

I know of one headmaster of a secondary school who claims that 90% of the incidents around bullying now occurs through the use of technology and who advises the parents of children entering year 8 that if their children have Facebook or Twitter accounts they should delete them, as they cause more trouble in the school than anything else.

If schools are noticing that, so should our society, so that we can adequately protect our young, vulnerable people. Nasty comments, hate sites and people telling other young people to kill themselves on sites such as Twitter or Facebook are all too common. Just as victims of traditional bullying often are fearful of telling an adult about such bullying, the same is true of internet bullying.

Added into the mix are apps such as ask my penguin, where people get to leave anonymous comments about a person, encouraging people to maybe say something that they would think twice about saying to someone's face. It is easy to forget that there is a real human behind the screen reading comments, and so-called keyboard warriors may not always realise the impact that some of their words will have on the person at whom they are directed.

Predators have always seen the potential of using the internet to commit their crimes. Again, they can see a young person who is lonely, has low self-esteem and appears to have a high level of reliance. They then exploit the information that that young person places on their social media website to build a relationship with them and to distance them from the people in their real life. There is little risk to the predator as many young people access such sites in their bedrooms, away from their parents' eyes. Also, parents are not

always up to date with technology, which leaves young people vulnerable and at risk.

Over the past number of weeks and months, we have seen the positive effects of social media in raising awareness of issues, but we have also seen the downside, with two young sisters taking their lives over alleged remarks made on social media.

Without clear legislation and strong punishment for those who transgress these laws, we will continue to have this grey uncertainty over what can and cannot be typed. Some of the videos that go viral on Facebook, for example, have bestiality implied in them, which young people can watch. We have sites where young girls aged 14 and 15 are wearing very little — less than what you would see on a beach — while sites that promote and give advice on issues such as breastfeeding are closed down and pictures are deleted.

We need to end this confusion now and make people understand that the premise that sticks and stones may break our bones but words can never hurt us is no longer correct when it comes to the world of social media.

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

**Mr Easton:** Thank you.

**Mr Wells:** Last August, I made a comment known on a particular moral issue that I felt strongly about. That obviously touched a raw nerve with many hundreds of people throughout Northern Ireland and the United Kingdom. I was relatively new to social media and the internet, though I have a member of staff who is much younger than me and is an authority on the issue. So, I have come to Twitter and Facebook only within the past 18 months.

The torrent of abuse, bad language and offensive comments that I received over the web in those few weeks was very disturbing. There were abusive phrases thrown at me but, on a lighter note, the one I found most offensive was the accusation that I was wearing a wig, which is not true. The rest of them were a wee bit more serious than that. I had been given an insight into the malicious power of social media.

Someone showed me a facility on Twitter where you can follow what people are saying about you but they do not know you can see that. You put your name in, and you can see what is going on behind your back. If what was coming to me publicly was offensive, what was being said behind my back was absolutely appalling.

I am a politician, and I have been in this business 31 years. Therefore, to my mind, me complaining about that is like the captain of a P&O ferry complaining about rough seas; it comes with the territory, and I have to accept it. However, I had read enough that, had I been someone considerably younger or someone with mental health problems, I certainly would have been pushed over the edge.

There is something about Twitter, Facebook and the internet that takes normal, rational human beings and turns them into, as someone said, internet warriors — people who lose all sense of responsibility, who believe that they are anonymous and can say what they like and who can issue desperately offensive and downright insulting comments.

I have learned my lesson. I have blocked an awful lot of people. I had people writing to me on Facebook saying that they would never, ever vote for me again whom I traced to Brighton, east Croydon and Suffolk. I wrote to them and asked how they could vote for me, if they lived in Suffolk, and they went quiet. Another gentleman came on to me, very offensively, and said that had voted for me for all his life and that he would never vote for me again, following my comment on the moral issue. I checked the electoral register for South Down; he was not on it. I went back and asked him how he could say that he would never vote for me again, when he was not on the register. He went silent as well. It transpires that many of those people do not live in Northern Ireland, but they can be deeply offensive to those of us who do.

The lesson is that, although the internet can be tremendously advantageous and can bring many wonderful benefits, it is a very, very dangerous place. If it is dangerous for an obscure Back-Bencher from south Down, aged 55, how much worse is it for a young person who does not have the experience of life to deal with these insults?

I believe that we need to take the media a lot more seriously, and I think that the solution is simple. The solution is that you opt in. If you want to have offensive material, violence or very graphic sexual imagery, you opt in to receive it, and the rest of us throughout the country can simply go along and have normal access to the multimedia, which will enable us to carry out all the functions we want to, such as e-mails, etc, and to carry on our business. Those who wish to go the step further should have to opt in to something more serious. That means that a 14-year-old will find great difficulty in logging on to perverted sexual activity or graphic violence on the media. That is not

going to restrict the rights of any individual in Northern Ireland, because those who wish to move up to a higher tier, as it were, for whatever reason, would be able to do so.

We simply cannot allow a free-for-all in the media, regardless of whether it is Facebook, Bebo, Twitter, etc. We cannot allow a free-for-all that exposes our children and those who are, perhaps, depressed or have mental health difficulties to the awful world out there of people who, frankly, are out to cause the maximum hurt and offence.

I will leave my comments at that. That is from my bitter experience. I am a lot older, wiser and more knowledgeable, and I will certainly be a lot more cautious in my use of the media in the future.

**Mr Allister:** Mr Deputy Speaker, anyone reading the motion would find it difficult to disagree with anything that it says, because it outlines a number of issues. I will pick up a few words in it. It asks that the Assembly:

*"notes the use of these sites by sexual predators to groom victims".*

That is an obvious reference to the hideous practice of paedophilia. Anyone reading that would think, "Yes. Someone putting that forward is obviously exercised about that and wants to do all that can be done about it." Yet, the staggering thing about this debate, for me, is that those who tabled the motion are the very people who stand in the way of something being done about organised paedophilia across the United Kingdom and wider afield. We saw that no later than yesterday, when they took the stand of blockading the route to the establishment of the National Crime Agency (NCA), designed to deal with those very issues.

Therefore, when you factor that in, it is very hard to escape the conclusion that the motion is an exercise in cynical populism by those who stand exposed as being shallow in their views and, indeed, fraudulent in that view, because they are the very people who want to stop anything effective, realistic or meaningful being done about it at a national level. That is what strikes me most particularly about the motion.

Then we had the proposer of the motion speak. When she was challenged by my intervention to deplore the current use of the internet to promote a campaign to boycott all Orange-owned businesses, she tried to tell us that it was not a Sinn Féin site. It bears the Sinn Féin banner. She did not tell us that Sinn Féin has taken steps with the hosts to have the Sinn Féin

banner removed. She did not tell us why it carries so many likes from Sinn Féin branches and organisations.

We should be very slow to listen to those who speak with double tongues on these issues. That is a low-down, scurrilous attempt to put people out of business on the most base of sectarian grounds and to vilify, harass and pursue them and to use social networking sites towards that end. The site boasts that it will publish a list of those who are to be boycotted. The proposer of the motion could not even bring herself to denounce or deplore such a misuse of the website. That speaks volumes about what those who peddle the motion today really think and what they are really doing.

### 3.30 pm

I support the motion because the words are right, but I challenge fundamentally the motivations and actions of those who tabled the motion. I have to say the same to the SDLP about its amendment. It is a very sound amendment, but for one thing: yesterday they joined forces with those who want to make sure that there is not effective policing of matters such as paedophilia and the gangs that operate across the nation. It was of great sadness to me that the SDLP took that standpoint. I have a simple question: how would the crime organisers have wished you to vote yesterday? How would the victims of crime have wished you to vote? The manner in which some people voted is indicative of a very sorry state of affairs.

**Mr McDevitt:** I thank Mr Allister for giving way. He poses a simple question. I pose a simple question back: why do those who know most about tackling paedophilia — the people who established CEOP, which is a fantastic agency that did not require one single warranted officer to be operational in Northern Ireland to defend our children from the worst excesses of online abuse — think that the National Crime Agency is a bad idea? That is a simple question that we all, if we are honest, should reflect on. It is not about the need to do it; it is about doing it in the right way. We do not believe that the right way has been found yet.

**Mr Allister:** The reality is that we have legislation that will provide for the National Crime Agency. You either have it or you do not. Those who say that they will not have it are saying that they will give free writ to the paedophiles and the organised crime gangs because they have some theological, ideological —

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

**Mr Allister:** — and precious principle that they cannot sacrifice. Therefore, they will sacrifice —

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

**Mr Allister:** — the pursuit of paedophiles and all the rest on that altar. That is shameful.

**Mr Ford (The Minister of Justice):** I welcome the fact that the Assembly has such interest in these important issues that it has managed to have two very similar debates today.

There is absolutely no doubt that the phenomenon and the growth of social networking sites and social media generally have changed the way in which we communicate and interact with one another. Members have highlighted the positive and negative aspects of that. Some negatives are fairly trifling, such as Jim Wells's wig or a picture of me falling asleep after Christmas dinner, which was posted on Facebook by a daughter. However, other aspects are extremely serious.

**Mr Wells:** I am not wearing a wig.

**Mr Ford:** I accept Mr Wells's correction: his alleged wig.

Having pointed out the relatively jokey aspect of that offence, we need to take into serious consideration those who exploit these sites for some foul activity. It can involve bullying or harassing others; circulating unfounded allegations, which may or may not be fair game against a politician; or making grossly offensive comments. Sometimes, as has been highlighted, that has tragic consequences.

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

It is clearly important that people, especially the most vulnerable, are protected through both civil and criminal law from serious harassment. There is no doubt that children require protection from exploitation by those who wish them harm, in whatever way they wish it. The fact that, as so many Members highlighted, children and young people can access the internet free from parental supervision is clearly an issue of concern.

There is also no doubt about the speed with which modern technology with instant communication has enabled people to be mobilised onto the streets. We saw that during the riots in London and other English cities in 2011, and we have seen its impact in recent weeks in Northern Ireland. Social networking websites have played a major role in street protests since early December. Although I certainly recognise that everyone has the right to peaceful, lawful protest, there is a real need to ensure that it is balanced by mutual respect and tolerance for a variety of opinions. Social networks are clearly being used for a variety of criminal activities and to publicise protests that go way beyond any legitimate protest.

The motion calls, in part, for improved regulation. Regulation of the internet is not an issue that falls within my responsibility or, indeed, that of any part of our devolved Executive. Under the Northern Ireland Act 1998, it is specifically a reserved issue, which no doubt reflects the global nature of telecommunications generally. Decisions on regulation are for the UK Government to make through the Department for Culture, Media and Sport in London. However, those who misuse these sites can be subject to sanctions. When people post or send messages that are judged to be grossly offensive or of an obscene or menacing nature, they are guilty of an offence under the Communications Act 2003. One Member said that it was OK to be grossly offensive about politicians, but it is not. It is OK to be offensive, but to be grossly offensive is a criminal offence. People should acknowledge that. That is the difference between joking about people allegedly wearing wigs and the other stuff that we see at times, particularly some of the vile and hateful stuff directed against vulnerable young people.

As stated in the recent interim guidelines from the Crown Prosecution Service for England and Wales, the volume of communications that we see on Facebook, Twitter or YouTube means that the threshold for prosecution is necessarily high. Otherwise, there is:

*"a chilling effect on free speech",*

Free speech is a right that we should all hold dear. The PSNI has advised that it is reviewing a number of comments by individuals in relation to recent protests. As I said, many comments that have been posted on some websites are undoubtedly distasteful, but that does not mean that they are unlawful. However, action should be taken against those that are unlawful —

**Mr Givan:** I appreciate the Minister giving way. I think that I am the one who referred to the comments being grossly offensive. That was taken from a Police Service briefing on 23 January, which stated:

*"comments ... may be distasteful or grossly offensive but that does not mean that they are unlawful".*

So I welcome the Minister's clarification of what was said at a PSNI briefing on 23 January.

**Mr Ford:** I fear that I have been placed in a difficult position with my legal advice differing from the advice given by the Police Service. However, I think that we could all agree, as a matter of common sense, that boundaries are being overstepped constantly in social media at the present time. Certainly, where the police believe that offences have been committed under the Communications Act, they will pursue charges, as they have a responsibility to do.

Any changes to the legislation are not for my Department, but there are issues on which there are roles for us in the Assembly and where the Northern Ireland legislative framework has other effective penalties for a variety of offences.

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

**Mr Ford:** Certainly.

**Mr Wells:** I accept that it is absolutely right that it does not fall within his powers, but he is a man of very considerable influence. Will he support calls for Westminster to legislate so that only those who opt in to sites that portray violence or graphic sexual activity will be entitled and enabled to access that material and the rest of the community, including our young people, will not be able to do so? Will he at least support calls in London for that?

**Mr Ford:** Mr Wells has caught me on a particular point. I am certainly aware that, for example, YouTube will, in a number of cases, indicate the particular content of a specific video. There are issues with how exactly that is managed. I will discuss that issue, among others, when I meet the Lord Chancellor this week. I am certainly prepared to discuss it, but we would need to be sure exactly what the implications are before I could give a firm commitment to support what Mr Wells is saying. If he has any more specific information that he wishes to give me before I meet the Lord Chancellor, I will happily look at it.

The current position in Northern Ireland legislation is that, where comments constitute threats to kill, the maximum penalty available is 10 years' imprisonment or, where an assessment of dangerousness is made, indefinite imprisonment with release at the discretion of the Parole Commissioners. Where comments target specific individuals and constitute an offence under harassment legislation, penalties of up to seven years' imprisonment are available, subject to the nature and seriousness of the offence. Those are significant penalties for significant offences. Where comments breach hate crime legislation, penalties of up to seven years are also available, and there is a range of offences for which maximum penalties available are increased where they are shown to be motivated by hate on the grounds of race, religion, sexual orientation or disability. That is our existing legislation as it applies to hate crimes, and it can be used against modern telecommunications.

The motion also asks us to note the use of social networking sites by sexual predators seeking to groom young victims. We all recognise the harm that can be done by those who use the internet to seek out vulnerable victims for sexual abuse, and many Members spoke about that during the debate. There are, of course, real issues for us in a small region. The internet has no boundaries. No distances are too great to forge. For that reason alone, the task of closing down the opportunity for abusers is also a global one and not one that can be regulated by my Department or the Assembly. However, I fully support the work that is being done by the PSNI in conjunction with its colleagues in an Garda Síochána and the range of agencies across the UK, including, as Members particularly highlighted, the Child Exploitation and Online Protection Centre, to jointly target offenders, from wherever the source, and protect children from abuse.

The criminal law in Northern Ireland also makes it very clear that this type of offending will not be tolerated. Grooming a child by whatever means is an offence if the person then makes arrangements and travels with the intention of meeting the child to sexually abuse him or her. The maximum penalty is a 10-year prison sentence. Causing or inciting a child to engage in sexual activity is also an offence that applies either online or offline, as is causing a child to watch a sexual act. So the behaviour is already criminalised, but, as acknowledged today, the hard part is obtaining the evidence in the way that such activity can occur across space and time. Therefore, although the police, CEOP and the criminal law will continue to challenge

the global and internal aspects of this type of offending, it would be wrong to think that all risk from such abusers could be eliminated. However, much can be done to address the risks through education and good practice in schools and homes, which will make children safer and less likely to fall victim to sexual abuse via the internet. A number of Members talked about the way in which young children could be better supervised. Indeed, it was a comment that Mark Durkan referred to in his speech winding up the previous debate. I also want to highlight the fact that sentencing guidelines have been or are being developed for many of the offences for which people who post comments on internet sites or use the internet for criminal purposes can be convicted. That is part of the work being led by the Lord Chief Justice in his programme of action, which will enhance the guidance available to other members of the judiciary in making their sentencing decisions.

So let me say again that this has been a useful debate. I welcome the opportunity to debate this important issue and support the thrust of the motion, although I make the technical reservation as to exactly what my powers are. However, given that regulation of the internet is a reserved matter and there is little that I can do, as I have just said to Mr Wells, I will use the opportunity of my meeting the Secretary of State for Justice this week to highlight the issues that Members have raised. I believe that that will be a practical demonstration of the work that my Department proposes to do to implement the spirit of the motion. I am committed to ensuring that an appropriate range of penalties exists in criminal law to deal with serious harassment and hate crime, whatever form it takes, because that is my direct responsibility to the Assembly. Should specific proposals arise from the debate, they will certainly be examined seriously by the Department.

I will say a few words on the amendment. Naturally, the deployment of resources in any assessment of the adequacy of the number of police officers in the PSNI is a matter for the Chief Constable. In this specific context, I am aware that the Chief Constable has stated that he considers that sufficient resources are being directed to allow police to take forward their investigative obligations in respect of online hate crime. He is following up other matters related to recent street disturbances, but on the specific issues that are highlighted, such as the sexual grooming of young people, he is also relying on the expertise available in CEOP to the PSNI and other police services across the UK. Other Members highlighted yesterday's

irony that, in the context of CEOP being absorbed into the National Crime Agency, regardless of whatever the opinions in this Chamber might be, it is unfortunate that we will lose that aspect of CEOP's work if we do not get the NCA in place as its successor.

**3.45 pm**

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

**Mr Ford:** Yes.

**Mr Wells:** Does the Member accept from me that, as a result of yesterday's decision, children in Northern Ireland will be more vulnerable to this type of nefarious activity without the strength of an organisation covering all the United Kingdom or having the resources of 60 million people at its beck and call? Does he agree that, as far as our children are concerned, that was a very serious decision that was taken yesterday?

**Mr Ford:** Certainly, the evidence that has been put to me is that we rely significantly on the specialist expertise of agencies such as CEOP to support the Police Service's work. The Police Service would simply not be capable of developing the expertise required to deal with that level of exploitation if it had to develop matters on its own. So, that is an issue on which I have concerns arising from this debate. However, I also note that there has largely been agreement around the Chamber about the work that we seek to do to eliminate hate crime from the internet where we can, where we have responsibilities and where there is local action to be taken. There is certainly unanimity about the need to protect vulnerable people in Northern Ireland, including vulnerable children and young people. When moving the amendment, Conall McDevitt seemed to dwell very little on resources and a lot on the need to stand up against harassment and bullying, whether online or offline. That view attracted unanimous support around the Chamber, as it deserved to.

**Mr A Maginness:** I thank all those who contributed to the debate.

The amendment that we in the SDLP tabled would enrich the motion. I do not think that there has been much opposition to it. The amendment is intended, first, to call for additional police resources. We are calling for additional police resources, which does not necessarily mean policemen or women but resources at large, because we believe that online hate crimes have become a persistent

and chronic problem and, therefore, one that requires such additional resources. That has been exemplified in recent days and weeks in the use of social network sites in the dispute over flags. It is clear that there is a requirement for additional resources, and I hope that the whole House will support that and that the PSNI will take it into consideration in its operational activities.

There has been some criticism levelled at the SDLP in particular about our attitude to the NCA. We had the debate about that yesterday. I am not going to repeat the arguments that we made yesterday on accountability. They are well-established arguments under the Patten architecture for policing. I believe that, in today's 'Belfast Telegraph', we have an article by Mr Jim Gamble, who was head of CEOP. In fact, he set it up. In that article, he is critical of the fact that CEOP will go into the NCA. He makes legitimate criticisms. If that man, who is a very distinguished police officer and did a good job at CEOP, is regarded as a legitimate commentator on the National Crime Agency, surely we, who are politicians and have been given the job of legitimately scrutinising legislation, not perhaps in this House but in another place, should equally be respected for our views. You may disagree with them, but you should respect the fact that we have legitimate criticisms to make. The criticisms that we have made should be taken on board. The Westminster Government should be sensitive to those criticisms and therefore take action. I will not go further than that, but Mr Gamble has made a very strong argument, and it behoves Members to take that argument seriously.

I am no expert on anything in this field, but the points have been well made by all the contributors that we are against cyberbullying; that we require parents to be more vigilant; that the grooming of young people in particular is a vile offence; and that we are concerned about the penalties that can be imposed and the actions that can be taken against people. It is important for us to make those points publicly, to emphasise them and to get that message across. I am slightly disappointed —

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

**Mr A Maginness:** I was going to go further, because I thought that I had another minute. I was slightly disappointed by the Minister's response, in so far as I think that he has a very important job to inform Westminster about the gaps that exist in the law here. More could, in fact, be done.



**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Beidh mé ag labhairt ar son an rúin seo agus ag tacú leis an leasmholadh. I speak in favour of the motion, and we will support the amendment.

It is appropriate, with today being internet safety day, that this is the second debate on two aspects of the internet. The first debate was on child safety, while this debate focused more on regulation of the internet and abuses of it. I thank everyone who contributed to the debate, particularly the Minister of Justice. I will address his comments later on. It is important that there was, I think, unanimity in support of the motion.

Jim Allister nearly supported the motion. I think that he felt that it was the right motion but perhaps questioned the fact that Sinn Féin had proposed it. That maybe left him with some reservations. I want to address one of the points that he made. I want to state publicly that Sinn Féin stands in total and absolute opposition to any campaign that purports to boycott any shops — I think that they were named here as Orange shops. Indeed, if Mr Allister will take up the opportunity, through the auspices of the Speaker's office, to supply us with a copy of the printout from the internet, we will certainly examine any issue pertaining to Sinn Féin as a party.

I want to make another point that is relevant to the discussion about the internet. We have all had experiences of bogus sites. You hear about teenagers swapping addresses, about bogus IDs and so on. Someone who told us earlier today that he once had the gift of legal aid and is a senior counsel would know that any person in their right mind would never start a prosecution or a defence by saying, "I read it on the internet". Mr Allister should perhaps caution himself —

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

**Mr McCartney:** Yes, I will.

**Mr Allister:** The Member says that his party disowns any boycott of Orange-owned businesses. If he and his party check out the site — with their vast coterie of press agents, I would have thought that they would have already done so — they would see that several branches of Sinn Féin have indicated support for and "liked" the proposition of boycotting Orange-owned businesses. Is he prepared today to rebuke those parts of Sinn Féin that have publicly endorsed that campaign on Facebook? Is he prepared to undertake that

the Sinn Féin banner, if it is being misused, will be removed from that site and state that he utterly repudiates the site and all its content, which includes somebody's posted photographs of the leader of Sinn Féin?

**Mr McCartney:** First, I repudiate any person using the Sinn Féin logo in the manner in which it was. I have asked Mr Allister to supply the document to the Speaker's office so that we can examine it. I think that, even though we had the Diplock courts for a long time in the North, Mr Allister would support everybody's right to a fair hearing. I cannot examine or give a disposition on a document that I have not seen, so, if he wants to take up that invitation, I am sure that the Speaker's office will accommodate him.

There were recurring themes in the debate. Most people who spoke accepted that the internet has had a very positive impact on society across the spectrum from the economy to democracy to its social use by children and adults. Local businesspeople might not see this as a positive, but we have seen an increase in the online economy, with people buying more online. However, we have also seen — this was the purpose of today's debate — an increase in the use of the internet for things such as hate crime, racism, sectarianism, bullying, homophobia and many other forms of intimidation. Indeed, in recent times, I am sure that we have all read about and seen on television how that has manifested itself in many societies. We are not free from that here in the North. That is one of the points we make about regulation: there are many instances where people feel that the internet has been abused, but we do not seem to see internet sites or their suppliers and engine drivers go after those who abuse a very positive tool.

I do not want to name any companies, but a number of times I have found that, even when your e-mail is hacked, there is no facility to inform the company so that it can take steps to close down the account. It is nearly as if they do not see such things as important, whereas we all know that, if your site is hacked and someone has control of it, even if it is just for a number of hours, you may end up in the type of scenario that Mr Allister majored on earlier. We need some sort of regulation on that.

People talked about the role of education in teaching us all, not just children, how not to abuse the internet and how to use it in a positive and constructive way. Unfortunately, there are those who abuse it. The Minister and other Members mentioned a number of pieces of legislation that protect citizens from that abuse, but I would have liked the Minister to

say how many people have been charged, prosecuted or even visited and cautioned in relation to their use of the internet. That would inform the debate. If you asked most people, they would struggle to name cases, apart from one or two notable instances in the recent past, in which someone faced charges for abuse of the internet, despite all of us accepting that it happens on a daily and continuing basis. If people feel that they are relatively free from being pursued when they go on the internet, that will only encourage them. If you think there is no sanction, why would you stop doing it?

That is the part of regulation under which, as the Minister correctly said, it might be difficult to prove what is grossly offensive as distinct from offensive. However, at least a person can be asked why they have chosen to say a, b, c and d, and it can be done in a way that is not an investigation or something that goes in front of the Public Prosecution Service. The person is then held to some sort of account for their comments.

#### 4.00 pm

A number of Members — some of them are not present now — touched on the issue of the NCA. Yesterday's debate gave us all an opportunity to speak about the impact of the NCA. The main plank of our position, and indeed that of the SDLP, is around accountability and primacy of policing. No one is arguing against co-operation. What we are arguing against is subordination.

Without going into the detail of it, a major investigation is being conducted into match fixing right across Europe. No one is against the many police services co-operating with one another to ensure that the people who are responsible for that are brought to book. However, what I can say — and I make an assumption when I say this — is that the French police will not try to circumvent the processes that lie within German borders and vice versa. That co-operation will happen right across Europe. So, there should be co-operation but not subordination.

The Minister has said that he would like the NCA to be fully accountable, but that position has not been reached. Therefore, people should not be in any doubt as to why we are not in support of it at this time. That should not and will not prevent, and nor has it ever prevented, any police service on this island, North or South, nor I am sure any police service in England, Scotland and Wales or across Europe, from co-operating with one another if

there are any internet abuses that cross borders. That is how we have to go forward.

The Minister commented on the resources. We initially had a reservation about the amendment before Conall McDevitt and Alban Maginness explained it. The PSNI says that it has enough resources to deal with hate crime and abuse of the internet. We say that it should perhaps be more proactive. If that activity is going to become increasingly prevalent here, it is up to us to ensure that we do not create the space in which people think that they can do this with impunity.

I appreciate the Minister's comments about his limitations, but —

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

**Mr McCartney:** — we are reassured that he is willing to take forward the views that have been expressed here today about the need for better regulation. Today's debates were healthy and good. They promote the idea that we are interested in ensuring that there is no abuse of the internet.

*Question, That the amendment be made, put and agreed to.*

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

*Resolved:*

*That this Assembly notes the growing number of people and hate groups who use social networking websites to verbally abuse other users; further notes the use of these sites by sexual predators to groom victims; and calls on the Minister of Justice to explore the introduction of better regulation of these sites and tougher penalties for people who use the sites to commit crime; and further calls for additional policing resources so that online internet hate crimes are able to be fully investigated.*

*Motion made:*

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

## Adjournment

### Strangford Lough Fishery

**Mr Principal Deputy Speaker:** The proposer of the topic will have 15 minutes. The Minister will have 10 minutes to respond. All other Members who wish to speak will have approximately seven minutes.

**Mr Hamilton:** I am sure that the Minister is on her way. We are a wee bit ahead of schedule. I thank the Minister, in advance, for her response. I hope that she gets here.

To be honest, I do not think that, a year ago, I had a good understanding of the intricacies of the issues pertaining to fishing in Strangford lough. Mr Principal Deputy Speaker, you and I have become familiar with those intricacies as members of the Environment Committee. As a result of our work on that Committee over the past year, I have become very familiar with the issue in the —

**Mr Principal Deputy Speaker:** I thank the Member for allowing me to intervene. I draw the House's attention to the visit to the Assembly of the president of Kurdistan and his delegation. You are very welcome, Mr President.

**Mr Hamilton:** I extend my welcome as well. He is in good company. Many from the fishing community in Strangford lough are here today, and I take the liberty of extending a welcome to them as well.

Over the past year, in developing my understanding of the issues surrounding fishing in Strangford lough, I have developed a real sympathy for what the fishermen have had to go through, particularly over the past few months. I have a general sympathy regardless of their difficulties over the past number of months, and I will come to those issues in a moment. I appreciate their good work and fight in trying to protect their livelihoods.

The Assembly has debated, in the Chamber and in Committee, the issue of horse mussels, modiolus and the exclusion zone that has been put in place. I do not want to dwell too much on those issues other than to say that the exclusion zone that has been debated before is

now a reality. Over a third — nearly 40% — of the lough has been zoned as a no fishing zone for the fishermen in the lough. That came into place on 8 January and is having a real effect here and now for the fishermen in Strangford lough.

It is not just 40%, and, because of the way that fishing seasons work — I am probably using the wrong terminology — the northern part of the lough, where the prawn beds are, is not in season. Therefore, fishermen are more or less confined to the bottom third of the lough, and that means that, although it is a small fishery, the boats are fishing on top of one another. That is obviously causing some issues and concerns and has significantly reduced opportunities for the small fishing fleet in Strangford lough.

I do not want to dwell on that issue. I dare say that, over the months and, indeed, years from now, it will continue to be discussed and debated and that there may even be disagreement on several aspects of it, not least because we have yet to pin down the precise cause of the degeneration of the modiolus beds in Strangford lough. There is a pretty fierce dispute about the impact of pot fishing on the modiolus beds, and that debate will continue. There are concerns about the mapping of other special areas of conservation (SAC) features and giving those maps to fishermen so that they know where they should and should not go. That is what is happening with the exclusion zone, and there will continue to be debate and discussion on whether the exclusion zone was the right way to go.

I want to, as the topic title suggests, look at the future of the Strangford lough fishery. I put it to the Minister that her Department is responsible for fisheries, but I must point out that some of the issues that I will mention are probably not exclusively in the domain of the Department of Agriculture and Rural Development (DARD). As the Minister and others will know, fishing cross-cuts a lot of Departments, but, principally, there is a duty of care on the Department of Agriculture and Rural Development as the Ministry responsible for fishing. Given the circumstances, including, as I outlined, the exclusion zone, that Department has a duty of care to the fishermen in Strangford lough to ensure that they have a future.

There are many, including many in the fishing community in Strangford lough, who question whether there is a viable, sustainable future for the industry in Strangford lough. I think that there can be, and the argument that I want to progress with the Minister today is that, with a

little help, encouragement and backing, there can be a future for the fishing industry in Strangford lough.

When looking at the evidence, everybody comes to the conclusion that there is no easy fix or single solution to the issue of the future of fishing in Strangford lough. So, the question has to be asked: what can and should be done? I will go through what I think needs to be done to get to a position where we can all say that there is a viable, sustainable future for fishing in Strangford lough.

The first thing we need to do is ascertain what constitutes a sustainable fishery in Strangford lough. We have to look at the evidence and ask, in light of what has happened with the exclusion zone, what sustainable fishing means in the future in Strangford lough. Once we decide that, we can take other steps allied to that. After we look at the evidence and agree on what a sustainable fishery is in Strangford lough, we can then turn our attention to right-sizing the fleet in Strangford lough. It is a small fleet. I see Mr Rogers, who will be acquainted very well with Kilkeel port. It is not a fishery like Kilkeel; the boats are a fraction of the size of those that are in Kilkeel or Portavogie. It is a small number of boats. There are about half a dozen full-time fishermen and maybe another 15 who do it part time. So, in total, there are around 20 boats fishing up and down the lough.

Objectively, given that there are reduced opportunities and that about 40% of the lough has been closed off to them, that is probably still too big a fleet. That leads into the question of whether a decommissioning scheme could be brought in. I know that there has been criticism of decommissioning schemes in the past, but it is worth — indeed, it may be necessary — examining whether we can have a decommissioning or, indeed, a tie-up scheme for that fleet once we have ascertained what a sustainable size of a fleet is.

We then need to move to having a management plan for fishing in the lough. I know that some work has been undertaken on that already. The plan needs to be underpinned by a proper permit scheme so that we can better regulate in numbers what fishing goes on in the lough. This is all very much focused on the numbers and the size of the fleet.

There is one positive step that the Department can take. One of the parts of the plan coming off the issue of the horse mussels was that the Department of the Environment (DOE) would put a ranger in place, and the Department

would have a fisheries officer for the lough in place. Given the size of the lough, the size of the fleet in the lough and the fact that all the fishermen are using pretty advanced technology through which you can ascertain on a computer where they are at any given point in time, the issue of enforcement and ensuring that they do not go into the exclusion zone will not, in my opinion, take up all of the new fisheries officer's time.

So, a positive step forward by the Department would be to adapt the role of a fisheries officer from one that almost exclusively looks at enforcement, which is what we were informed would be the case at the outset, to one that is about developing the fishery in the lough and working with fishermen to develop a knowledge and to understand the ways of the fishermen and the community in the lough and see how they could develop the fishery into the future.

I now want to turn to talk about a positive package of measures that could be put in place that would greatly assist the fishery in the lough. It is widely recognised that the fishermen are catching, landing and selling produce of the highest possible standard. This is stuff that is consumed not only in pubs, restaurants and hotels around Strangford lough but far beyond that in Northern Ireland. It is also being exported to top-class restaurants in London, Paris and beyond. It is good stuff that is coming out of Strangford lough, and we should be celebrating that, yet I do not think that there is the consciousness of just how good the produce really is in Strangford lough. It is part and parcel of our local tourism and hospitality sector in Strangford lough.

I have cited the example in the House before of the renowned hotelier Bill Wolsey, who has developed a hotel in the centre of Belfast that is recognised as one of the best in the world. One of the reasons he chooses to invest in the Portaferry Hotel is that he knows that his chefs can prepare, cook and sell seafood that is caught in Strangford lough and landed in boats that you can see from the window of his hotel. He knows that there is a great benefit in having local produce caught in the lough and sold in his establishment, as do other hoteliers, restaurateurs and publicans around the area. It benefits the local tourism sector. People who come from Belfast and further afield know that, when they go to the restaurants around Strangford lough, they can eat seafood that is caught there and which is of the highest possible standard. Any negative impact on the fishery in Strangford lough does damage to our local tourism and hospitality sector and, therefore, to the local economy.

The first thing that we need to do is tied in with examining the sustainability of the fishery in the lough. We need to get a figure that is as precise as possible on the contribution of the fishery to the economy of that part of Northern Ireland. I do not think that I am speaking out of turn when I say that it is not a massive fishery, but, as everyone knows, even if the value of what they are landing is not big, the value that is being added to that down the line is substantial. Money is being pumped into the economy elsewhere, whether into engineering or the upkeep of boats. There is a broad impact on the economy that is far beyond some of the estimates that we have heard in the past. It does have an impact on the economy, and we need to assess that.

I pestered the Minister and her predecessor time and time again about European protected geographical indication (PGI) for the Comber potato, which, I am glad to say, we have now got.

#### 4.15 pm

I think that there is real potential for doing something like that with seafood from Strangford lough. I know that that, in itself, does not make the difference. That does not suddenly lift a product that is not that well known, or that well used, to something that everybody is consuming, but it gives it a seal of approval. It is something that they can market, and it says that there is a value there — that there is some added value to it. We are already seeing in Comber, with the designation of the potato, that companies, growers and producers are adapting to having this and selling the product as a Comber potato, rather than just as a variety of potato. So I think that there is huge potential to do that.

In a weird way, having had a threat from Europe to the fishery which has led to the establishment of the exclusion zone, we can actually use Europe in a positive way, by pursuing protected geographical indication for seafood and shellfish from Strangford lough. Perhaps we need to look at how we can better market and promote the seafood and shellfish from Strangford lough that is sold in local hotels and restaurants to make it more accessible and more attractive to purchase.

I think that there is also potential to look at how we can use the fishermen of Strangford Lough, and their boats and infrastructure, for things other than simply fishing. That might be training, through tourism, to develop it for people to go out on day trips, and things like that. That is only small; it does not change their livelihood, but it might, at certain times of the

year, add another string to their bow and make their business much more viable.

That is where I appreciate that there is some cross-cutting between the Minister's responsibilities with DARD, and perhaps those of my colleague, Arlene Foster, in the Department of Enterprise, Trade and Investment (DETI). Given that the Department of Agriculture is the lead Department in this respect, these are the sorts of positive measures that it should work up and work, in conjunction with other Departments, to deliver that difference and that change that will have a positive impact on the industry and give it a future.

In terms of funding, there has been an examination of a European Fisheries Fund bid for Strangford lough, tailored around environmentally friendly gear. That is great evidence of the fishermen of the lough actually trying to be progressive. The use of more environmentally friendly pots and the introduction of a voluntary code of conduct show that the fishermen, who are sometimes portrayed, unfairly, as the bad guys of the piece, are trying to make a positive contribution.

In the minute or so that is left to me, I want to stress to the Minister that there is a positive future for fishing in Strangford lough, but it needs a bit of encouragement and help. The fishermen of the lough have sustained a lot, particularly over the last year, and have seen that conclude with the exclusion zone being put in place in the last number of days. They are already seeing the real impact of that on their ability to do their jobs. They need to engage in positive, constructive dialogue with DARD, and I hope that DARD does that and starts to engage with how it can positively take forward the fishery in Strangford lough.

If I am permitted, I would like to invite the Minister and her officials to come down to Strangford lough to see for themselves. They will be well looked after if they do — they will certainly be well fed, anyway. They should come down to Strangford lough to see for themselves not just what has happened and the negative impact of the exclusion zone, but what I am talking about in the positive potential that is there.

They will see individuals, families and a community that wants to ensure that, just as they learned it from a generation before them, they can pass on to the next generation the skills and the art that they have of fishing in Strangford lough. That is so that people like me, like you, Deputy Speaker, and like

everyone here — and those further afield — can enjoy the great produce that comes out of Strangford lough.

I think that there is a viable, sustainable future for fishing in Strangford lough, but not if it does not get the sort of encouragement that I have outlined. I do not profess to have all the answers. Other things will come forward through that positive dialogue with DARD. I encourage the Minister, and her Department and officials, to engage in that positive dialogue and to give the fishermen and the fishing communities of Strangford lough the hope that there is a sustainable future for them.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Member for Strangford for bringing the issue before us this evening. The future sustainability and prosperity of the Strangford lough fishery, like that of the entire County Down fishing community, is vitally important not just to the fishermen directly involved but to the wider local community, and, indeed, our future generations.

I was fortunate enough to have grown up on the outskirts of a small rural village in County Down, surrounded by spectacular views of the Kingdom of Mourne to the south, Slieve Croob to the west and, snuggled at the foot of the drumlins to the east, the stunning Strangford lough. As a young child, I spent many days walking along the shore of the lough and learning all about the great history that accompanies its inlets and islands. It is a part of the county that I visited again recently, and, as I looked out across the lough, it was clear to see exactly why the area remains one of the most spectacular locations in Ireland. At my feet were the islands that once welcomed the arrival of St Patrick before the arrival of the Vikings in later years. On the lough, a group of children was being taught the skills of kayaking as the Strangford ferry crossed the lough in the distance. What caught my eye, however, was a solitary boat sitting on the lough as one or two men went about their job of checking pots. It is a sight that has greeted onlookers for generations, and I hope that it is one that will be seen for generations to come.

The beauty and environmental delicacy of the lough's environment is wrapped up in special designations of conservation and protection, and, to all intents and purposes, rightly so. However, we must ensure that the balance is right. The coastline communities who grew up around the lough over the centuries have been fine custodians of their valuable area, so it is pertinent that we defend the viability of this relationship as we consider the steps required

to protect and promote the lough for years to come.

As we are all aware, the prolonged destruction suffered by the delicate modiolus horse mussel beds in Strangford lough led to a total ban on trawl and dredge fishing from 2003. In subsequent years, we have seen the prohibition of mobile fishing gear and the creation of fishing exclusion zones. Set against that backdrop, we have also witnessed the commencement of consultation on a fisheries management plan for the lough.

The decision of the Ulster Wildlife Trust to lobby the European authorities in recent years has again refocused attention on the management of Strangford lough fisheries and raised several concerns that were examined in the subsequent revised modiolus restoration plan, which, I believe, has general approval from stakeholders. I believe that it represents a fair, proportionate and reckonable response to the situation, balancing environmental concerns with the need to protect and promote a sustainable fishery and recreational sector on Strangford lough.

It is crucial that we engage with local fishermen to maintain this equilibrium and successfully manage the needs of all involved. It is fit and proper that we recognise the decades of effort and dedication that local fishermen have given as first-class custodians of the lough. We should also recognise their co-operation and engagement to date in the process concerning its management.

I am sure that the Minister will direct her Department to continue to engage with the local fishermen as we move forward. It is critical that stakeholders have their voice heard. We saw recently, with the proposed designation of the Mournes as a national park, the reaction that there can be if you do not involve the stakeholders in such engagements.

We need to examine the issue of compensation for fishermen who have been affected to date, or are likely to be affected, by the restoration plan. Perhaps the Minister will touch on that in her reply because it deserves adequate attention, or at least on diversification, as the Member outlined, and on the idea of an international standard for Strangford products. All deserve attention as we move forward.

I support the Member's call to support our local fishermen. Indeed, I am confident that we will continue to work with all involved to ensure the sustainability of the lough and that the indigenous fishing communities continue to be

proud custodians of the lough in the years ahead.

**Mr Rogers:** I thank Mr Hamilton for securing the Adjournment debate and bringing the matter to the Chamber. I welcome the opportunity to debate the future of the Strangford lough fisheries in County Down. The lough has a rich and varied marine life, containing over 2,000 marine animal and plant species, including 72% of all species recorded around the Northern Ireland coast. Of those, 28% are found only in the lough. Therefore, it is vital that the area is given the appropriate level of protection to preserve the rich diversity of species that contribute to the lough's vitality.

As the largest sea lough in these islands, Strangford lough is a precious part of our sea and landscape. Its importance has already been recognised: it is a special area of conservation, a special protection area, an area of special scientific interest and a marine nature reserve.

In October last year, the Department of the Environment and the Department of Agriculture and Rural Development agreed to commit to a new restoration plan, which aims to restore the unique horse mussel reefs that once covered the seabed. It is essential that DOE and DARD adopt a collaborative approach to restore Strangford lough to the condition that it should be in.

It is deeply regrettable that, despite the lough's special international status, its unique habitat has been depleted over the past two decades. It is imperative that the Departments do everything in their power to rectify that and give Strangford lough the protection that it deserves. In particular, horse mussel reefs are crucial to the lough because they provide vital spawning and nursery grounds for hundreds of creatures, including commercially fished species.

Both the DOE and DARD were prompted to protect the reefs or face infraction fines following a complaint by the Ulster Wildlife Trust to the European Commission. The new restoration plan provides a blueprint for reform, which ensures the protection of the unique species that the lough possesses. Any plan must, however, take into account the livelihood of fishermen, many of whom reside in my constituency. Many are here today, and I welcome them. Those people rely on the lough as a source of income.

A sustainable long-term future for the lough and its users must be put forward in the plan. I come from Kilkeel and am only too aware of

fishermen's contribution to the economy. It does not matter whether someone's boat is 20 feet long or 200 feet long, that person still makes a great contribution.

The plan proposes a total protection zone to restrict any potentially damaging activity such as fishing, diving, anchoring and mooring in a defined area. That also includes a permit and tracking system for pot fishing along with potential physical intervention measures such as the movement of horse mussels to speed up the restoration process. A range of monitoring and education activities should also be put in place.

The fishery is an important part of the local economy of Strangford lough. It is important that any protection programme must be sustainable in the long term to the benefit of all those who use and admire the lough. Just as I often emphasise to the Minister, the views of fishermen, who have spent their lifetimes on the lough, need to be given due consideration as well as the views of scientists.

DARD, the DOE and the Committee for the Environment must balance the need to protect the lough against the needs of those who use the lough for fishing and leisure activities. We possess a beautiful natural asset. We must ensure that we use it responsibly and take full advantage.

The challenge for Departments is to implement a cohesive restoration plan to remedy the damage that has been done to the marine ecosystem over the past number of years. Strangford lough is too precious a part of our sea and landscape. It is vital that we put in place a robust plan to protect it in the coming years.

**Mr McCarthy:** I support the Adjournment topic and express gratitude to my Strangford colleague Simon Hamilton for bringing it to the Floor. I very much welcome the two or three Members who are in the Chamber who are not Strangford representatives. I am disappointed that only 50% of the Strangford MLAs are here. Anyway, there we go. We will soldier on.

As a resident of the edge of Strangford lough who greatly acknowledges the absolute beauty of the lough and its environs, I certainly wish to see it being enjoyed by everyone, be that through leisure and recreation, and by fishermen, for pleasure or as a means to earn a living. For years and years, Strangford lough was a source of local fishermen's livelihoods. I hope that that can continue.

We are all too aware of the serious damage that was done to the lough bed some time ago, which resulted, we are told, in the decimation of the horse mussel population. Despite the honest endeavours of local fishermen to accept restrictions for fishing in the lough to allow horse mussels to regroup, unfortunately, their voluntary endeavours did not placate the needs of Brussels. Further restrictions were imposed on the fishermen, which were agreed with Brussels by the DOE and DARD. The last reports that I have indicate that little or no fishing takes place on the lough, which is sad. Have those few fishermen been thrown onto the ever-growing list of Northern Ireland's unemployed?

As I said, I pride Strangford lough as being a wonderful asset for us all. I hope that the lough's rich diversity of aquatic life will return soon, that it will once again be a real source of pleasure and, perhaps, income, and that it will continue to be the home of wonderful fish species.

#### 4.30 pm

I see that the Minister is with us today, so, in conclusion, I acknowledge her efforts to support the lough's environment and the fishermen throughout the recent crisis. However, given the extreme pressures from many quarters over the past year, we were forced to accept what we now have. We have to make the best of it. I asked this question of the Agriculture and Rural Development Committee on more than one occasion, and I will ask it again: in the interests of fair play and justice, can some form of compensation be awarded to those few fishermen who officialdom has deprived of a livelihood? I hope that the Minister can give us some answer or some hope in that direction.

I support the invitation that my colleague Simon Hamilton gave to the Minister to visit Strangford lough. We look forward to a bright sunny day when we can spend the afternoon visiting Newtownards, Kircubbin, Greyabbey, Portaferry, Killyleagh and the areas all around the lough.

**Mr Bell:** First, I place on record our thanks in Strangford to my colleague Simon Hamilton for securing this debate. Compared to wider fishing in Northern Ireland, fishing in Strangford is small, but it is no less important to the people whose livelihoods depend on it.

Simon covered many of the viability and sustainability issues very comprehensively. I do not want to repeat what he put so well just

for the sake of repeating it, but the essence of it was the very judicious use of title for the debate — "The future of the Strangford Lough fishery." I think that Simon called that absolutely correctly. This is a debate about how we in Northern Ireland ensure that Strangford lough has a future for fishing.

In the little bit of research that I have done, I can tell you that we can go right back to the 8th and 9th centuries to find mention in the historical record of the original wooden fish traps on Strangford lough. For a continuous period between the 8th and 9th centuries, there were wooden traps. In the last figures that I looked at for 2009, I saw that the vessels caught prawn, velvet crab, brown crab and lobster. Those vessels support about 20 people. That is the reason why we are in this House; we can concentrate on the livelihoods of some 20 people, even if they work on a part-time basis, because it is important for them.

In response to an Assembly question, we heard that there were about seven vessels fishing for more than seven months of the year. However, importantly, the fishing on Strangford lough was valued in 2009 at £140,000. As Simon and I both know, that is a huge shot in the arm locally for the industry in Strangford. We want to ensure that we can develop what we have. We want to make sure that we can measure it in such a way that means that long-term fishing on the lough can continue.

Strangford lough has enormous tourism potential. All of us in the House who represent Strangford, including Kieran, Simon and I, are very clear that we have the largest inland waterway in the British Isles. We have somewhere in the region of 150 square kilometres of absolute natural beauty. We want to develop the ecosystem, tourism, and fishing. Unfortunately, and as has been outlined, in many cases exclusion has put a pressure on the fishing side of that equation. However, I think that we can go forward on a joint, integrated basis for conservation, fishing and tourism.

I welcome that the Minister is here, and I welcome the interest that she has shown in the matter. I know that she was down in April last year speaking with some of the fishing community in Strangford. I have spent many early hours with the Minister — I should clarify that we were in Brussels. In December, we went really late into the night and met with many of the fishermen. On that occasion, we met in the Scottish office to talk with them to see what we could do to ensure that the fishing industry is viable into the future.



We have something that is small. Simon Hamilton looked objectively to the future. We need to measure what can be achieved in the longer term. That may lead to some people needing to have a look at alternative employment. I was encouraged when the Department said last April that the Minister would help look at finding alternative employment, even on the conservation side of the equation that I mentioned earlier, to allow fishing to go on, and to go on sustainably.

I spent several hours talking to fishermen in Brussels in December as we awaited the outcome of the negotiations, and not a single fisherman told me that night that he wanted to fish beyond sustainability. The fishermen's vested interest is in ensuring that there is sustainable fishing. We just need to get the equation right for them. However, there is a view out there that if we leave fishermen and the fishing community to their own devices, they will just deplete the stocks and we will have a catastrophic situation. I spent several hours that night talking to folk from fishing communities in Portavogie and right across the British Isles, and everyone is committed to ensuring that the fishing industry is sustainable.

Therefore, in the road map that Mr Hamilton outlined, I would like to see definitive evidence of a direction in which the goal is sustainable fishing in Strangford lough and how we get there. If that means hard choices, we will look at those hard choices but also at where we might alleviate those hard choices through alternative employment and allow them to be made successfully.

That will require a partnership between the Department of Agriculture and Rural Development and the fishing community. We want to encourage that partnership to be taken forward sustainably. The fishing industry is under pressure. We have, I think, the second largest fishing community in Portavogie in our constituency, while Mr Rogers has the largest in his constituency of South Down. Many in the fishing community say to me that their children are starting to turn away from fishing for their livelihoods. That is the real fear that I have.

Those people have fishing in their DNA through generations. However, their children are looking at the pressures that the fishing community is undoubtedly under and asking themselves whether they should look at alternatives. Therefore, let us look at what we can do going into the future. However, let us state from the outset, as Mr Hamilton did, that this is a sustainable future, and let us set the road map for how we will get there.

**Mr Kinahan:** I am pleased to be able to speak on this topic, particularly so having left the Environment Committee six months ago. I am intrigued and appalled by some of what I have read about what is going on in Strangford lough. I am pleased to be involved, though, even as a County Antrim man who occasionally graces County Down with his presence, when they let me in.

I am speaking on behalf of my party leader, who cannot be here today. He gives the fishermen his absolute full support. When I last spoke in a personal capacity, I called for an action group to include the range of stakeholders to take forward the management of the lough, especially then over the horse mussel matter. It was clear that that was the right way forward. Indeed, when we had the two-day symposium on Lough Neagh, the point that everyone wanted to make was that all the work on Lough Neagh should be done as a partnership and that we should be making the most of all the stakeholders, users and other people who enjoy Lough Neagh. You have an absolute gem in Strangford lough, which, in many ways, puts Lough Neagh to shame with its wildlife and beauty.

The papers that I have from the Northern Ireland Fish Producers' Organisation (NIFPO) highlight a lack of fisherman involvement in the process and poor uptake of using their knowledge to inform the strategy. I do not want to be negative, because I would like the debate to show everyone that we all want to see the future of Strangford lough and its fishermen being assured and improving. However, I feel that we should be making much more of their skills and knowledge, initially on modiolus, and then on all the other matters. It is their future, but it is also our future and Northern Ireland's future, because, as I said, this is one of Northern Ireland's gems.

In the documentation, we saw the proposed Northern Ireland brown crab strategy for the fishing associations, DARD, the Agri-Food and Biosciences Institute and Seafish, and the suggestion of an Irish pot-fishing council. That is exactly what we should be seeing, but working with the fisherman and using their skills and knowledge.

It shocks me to read that, when the by-laws come in, between 60% and 70% of fishing will be lost. I think it is fair to ask for compensation. That needs to be worked in by linking it with how we build that future and how we work with the fishermen on Strangford lough to find a way of ensuring that their livelihood exists into the future. Part of that is about looking at how and

why modiolus has suffered in the past, because we still need clarity on many different things. I am sure that the fishermen have much more knowledge on that than many others.

It is great to see in the documentation, particularly under the heading "Intervention", that a good restoration working group is working together. That is brilliant to see. It is also good to see, in the monitoring section, that the group will establish channels of communication with the Strangford Lough Fishermen's Association. I would love to know a bit more about what that means. We do not just want good communication; we want to include everyone, really pick their brains, work with them and develop Strangford lough together.

Simon Hamilton, who I congratulate for bringing forward the topic, set out a really good, well-structured and balanced way of how we can develop the lough into the future, be that through tourism, biodiversity or good food produce, which, as you can see, I have enjoyed many a time. We just need a bit more of that in County Antrim.

**Mr McCarthy:** I am grateful to the Member for giving way. Like Simon, he mentioned the potential for tourism around Strangford lough. Does he agree that, at the very tip of the lough in Portaferry, we have one of the most important visitor attractions in Northern Ireland, the Exploris aquarium, which in itself is a showcase on dry land for all the fish life in Strangford lough? Will he encourage people to make their way down to visit that?

**Mr Kinahan:** I certainly agree with that. You have many more attractions than just the aquarium. There are many other beautiful places and houses to see, if you could just get the roads sorted out, which I know is one of your favourite points.

I will end by saying that you have absolute and full support to build a sustained future for all the fishermen on Strangford lough, with everyone working together in partnership to find a balance.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. First, I thank Simon Hamilton for securing the debate, which I think has been worthwhile, and I thank all the Members who contributed.

There is no doubt about it: there has been a long-established fishery in Strangford lough for

many years, and it has provided income for residents around the lough on a full-time, part-time and even seasonal basis. The most recent indications are that up to eight full-time, and 14 part-time, fishing vessels operate on the lough, harvesting mainly velvet crab, brown crab, lobsters, shrimp and nephrops. In 2011, the estimated value of the fishery at first point of sale was £208,000. So, without doubt, Strangford lough has been, and is, an important asset for the County Down fishing community, and I fully acknowledge that.

Initially, I would like to take a few minutes to put in place the context that has led to the changes in the fisheries management regime in the lough over recent years. As everyone will know, Strangford lough is designated as an area of special scientific interest, as a special area of conservation and as a special protection area, as a result of its features. It is the responsibility of the competent authority to protect those features and to ensure that they aspire to good environmental status. The competent authority role for Strangford lough rests jointly with the Department of the Environment and, in respect of fisheries matters, my Department.

Unfortunately, early last decade, concerns began to arise that there had been a serious decline in modiolus modiolus, or horse mussels, in Strangford lough. That required the competent authorities to take remedial action to restore that important designated feature, and a modiolus restoration plan was prepared.

#### 4.45 pm

In order to protect the remaining modiolus biogenic reefs, a total ban on the use of trawl- and dredge-fishing gear was introduced in September 2003. That ban has remained in place since then. In addition to prohibiting mobile gear, the Department, in 2011, created two fishing exclusion zones within the lough, including pot fishing, and progressed to consultation regarding the introduction of a fisheries management plan for Strangford lough.

However, since the first restoration plan was introduced in 2006, the Ulster Wildlife Trust has lobbied the European Commission, expressing its view that the competent authorities were not making sufficient or timely progress in addressing the deterioration of the modiolus reef features within Strangford lough SAC. The most recent complaint, in November 2011, resulted in an EC pilot case being opened, and, until resolved, a threat of infraction proceedings

and potentially substantial financial penalties remain against the competent authorities.

In April 2012, after discussions with the European Commission, I met with fisheries interests to advise them of that position. As a result, my ministerial colleague the Environment Minister, Alex Attwood, and I agreed to a revised modiolus restoration plan, which was forwarded to the Commission for consideration and approval. The measures outlined in that revised plan were informed by a comprehensive scientific research project that was conducted by Queen's University, which also reported to both Departments in July 2011. It recommended a series of actions to enhance the protection and monitoring of existing modiolus reefs and options for intervention to support the restoration of damaged modiolus beds.

I believe that that revised plan reflects the consensus agreed during an Assembly debate that took place last January, when Members called for a proportionate response to the threat of infraction from the EC that would satisfy our obligations under the habitats directive whilst maintaining the economic benefits that are associated with a sustainable fishery in Strangford lough. We are awaiting the Commission's formal decision on the modiolus proposals, but informal discussions indicate that the Commission is generally content with the actions that we have proposed and will respond formally on the plan when the complainants' views have been received.

The revised restoration plan commits to the creation of two larger fishing exclusion zones, as recommended in the Queen's University report, and extending the zones that were originally introduced. Legislation procedure for that was introduced on 8 January, following necessary Committee consideration. Those areas were introduced in advance of formal Commission approval of the revised restoration plan, as discussions had indicated that that would be the minimum requirement acceptable to the Commission in respect of safeguarding and restoring the designated modiolus feature.

I acknowledge the contributions, as well as the sacrifices, that have been made by Strangford lough fishermen over the past number of years, the disruption to fishing practices and the efforts that they have put forward to help to protect the modiolus feature. I am also aware that, over recent years, the Strangford Lough Fishermen's Association has developed a voluntary code of practice for its members that will encourage sustainable fishing in the future as well as protect the features of Strangford lough.

I am also aware that a Strangford lough fisheries management plan has been discussed for some time and that fishermen are disappointed that such a plan has not yet been implemented. Unfortunately, as a result of the pilot case opened by the Commission, it would not have been appropriate to introduce such a management plan until the Commission had expressed its approval of our restoration plan, in case further action or regulation were required.

We look forward to hearing the views of the Commission on the adequacy of our proposals in the coming weeks, at which point we will be able to move to discuss the future fishery arrangements in the remainder of the lough. At that time, I will ensure that my officials engage with stakeholders regarding the development and the introduction of a Strangford lough fisheries management plan. I believe that the first meeting on that process will be convened later this month.

I can also confirm that the Department will make a member of staff available for the lough. He or she will closely monitor all fishing activity and ensure compliance with the non-fishing zones, reinforcing our commitment to the Commission. That management plan will have the objective of developing a fishery in Strangford lough that is economically and environmentally sustainable. It will focus on a number of issues that were raised earlier in the debate, including, but not exclusive to, the need to rebalance the fishing effort with the fishing opportunity, the introduction of a permit scheme and pot limitations, support for voluntary measures proposed by the fishermen, and other avenues of possible support.

I hope that the management plan will also focus on the generation of data on the fishery, which will, in time, be able to demonstrate that fishing operations within the lough are environmentally and economically sustainable.

The crux of today's debate has been around the future of the lough and its potential. I very much take that on board, and I want to be very positive to Members with regard to looking to the future.

A number of Members raised the issue of decommissioning. Some fishermen have suffered financial loss as a result of the impact of the measures that have been introduced on the lough. Some financial support may be available for the permanent cessation of fishing activity — a decommissioning scheme — via the EFF or a purely locally funded scheme. I

hope that that issue will be given due focus in the pot fishery management plan.

However, under either option, state aid rules require the vessel to give up its fishing licence, and measures would be needed to cap the remaining fishing capacity in the lough at a new lower level. Obviously, we would have to develop a business case, which would be required to show that such a compensation scheme represents good value for public money. All that is against a general policy of fisheries administrations not to compensate vessels that are displaced by closures. There is potential to take forward a decommissioning scheme, but we will need to do a lot of substantial work to address those issues and take that forward.

Members picked up on the tourism potential. I totally agree: people are very interested in the food journey and are very keen to explore it. That definitely has great potential for Strangford lough. I am absolutely happy to explore PGI status further. It is significant for the marketability of the local industry.

I reassure Members that Strangford lough is recognised and remains as an important asset for the North for not only fishermen and the tradition of fishing but other marine stakeholders and the tourism sector. I acknowledge the sacrifices that fishermen have made over the past decade as a result of all the measures that have come forward.

I end on a positive note: I totally agree about the lough's potential. We need to exploit it more. Avenues have been suggested. Over the next number of months, particularly when we gain approval from the Commission for our management plan, we will look at all the issues side by side in partnership, because so many players are involved in the situation. If we deal with the issue of decommissioning, explore the tourism potential and look at all those things, the potential of the lough is second to none. It should be taken forward and exploited. We need to protect the local industry, which is obviously dependent on fishing opportunities.

I thank the Members for the debate and for bringing forward the issue. I look forward to working with them as we develop the potential of Strangford lough.

*Adjourned at 4.52 pm.*

# Written Ministerial Statement

***The content of this ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.***

## Health, Social Services and Public Safety

### Emergency Department Services in Belfast

*Published at 10.30 am on Tuesday 5 February 2013*

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I wish to make a statement to the Assembly regarding the proposals for the future configuration of Emergency Department (ED) Services in Belfast. These proposals will be published today by the Health and Social Care Board (HSCB) for a 13 weeks period of public consultation.

In my statement to the Assembly on 13 September 2011, regarding the temporary changes to Accident and Emergency Service Configuration at the Belfast City Hospital, I was clear that in the longer term, a strategic decision will need to be taken on the provision of ED services in Belfast. I also said that this would be a decision for me as Minister to take and it is a decision I will take only after a full and open process of consultation and engagement. Today marks the start of that process of engagement and consultation on proposals for the future delivery of this service. At the outset of this consultation it is worth noting that the drivers for change, which resulted in the temporary changes at the Belfast City Hospital, are the same drivers which are compelling us to plan ahead now for the future ED services in Belfast. Those drivers of change relate to the safety and quality of care; they are not about efficiencies or cuts. The main reasons for the temporary changes included:

- a shortfall in recruitment of suitably qualified medical staff, particularly middle grade doctors;
- the need for adequate training and supervision arrangements for junior medical staff, especially at night time;
- concern expressed by the Northern Ireland Medical and Dental Training Agency and by the General Medical Council (in August 2011) regarding the current level of supervision of doctors, especially on the Royal and Belfast City hospital sites, thus requiring the immediate

action taken at that time;

- a general shortfall in medical trainees in emergency medicine not just in Northern Ireland but in other parts of the UK;
- changes in the Home Office immigration rules which makes it more difficult to recruit doctors from overseas – including locums and middle grade doctors; and,
- changes in the working practices of staff and the need to promote compliance with the European Working Time Directive, which was designed to promote safer patient care and enhance the well being of doctors who had previously worked very long hours.

The proposals in the consultation document have been developed by the HSCB working with the Belfast Health and Social Care Trust. The document reviews action already taken to secure ED services across Greater Belfast and sets out a range of options on the way forward. In formulating these options the HSCB has fully considered the regional implications of the proposals, particularly in relation to the South Eastern, Northern and Ambulance Service Trusts.

The preferred option in the document is that there should be two Emergency Departments in Belfast, one in the Royal Victoria Hospital and one in the Mater Infirmorum Hospital, supported by direct access, via GPs, to a range of specialist services at Belfast City Hospital. This preferred option has been identified following detailed consideration of the relevant issues addressed in the document. Following public consultation, if I decide to adopt the preferred option, this change will result in the permanent closure of the Emergency Department in Belfast City Hospital.

My Department has obtained assurances from both the Trust, and the HSC Board, as the commissioner of these services, that the preferred option will provide an ED service in Belfast that is safe and sustainable and that it will deliver high quality care. As I have previously stated my first concern is the safety of patient care and that will always remain as my priority.

As indicated in the consultation document there are three key policy considerations for making changes in the way Emergency Department services are delivered

across Belfast.

Firstly, and most importantly, the need to deliver a safe and sustainable service into the future, where highly-skilled clinical teams, supported by an effective physical infrastructure and environment, can provide a high quality service for patients.

Secondly, the future direction for health and social care services, as outlined in 'Transforming Your Care'<sup>1</sup> (TYC), is for urgent care services to be provided as close to people's homes as possible, provided by an integrated team from primary, community and hospital services with an emergency service configuration that is sustainable and resilient in clinical terms. The TYC report envisaged all hospitals in Belfast Trust as part of a single network of major acute services.

Thirdly, the strategic direction for acute hospitals and service delivery in Belfast, as outlined in 'New Directions'<sup>2</sup>, focuses on both the development of patient pathways which enable people to access services quickly, without having to attend the Emergency Department, and the development of service profiles for the hospitals in the Belfast Acute Network (Belfast City Hospital, Mater Infirmorum Hospital and the Royal Victoria Hospital).

The proposals in the consultation document aim to move forward the implementation of the above policies, ensuring that patients in Belfast will continue to have access in the future to high quality services and care when they need urgent or emergency treatment. I wish to emphasise that these proposals relate to securing the safety and quality of care; they are not about efficiencies or cuts because the key issue here is the need to ensure that there is an emergency service for Belfast and the nearby areas that works and meets the needs of the population.

The managers and clinicians in Belfast Trust and all the other affected organisations have worked to make the temporary change, introduced in November 2011, effective. From the evidence of how the temporary change has been delivered by the Trust over the past 15 months I believe looking forward that we can have confidence that the model of care proposed in the preferred option is both safe and sustainable. However, I recognise that there may be different views and I therefore want to hear the views of key stakeholders, in particular the public and their representatives, on these important proposals before I make my final decision on the future configuration of the ED service in Belfast. I have therefore asked the HSCB to carry out this public

consultation on my behalf starting today and concluding on 10 May 2013.

As well as setting out proposals for the future delivery of ED services in Belfast I look to the HSCB and Health and Social Care Trusts across Northern Ireland to also ensure that the improvements in ED waiting times and patient care, secured through their work with the Improvement Action Group, are embedded. While I recognise that this work will take time to bring to full fruition, progress has been made in securing the high standards of care that I expect to be delivered.

Finally, I would like to extend my gratitude to Emergency Department staff for the dedicated service that they provide to people across Northern Ireland. I am committed to continuing to secure improvements in ED services to ensure all of the population of Northern Ireland has appropriate access to high quality, safe and sustainable urgent and emergency care.

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<sup>1</sup> Transforming Your Care, A Review of Health and Social Care in Northern Ireland, HSCB, December 2011

<sup>2</sup> New Directions – a conversation on the future delivery of health and social care services in Belfast – Belfast Health and Social Care Trust, 2008.





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