

Official Report (Hansard)

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Northern Ireland Assembly

Monday 11 June 2012

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

Members observed two minutes' silence.

Assembly Business

Lord Morrow: Mr Speaker, if it is in order, may I move the suspension of Standing Orders to permit the House to sit after the normal sitting time?

Mr Speaker: Let us, Lord Morrow, come on to that issue. First, I have some information for the House, and I want to deal with that.

Executive Committee Business

Pensions Bill: Royal Assent

Mr Speaker: I wish to inform Members that the Pensions Bill has received Royal Assent. The Pensions Act (Northern Ireland) 2012 became law on 1 June 2012.

Assembly Business

Resignation: Ms Martina Anderson

Mr Speaker: I advise the House that I have received a letter from Ms Martina Anderson giving me notice that she has resigned as a Member of the Assembly with effect from noon today, 11 June 2012. I have notified the Chief Electoral Officer in accordance with section 35 of the Northern Ireland Act 1998.

Extension of Sitting

Mr Speaker: I have been given notice by members of the Business Committee of a motion to extend today's sitting beyond 7.00 pm. Under Standing Order 10(3A), the Question on the motion will be put without debate.

Lord Morrow: I beg to move

That, in accordance with Standing Order 10(3A), the sitting on Monday 11 June 2012 be extended to no later than 7.30 pm.

Question put and agreed to.

Resolved (with cross-community support):

That, in accordance with Standing Order 10(3A), the sitting on Monday 11 June 2012 be extended to no later than 7.30 pm.

Mr Speaker: The motion has been agreed, and the House may sit until 7.30 pm if necessary.

Ministerial Statement

Pathways to Success: Strategy for Young People not in Education, Employment or Training

Dr Farry (The Minister for Employment and Learning): I am very grateful for the opportunity to make the statement today about Pathways to Success, which is the Executive's strategy for young people who are not in employment, education or training, and its integrated action plan. The strategy builds on the Programme for Government and the Executive's economic strategy. It is important that we enable every person in this society to develop to their full potential and that our economy utilises fully the productive human resources available to it.

Although my Department led on the development of the strategy, it is a cross-departmental initiative. It is a further demonstration of the commitment of the Executive to young people and to addressing particularly the challenge of young people who are not in education, employment or training — the so-called NEETs.

The strategy has been significantly informed by the inquiry by the previous mandate's Committee for Employment and Learning into young people not in education, employment or training, by ongoing discussions with the current Committee and by debates in the Assembly. The Committee's thoughts have been reflected throughout the document, and a list of its recommendations and a description of how they are to be taken forward is provided at annex B. The strategy has also been informed by the findings of a detailed consultation exercise with stakeholders, which included direct engagement with young people.

The Pathways to Success strategy will put a particular emphasis on young people, specifically those who are furthest from the labour market and face barriers to participation in learning and employment.

The number of young people here who are NEET was already rising before the recession. That challenge has obviously been exacerbated by the recession, during which the number of young people becoming unemployed has risen substantially. However, it is important to recognise the difference between youth unemployment in general and the issue of young

people who are NEET and face barriers to re-engagement.

Many young people have high-level qualifications and skills and are well placed to take up employment as the economy improves: they merely lack the opportunities. Some will require minimal help to secure employment and some will just need the chance to gain experience. There are others who are much further from the labour market and require much more intensive support and more tailored interventions to overcome their barriers. Those young people are the main focus of the strategy.

The NEETs issue is a major social problem which, if not tackled, will result in young people facing a lifetime of limited opportunity, characterised by worklessness, poverty and ill health, and passing severely reduced life chances from generation to generation. It is also an economic problem. There are major costs to the public purse from young people remaining persistently trapped in the NEET category over the course of their lives. We cannot afford that haemorrhaging of vital resource to continue any longer.

Tackling the root of the issue is not the job of a single Department or organisation, as the Executive have recognised. It requires a cross-departmental approach. The Department for Learning and Employment (DEL) will take the lead, but the issue cannot be just a school, health, welfare or employer strategy: it truly belongs to everyone in our society. Indeed, a clear message of Pathways to Success is that young people have a stake and are part of the solution.

In taking forward the strategy, we want to continue to work with young people and their representatives, and add their voice to the process of delivery and implementation. That is not just my commitment, it is the Executive's. The strategy will be a key plank of the Delivering Social Change framework to achieve a sustained, long-term reduction in poverty and an improvement in children and young people's health, well-being and life opportunities.

The strategy's overall aspiration is that, by 2020:

"Every young person will not only have an opportunity to access education, training or other preparation for employment but, to the extent that they are able, they will also avail of that opportunity."

The strategy will deliver that vision through a three-tier package of measures aimed at preventing young people from missing opportunities for education and training and/or becoming unemployed; helping young people aged 16 to 18, especially those facing barriers; and assisting unemployed young people aged 18 to 24 more generally.

To deliver that package, the strategy contains measures to improve leadership and co-ordination, preventative measures being taken across Departments, measures to re-engage 16- to 18-year-olds; measures to re-engage 18- to 24-year-olds; and further supporting measures to be taken across Departments. It also sets out a number of key supporting measures to ensure that we can identify our young people's needs and match them with opportunities to meet those needs.

I will now outline a number of the main measures, for which I am directly responsible, that will contribute significantly towards the achievement of this vision. I have recognised that the Careers Service has a key role to play in supporting young people to develop effective career plans and signposting them to provision that meets their needs. To that end the Careers Service, using information available from schools, colleges, Training for Success providers and other training programmes, will case manage those young people aged 16 and 17 who drop out of provision or do not have a positive destination when they leave school. In addition, work is under way to improve the flow of information between schools and the Careers Service to help identify young people at an early age who are at risk of becoming NEET.

There is also a clear need to develop an identification and tracking system. DEL has already commissioned research to scope the potential for a Northern Ireland tracking system for young people who are in or who might enter the NEET category. I intend to have a tracking system in place by 2014. Such a system will track a young person's progress and interactions with various Departments and agencies. It will allow all stakeholders to learn more about their particular client group and will have benefits for all concerned.

We will ensure significantly better co-ordination than there has been, and we will work to identify and meet the needs of young people as early as possible. Early interventions also involve a

range of other Government services. Education is obviously one key component in ensuring that young people progress and engage further in education, employment or training. Early years provision, measures to improve educational attainment and literacy and numeracy, and raising standards in schools are of particular importance in addressing the needs of such young people.

The further development and implementation of a number of cross-departmental strategies and initiatives designed to address the needs of vulnerable children and young people and tackle barriers associated with their health and general well-being are also important. I plan to introduce a new community family support programme, which will focus on the needs of the most disadvantaged families to enable young people to re-engage with education, training or employment.

I envisage that the programme will provide support including: tackling family issues such as support for parenting and role models; support for needs that children may have and working with schools; social and economic issues, including debt management, essential skills in literacy, numeracy and ICT, money management and how to look for work; health and housing issues such as alcohol or drug abuse, co-working with health agencies, and issues around accommodation; helping those who are in work to stay in work and helping those not in work to develop skills to find work, such as writing CVs, preparation for jobs, timekeeping, and developing problem-solving skills; and identifying suitable employment opportunities.

Such a programme will require involvement from a range of Departments, including the Department of Health, Social Services and Public Safety, the Department for Social Development, the Department of Education (DE) and the Department for Employment and Learning. The objective is to pilot it in 2013 and, subject to evaluation and resources, to mainstream it thereafter. This initiative would support the development of hubs for resources for the child and family and the introduction of family support nurses. This work is also being taken forward under the Delivering Social Change children and young people programme.

I will now turn to measures specifically for 16- to 18-year-olds. Although it is clear that current DEL and DE provision is comprehensive

and the overall level of activity is demand led, current provision may not fully meet the needs of some of our most vulnerable young people. The consultation exercise and the Committee for Employment and Learning's inquiry highlighted in particular the importance of effective signposting and the key difference that a mentoring approach could make in ensuring that young people become and remain engaged throughout the progression from education to employment and training.

12.15 pm

Although much of what follows is intended to be additional to existing provision, many programmes and strategies, such as essential skills provision, the Training for Success programme and courses at further education colleges are also highly relevant, in addition to the role of the Careers Service, as I mentioned.

The programme envisaged will consist of four key new measures to assist those young people with barriers who are furthest away from the labour market. Those are a community-based access programme; further promoting the development of individual action plans; the introduction of a training allowance for young people participating on existing European social fund programmes targeted at those who are NEET; and the development of an innovation fund to test new approaches based on sound evidence.

The community-based access programme will engage and mentor young people using community and voluntary sector organisations. The organisations will provide continuity of support for young people to engage or re-engage with learning and to progress through mainstream training provision into employment. Individual action plans will be introduced for 16- to 18-year-olds participating in the community-based access programme. That will mean that a young person can have a personalised plan that identifies his or her individual starting point and needs, and can plot a pathway through education or training to employment.

During the consultation period and thereafter, concern was expressed, including during a debate in this House, at the lack of access to educational maintenance allowance by young people participating on certain programmes targeted at the hardest to reach, when there are allowance schemes for young people at school, in further education and on Training for Success.

I considered that issue, and I plan to introduce a training allowance for 16- and 17-year-olds participating on existing programmes funded by the European social fund and targeted at those who are NEET. That allowance will be designed to ensure that there are effective incentives in place for young people to progress from provision that re-engages them with learning to education and training programmes that provide the skills and qualifications to support moving into, and success in, work.

An innovation fund to test new approaches based on sound evidence would be aimed at piloting a range of other approaches to re-engage those young people in the NEET category. That could facilitate further testing of approaches, such as a work-based mentoring service, primarily with small employers, aimed at disengaged 16- to 17-year-olds not participating in Training for Success.

Turning to the interventions planned for 18- to 24-year-olds, the specific aim is to help that group to gain work experience, develop additional skills and achieve recognised relevant qualifications needed by those sectors that have the potential for further growth with regard to jobs and gross value added growth. The focus is on early intervention for those young people who have reached the age where they may be eligible for social security benefits. Members will be aware that a separate package of measures that I put forward to address youth unemployment was accepted by the Executive. Those measures are reflected in the NEET strategy.

The core elements of any new youth unemployment programme will include early intensive diagnosis of employability skills; opportunities for taster work experience for clients while on benefits; individual skills and career-focused assessments; sector-based work experience and training in areas of skills shortage; a new employer subsidy for up to one year; a new emphasis on continuing skills development and growth; and a range of new measures to help young people not in education, employment or training.

Those measures will be additional to existing provision by being targeted at skills development for economic growth. It is important to acknowledge that the measures are informed by local needs and circumstances as well as best practice from other jurisdictions, including Great Britain and the Republic of Ireland. The measures will mean that due to earlier

intervention than is currently offered, skills development can begin after 13 weeks of a benefit claim rather than at 26 weeks, which is the current mandatory trigger for entry to Steps to Work for 18- to 24-year-olds.

The new measures will make provision for job-ready young people who, but for the current economic situation, would be in work and for those who are some distance from the labour market and require considerable support to address their barriers. I am also planning to include what I will refer to as a skills premium for employers: a training grant of up to £750 to assist employers offering full-time jobs with formal training costs or £300 for shorter training on accredited courses.

I have been engaging with the Finance Minister on resourcing the new initiatives. It is important to stress that, whether the additional resources are for the specific youth unemployment measures for Northern Ireland or other elements in the NEET strategy, the necessary financing decisions are matters for the Finance Minister to recommend and for the Executive to agree. Once the resourcing for the new youth unemployment measures has been agreed and the policy subsequently finalised, I will make a fuller statement to the Assembly on these particular matters.

In conclusion, we are not starting afresh in tackling these issues. All Departments already have strategies and policies in place or are working on their development, which have as their focus improving the life chances of individuals who are faced with disadvantage or barriers that prevent them from leading productive lives or from reaching their full potential. This strategy brings added value. First, it will better co-ordinate the existing and future actions of Departments. Secondly, it includes a number of new initiatives, which I have just outlined.

Mr D McIlveen: I thank the Minister for his statement on this very important issue. Minister, you mentioned that effective incentives for young people will be in place. Can you outline what incentives will be in place for employers to facilitate the training of these young people? Can you elaborate on your desire for in-house training schemes supported by your Department? Those would free employers to not necessarily be committed to an alliance with colleges, which they currently have?

Dr Farry: I thank the Member for his question. He raises a number of issues. First, we are focusing on getting people re-engaged and, potentially, going into the world of work with particular incentives. I draw particular attention to the training allowance. That has been raised by a number of Members, and we have responded to that and plan to proceed. It is also about working with young people to give them a sense of understanding of the opportunities that are available to them and to encourage them to engage with the existing provision or some of the new projects that I outlined.

Employers recognise the importance of including young people, and, indeed, as many people as possible in the labour market. We all have self-interest in ensuring that we are maximising the human resources available to our economy. Businesses understand that as well as anyone else. Particularly in the new youth unemployment measures that we are hopefully going to proceed with, there will be a number of incentives for employers, including for some resources up front to help with things such as uniforms and what may be quite significant employer subsidies to encourage them to take people on. Often, employers will say that they are considering taking someone on but that it is sometimes too much of a financial risk to do so. We hope to break that vicious circle by providing that employer with a subsidy.

Finally, the Member mentioned training. We are very open to whether the training takes place off site or on site, and the key issue is that it should be accredited to give people some record of achievement and something that can be transferred. We are happy to work with people in whatever setting is most appropriate for them.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh ráiteas an Aire. I welcome the Minister's statement, because the issue has exercised the time and mind of the Employment and Learning Committee for a long time. The Minister referred to the introduction of a new, community family support programme. What extent of contact is there already on this between the various Departments, including the Department of Health, Social Services and Public Safety, the Department for Social Development, the Department of Education and the Department for Employment and Learning? The Minister said that it will require involvement from those Departments, but can he give a

sense of the extent of contact already between those Departments? How much, typically, will a training allowance for 16- to 18-year-olds amount to?

Dr Farry: I thank the Member for his welcome. There already is good collaboration between Departments, and we all recognise that. However, equally, we recognise that we can do more, and we are forever striving for better joined-up government. I believe that people are committed to that.

I draw attention to work that the Office of the First Minister and deputy First Minister will do on child poverty, which will dovetail very well with this. A lot of what we are doing will sit very neatly with the ministerial subcommittee on children and young people and is part of that wider delivering social change architecture, which my Department and all the other Departments are very freely engaging with.

The Member asked about the level of the training allowance. At this stage, subject to resourcing, we anticipate that it will be somewhere in the range of £20 to £25 a week, and the rationale for that is to create an incentive for progression. We will want people to access the European social fund programmes and maximise participation, and we also want to make sure that that is not the end point for people and that they can move on to engage with other programmes, achieve higher-level qualifications and move up that skills ladder to maximise their chances of getting into work and finding secure and sustainable employment.

Mrs Overend: I thank the Minister for his statement, which is a very welcome indication of the Executive's focus on NEETs. As a former member of the Committee for Employment and Learning, I recognise how important that is. Can the Minister outline how the strategy will be financed? Has he submitted a business case to the Minister of Finance and Personnel? What is the likely time frame for that?

Dr Farry: I thank the Member for her question and her welcome of the strategy. It very much is a cross-Executive strategy, and it certainly is a priority for the Executive, just as it is a priority for the whole Assembly.

We are very mindful of the need for resources where we need resources, but, before going into the detail of that, I stress that, in some respects, this may facilitate better working

without the influx of a lot of new resources. We also need to be conscious of using what we have much more efficiently and effectively, and a strategy such as this can bring real added value. We have submitted a full business case on youth unemployment and on aspects of NEETs to the Minister of Finance. Obviously, it is up to him to deliberate on that and make recommendations to the Executive. Once they are approved by the Executive and announced, potentially as part of a monitoring round, I will come back to the House and make a fuller statement on exactly how the resources will impact on our ability to move ahead with the specific NEET issues and the youth unemployment measures in a more general sense.

Mr P Ramsey: I thank the Minister for bringing forward the NEETs strategy today; it is welcome. I commend the Minister. It has taken a long time for the Executive to come forward with that.

The Minister said that the tracking system will be in place by 2014. It is over two years since the Committee for Employment and Learning carried out a very exhaustive inquiry, one of the key elements of which was the deliberation on that, and everybody who participated in the consultation clearly stated that there has to be a tracking mechanism in place. Why has it taken another three years to put in place a tracking mechanism to show where our young people are going? There is a lot of emigration, and it is necessary, Minister, for you to look at this again. It is far too long down the line.

Dr Farry: I thank Mr Ramsey for his general welcome of the strategy. We are committed to introducing a tracking system. There is no ambiguity with that: it will happen.

12.30 pm

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

There are various bureaucratic issues around data sharing to be overcome, such as how we get around interpretations of data protection. As well as that, there are, potentially, some legislative issues that we may need to explore. That is the creation of the formal tracking system. Separate from that, of course, there is scope for the exchange of information between Departments and agencies without the formal tracking system being fully operational. That can happen in any event and will be accelerated from now. Members should be in no doubt that

this will happen and will be in place by 2014 or sooner, if we can do that.

Mr Lyttle: I also welcome the statement and the strategic and practical response that it lays out to one of the key challenges that we face in getting education, training and employment opportunities for our young people at this challenging time. I particularly welcome the additional training allowance for the hardest-to-reach young people. I know that that will be welcomed by many people across organisations that work in this area. Given that one of the Committee inquiry's key recommendations was that the strategy had to be cross-departmental and that OFMDFM, therefore, should have a significant involvement, how has OFMDFM, in its correspondence, suggested taking this forward in the absence of a Department for Employment and Learning?

Dr Farry: I thank the Member for his general welcome and for throwing me that ever-so-subtle curve ball. There are a number of things to say. First, on the status quo of the Departments, my Department, as is, is very happy to lead on this and will continue to do so. However, it will also be placed in the context of the wider architecture that exists, including the Executive subcommittee on children and young people. It is also very much part of the wider Delivering Social Change agenda, as put forward by OFMDFM. Essentially, OFMDFM is a co-ordinating Department rather than a main delivery Department. However, it is important that we avail ourselves of existing ministerial subcommittees to ensure that all Ministers are actively engaged in implementing the strategy and are sitting round the table to hold each other to account for the delivery of the various targets.

Looking to the future, it is important that we appreciate that dealing with NEETs is both an economic and a social issue and that it primarily applies to over-16s. So, we need to take some care in ensuring that there is a proper, dedicated focus on the issue. Regardless of whether departmental structures are subject to minor reforms or more widespread reforms down the line, we must ensure that we have that clear focus on what is a very important issue for this society.

Mr Ross: I am sure that most Members will agree that prevention is better than cure. To that extent, early identification and intervention, with

a focus on early years education, are extremely important.

I return to the tracking system. The Minister mentioned some of the concerns that there may be around data protection and things like that. How does the Minister envisage it working? What practical interventions does he believe could be made, once it is established which young people are at risk of going into the NEET category?

Dr Farry: I thank the Member for his questions. He, rightly, referred to the importance of prevention and early intervention. In the earliest sense, you can apply that to what happens in the education system and to what we do when people leave school at 16. That is why we put so much emphasis on how we can use a strengthened careers service to engage with young people; how we can put mentoring and family support in place; and how we can take through the signposting. We are also talking about individual careers advisers staying with the same young person from the ages of 16 to 17 to provide that continuity in support.

The Member also mentioned tracking, which is absolutely central to moving this forward. Data will come from a number of sources. Essentially, we want to match that data so that we can see someone moving through the system from early years to post-16 provision. At present, primary-school pupils get a particular identification number. That number does not stay with them when they move into post-16 training, so we end up with a wholly new set of records. We are trying to integrate the records between the different levels of intervention so that we can properly map how someone's life and life chances evolve over time.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement. I also welcome the extension of EMA, which many have called for for quite a while.

Page 5 of the Minister's statement refers to "a community based access programme" and:

"promoting the development of individual action plans".

As the Minister is aware, a substantial number of people have been bypassed at community level. There are neighbourhood renewal partnerships spread across the region. How will they be dealt with? Will they be used as levers

to try to encourage people to take part in the new system?

I will get another one in. Will there be any financial enhancement for 18-year-olds to 24-year-olds to take part in the schemes?

Dr Farry: I thank the Member for his questions, and I will try to remember all three. First, to be clear, this is not, strictly speaking, an extension of EMA. If Members recall, we had a debate in the Assembly on EMA, during which Members called for its extension. During that debate, I said that there would be legal difficulties in extending EMA away from what it was originally designed for, to support people in schools and FE colleges, to encompass a range of purposes. I also said that we would potentially look at trying to find equivalent support through other means. This is a training allowance, and it is important that we do not cross the line and call it EMA. For example, it will not be part of the future review of the EMA policy, which my Department and the Department of Education will take forward. It is entirely separate.

We recognise that the community is often better placed than the state to deal with some of these issues. The state will have a comprehensive range of programmes, but there will be gaps, and the community is often better placed to engage with people. The precise provision may have to be decided through procurement exercises. Obviously, things become a bit more bureaucratic with that approach, but, to be fair to everyone, we may need to go down that route. It is about trying to be as hands-on with young people as possible by using those who are best placed to interact with them.

Finally, I think that many young people are extremely eager to engage in work experience. They know that the employability skills that that experience will bring are vital to their competitiveness in a very difficult job market. Many young people are trapped: they cannot get a job without experience, and they cannot get experience without a job. This is there to break that cycle. Young people will remain on benefits while they participate in the programme, but there will be incentives for employers to take people on.

I would stress that this is not the same as the scheme in England, about which there were many headlines and much controversy earlier this year. It is entirely different and qualitatively

different. Furthermore, no sanctions will be applied to young people if they fail to participate in the programme. It is designed to be purely voluntary.

At the top of the scale, we anticipate about 6,000 placements over the next number of years. Regrettably, I imagine that the demand in this society will probably outstretch the supply that we will be able to put in place. However, there is a commitment from me and, hopefully, in due course from the Executive to push as many opportunities in front of young people as we can within the available resources.

Mr Douglas: I also welcome the statement and thank the Minister for it. In the past, the Minister has mentioned the role of the community and voluntary sector. He has also paid tribute to that sector as he did again today. The Minister also mentioned incentives for businesses. What incentives has he in mind to involve the community and voluntary sector? I am thinking along the lines of what happened in the past, when the Step Ahead and Steps to Work programmes, for example, placed some of the young people in community and voluntary organisations.

Dr Farry: I thank the Member for his supplementary question. Resources will be available for this, but their scope is still to be determined. I referred to the potential for public procurement around all of this. It is important that we all understand the need for incentives and for a sense of responsibility. Everyone, whether in the community or in business, must appreciate the importance of investing in our young people. The economic cost of not doing that is considerable. If someone gets trapped in unemployment, even for a couple of years, their risk of being unemployed for most of their life is significantly increased. That creates a cost for society in additional benefits and support services. As a Government, we have an incentive to get this right, as does the community sector. Business has an incentive to cater to the future needs of our economy and make sure that we have a skilled workforce that can take up the jobs that will come along. So, certainly, we envisage a partnership approach, and structures will be put in place to implement the strategy and bring together all the sectors in an advisory group for the NEETs strategy.

Mr McCarthy: I also thank the Minister for bringing this important subject, the NEETs strategy, to the Assembly. Let me say how disgusted I am that, because of a cynical

political carve-up by OFMDFM, this important Department will be abolished. It is a shame and disgrace that this young, energetic and progressive Minister will be denied the opportunity to see this strategy through to a successful conclusion.*[Interruption.]* If some people feel guilty, so be it.

Minister, how do the present divisions in society impact on the problem of young people not in education, employment or training?

Dr Farry: I thank the Member for his question and introduction — I assure the House that I had no hand in writing it.

Obviously, the nature of our society, particularly the divisions in it, impacts on people's life chances. It impacts on the number affected and the nature of our NEETs problem. There are clear linkages between deprivation and the nature of the divisions on the ground. I hope that the parallel efforts that the Executive can take forward will help in some of those respects. Equally, we recognise that division is a factor historically and currently in creating the context for the problem that we are dealing with in Northern Ireland. NEETS is also a global problem, and we can learn lessons from how other jurisdictions have dealt with it. In due course, there may be lessons that others want to learn from us, if we get the strategy right and roll it out effectively.

Mr Allister: Given that, today, four Sinn Féin MPs announced that they are resigning from the Assembly, I was tempted to ask the Minister whether he had any measures in mind for those at a loose end who refuse to go to the place of employment available to them.

On that theme, there are many incentives — many carrots — in this package, and that is good. However, is there any stick to deal with those who may be recalcitrant or reluctant to engage and may be looking for the handout, if we can call it that, but unwilling to make the return? Is there any stick at all in the package?

12.45 pm

Dr Farry: I thank Mr Allister for his question. I will pass over his introduction. I stress that we are going for a sanctions-light or nil-sanctions approach in this or indeed any other context.

Earlier this year, there was a lot of controversy around sanctions in some of the programmes in England, and that detracted enormously

from the importance of the schemes. Whether it was eventually government or businesses, the sanctions were a major distraction. I have no doubt whatsoever that a voluntary scheme, with an incentive for people to go on to it, will be effective, and that is all that we need. Some people may be trapped in benefits, and some of the more positive aspects of universal credit will address some of that. Most young people want to have opportunities. For whatever reason, whether it is a lack of opportunities, barriers that have been thrown up in their life or barriers that they face for other reasons, they have been prevented from availing themselves of those opportunities. I hope that the NEETS strategy will unlock those doors and ensure that the young people will be able to have a more productive life and live up to their potential and that society will benefit from their contribution to the economy.

Mr Copeland: I, too, welcome the Minister's acknowledgement that we have a situation. He repeatedly used the word "problem", which I have a difficulty with, as it impugns the young people involved by implying that they are a problem. It is not that they are a problem; it is the damnable situation that they find themselves in. He has, at least, tried to address it. Will he elaborate, if at all possible, on the pilot scheme that he sees as a necessary part of this? I seek an assurance that the pilot scheme will be based in areas where it is most likely to be of use. That, in my view, is in urban areas of Belfast, particularly east Belfast, where these difficulties affect young people of a certain age, regardless of race, religion, colour, creed or gender. I draw to the Minister's attention the magnificent work being done by the Gerry Rogan Initiative Trust and the Bytes project at its locations in the Short Strand district of east Belfast and the Tullycarnet area of Castlereagh.

Mr Deputy Speaker: I think that the Member has asked the question.

Mr Copeland: That was the question. Can the Minister elaborate and assure me that the pilot project will be focused where there are areas of need and where most work needs to be done?

Dr Farry: I thank Mr Copeland for his question. I stress that, in so far as we use the word "problem", we are talking about a problem in the wider sense — a problem for society, rather than the young people themselves being the

problem. I alluded to that, to an extent, in my answer to Mr Allister.

With regard to pilots, I note the pitch that the Member made for his constituency. I do not want to give him any direct commitments, because I fear that some of our colleagues from more rural areas will also make a pitch for some of their particular context. However, it is a general rule in government that there is little point running a pilot in an easy area, The results that you gain from that may not necessarily translate across to the more difficult areas for the design of the more mainstream project. Therefore, if we are to have effective mainstream policy, it makes much more sense to pilot those in some of the more difficult and challenging circumstances to ensure that we know that whatever we mainstream will be fit for purpose.

Mr Eastwood: I thank the Minister for his statement. Given the fact that there are well over 40,000 young people not in education, employment or training, what specific targets will he introduce to try to reduce that figure?

Dr Farry: I thank the Member for his question. At this stage, we are not setting a precise figure for the reduction in NEETs. Members will appreciate that it is a multifaceted problem. Much of it will reflect the flow of our labour market and levels of unemployment, which reflect the demand side of our economy. I stress that our overall figures for unemployment in Northern Ireland have been stabilising over the past number of years and, in particular, the past year and that our situation is moving in a more benign direction than that in other parts of the UK. So, things are turning around. That is not to underestimate, in any sense, the scale of the problem that we have in Northern Ireland with NEETs. Our baseline for NEETs is much higher than in virtually any other part of the UK. I think that Wales has a higher baseline problem than we have, but, historically, it has been a significant issue for us.

I stress that this is a priority for the Executive and the Assembly. We are taking this extremely seriously, and the strategy is an indication of that. Ultimately, it will not be a document that sits on a shelf. The strategy will be actively pursued, whether that is by me or somebody else, over the months and years to come.

Executive Committee Business

Financial Services Bill: Legislative Consent Motion

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

That this Assembly agrees that the provisions in Part 3 of the Financial Services Bill, as introduced in the House of Commons on 10 May 2012, dealing with the transfer of functions in relation to mutual societies should be considered by the UK Parliament.

We are here again today to consider the ongoing reform of the Northern Ireland credit unions. Members will recall that I addressed the House very recently on the issue, which is of key importance to individuals and communities across Northern Ireland. The enthusiasm and support from my fellow Members for continued reform of the sector was very evident on that occasion. Like the rest of my colleagues, I am keen that the reform process continues and credit unions are able to fulfil their potential.

Following on from all the good work carried out to date, the next immediate step in the reform programme will be to permit the transfer of the registration of credit unions from my Department to the Financial Services Authority (FSA) or its successor body. One recommendation of the 2009 ETI Committee report on the reform of credit unions was that registration of Northern Ireland credit unions should remain in DETI. However, in discussions on the progress of credit union reform between my Department, Her Majesty's Treasury and the FSA, it became increasingly evident that no tangible benefits would result from registration remaining with my Department and that a possible move of Great Britain registration from the FSA could lead to the further division of responsibilities. In essence, registration is administrative in nature, and, in practice, a separate Northern Ireland-specific registrar would be unlikely to have any role or power that could be exercised independently of the regulator in Great Britain. Any benefits of maintaining registration in Northern Ireland are largely perceived rather than actual and are outweighed by the associated administrative costs and confusion that the arrangements could cause for our local credit unions.

In March 2010, a joint HM Treasury/DETI consultation considered the transfer of

regulation and registration from Northern Ireland to Great Britain. Following that consultation, I wrote to the Chairperson of the ETI Committee to advise him that it would be in the best interests of the Northern Ireland credit union movement as a whole if responsibility for registration and regulation were transferred to the FSA or its successor. Following agreement from the Financial Secretary to the Treasury, draft relevant Northern Ireland clauses were included in the Financial Services Bill, which is currently making its passage through the House of Lords. The proposed Northern Ireland-specific clauses will allow HM Treasury, by order, to enable the transfer of the function of registrar of Northern Ireland credit unions to one or more of the successor bodies of the FSA.

As Members are aware, I very much recognise the importance of a thriving and growing credit union sector. Recent reforms have placed credit unions in Northern Ireland on a more secure footing. I intend to build on the good work already done and continue the reform process by introducing a Northern Ireland Bill that will remove restrictions on Northern Ireland credit unions, permitting them to expand the range of their activities and reach out to new groups. Therefore, I now seek the Assembly's consent to Parliament legislating for the transfer of the registrar of credit unions from my Department to the appropriate UK authority. If the opportunity to avail ourselves of the provisions in the Financial Services Bill is missed, there may be a negative impact on the ongoing reform of our local credit unions, subjecting the sector to uncertainty and creating duplication.

I must make it clear that the Northern Ireland provisions in the UK Financial Services Bill will facilitate the transfer of Northern Ireland credit union registration. The actual transfer of the function of registrar will be completed by way of a Westminster order in due course.

I am confident that the step of facilitating the transfer of registration of credit unions to the appropriate UK authority, following the successful transfer of regulation, is a logical step in the reform process and will help to ensure that the local sector is best placed to benefit from future reforms. Passing this legislative consent motion, therefore, will send a signal to our local credit unions that the Assembly is committed to completing the reform process in as timely and efficient a manner as possible.

Mr A Maginness (The Chairperson of the Committee for Enterprise, Trade and Investment): I welcome the motion, which is timely and helpful in continuing the process of reforming credit unions in Northern Ireland. It is another step on the journey to permitting credit unions in Northern Ireland to expand their range of services to their clients throughout Northern Ireland in a fashion similar to that of credit unions in Britain and the Irish Republic. As Chair of the Committee, I welcome the motion and hope that it will pass without any difficulty.

Following the inquiry into credit unions by the previous Committee for Enterprise, Trade and Investment, the Department and the Treasury agreed to reform credit unions in Northern Ireland to enable them to provide a similar range of services to their counterparts in Britain. The transfer of functions will be the first step in enabling the recommendations from that inquiry to be implemented. The previous Committee and the current Committee, which I chair, have closely followed and scrutinised developments as progress has been made. The Enterprise, Trade and Investment Committee is very supportive of the process of reform of the credit unions.

The Irish League of Credit Unions and the Ulster Federation of Credit Unions had concerns about a number of proposals originally brought forward by the Treasury. However, in her statement to the Assembly on 22 May, the Minister outlined how many of the concerns of the Committee and the credit union representative bodies had been addressed. She also outlined a package of financial support to assist the credit union movement through the transition from regulation by DETI to regulation by the Financial Services Authority. That is to be welcomed. I know that the credit unions are pleased with that progress.

There remains one outstanding issue to be addressed. The previous Committee recommended that credit unions be permitted to reinvest a proportion of their assets in community development projects. The Minister has advised the Committee that legal intervention at Northern Ireland level, along with the prior consent of the FSA, would be required in order to implement that recommendation.

The Committee agreed to receive oral evidence from the Financial Services Authority, the Irish League of Credit Unions and the Ulster Federation of Credit Unions after the summer

recess to scrutinise the implementation of the new arrangements and to explore options to permit the reinvestment of credit union assets in community development projects through the proposed Northern Ireland credit union Bill. We look forward to a provision in the Bill that would address that issue.

Having carefully considered the options for extending the range of services offered by Northern Ireland credit unions and the proposals from the Treasury in London, the Committee is of the view that the legislative consent motion, coupled with the forthcoming Northern Ireland credit union Bill, is the best available means of enabling Northern Ireland credit unions to extend their range of services in line with the recommendations from the inquiry of the previous Committee for Enterprise, Trade and Investment.

The Committee, therefore, supports DETI in seeking the Assembly's endorsement of the legislative consent motion.

1.00 pm

Mr Newton: Like the Chairman of the Committee, I support the motion. I declare an interest as a long-term member of a credit union. Recent experiences of mutual societies, at least in part, brought the necessity for this legislation to a head, but, in many ways, the experience of credit unions has been such that many of them had already recognised the need for change.

In my experience of talking to members or officers of credit unions, I have found that they recognise the potential of credit unions. The legislation and the way that the Minister has handled it also recognises that potential and shows that the Minister wishes to provide opportunities for credit unions in the future. It is true to say that the Minister picked up on the matters that arose with a great deal of diligence and hard work. As the Chairman said, as the evidence was being sought and witnesses were coming forward, every member of the Committee began to realise the seriousness of the situation and the need to bring about change.

I am extremely pleased that the Minister has recognised that there is a need to do away with or minimise the amount of bureaucracy. Allowing the registration to be with the FSA rather than with her Department will lead to a smoother and more professional relationship than if there were two bodies involved. I am sure

that the Minister hopes that that will not mean that her Department will step back completely; there may be some advice, at least, from her officials as we go through this area of change. The Minister recognised the important role of the FSA. The general credit union movement recognises the role of the FSA and the need to address all the problems that have occurred in the past.

I welcome the motion and welcome the steps that the Minister is taking to minimise what might have been a more bureaucratic approach. As the credit unions develop their expertise, the valuable work that is done by the credit union movement and its members will benefit the entire Northern Ireland community. I welcome the legislation.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I, too, welcome today's motion. Hopefully, it is another step towards credit unions providing a wider range of financial services for customers. We have been debating the issue since about 2008, so it is good to see it moving forward. When most people here talk about credit unions, they say that they are community based and have the potential to help hard-pressed families and businesses that would not normally have access to finance from services such as banks or other financial institutions. Therefore, the new proposals allow for community organisations and groups to be members. I particularly welcome the fact that businesses from the social economy sector will also, hopefully, be allowed to become members. That will make a positive contribution not just to the economy but to areas in need of regeneration.

I know that this has already been mentioned, but the credit unions had concerns about a number of areas when this first came through. The main concerns were about the limits on the investment period, the provision for bad debt and the need for measures to help with the additional management and the administrative burden. I know that the Committee raised those issues and that my colleague Pat Doherty raised them with the British Treasury. It is good to see this moving on and some of those concerns being listened to.

As has been said, the ability to reinvest in local community development and community enterprises is very important for credit unions. I know that the Minister said in a statement

here a few weeks ago that she will take that concern on board. Although there is support for the motion today, I ask the Minister to ensure that credit union reform is progressed as quickly as possible and that reinvestment in community projects is looked at and progressed as well.

Mrs Overend: I also welcome the opportunity to support the motion. The Financial Services Bill had its first reading in the House of Commons on 10 May 2012. The general purpose of the Bill is to make amendments to the Bank of England Act 1998, the Financial Services and Markets Act 2000, and the Banking Act 2009, as well as to make various other provisions regarding the financial services, markets, building societies and other mutual societies.

Part 3 of the Bill is what is important to us today, as it deals with mutual societies and, specifically, the transfer of functions, with credit unions here now coming under the regulation of the Financial Services Authority. The Minister has stated previously in the House that the relevant Northern Ireland clauses in the Financial Services Bill would permit Her Majesty's Treasury, by order, to enable the transfer of the function of registrar of credit unions for Northern Ireland to one or more of the successor bodies to the Financial Services Authority. It is important that those clauses be included in the Bill, and the motion is fundamental in that regard.

The House has spoken before of the benefits of FSA regulation for local credit unions. They play an important role for many in Northern Ireland, and it is essential that they be given the most appropriate legislative framework. I commend the Minister for the work she has undertaken in the reform of credit unions to date. For the reasons outlined, I support the motion.

Mr Dickson: The Alliance Party also supports the motion, but we have some sympathy with credit unions, which will find some of these changes very difficult. However, in light of the situation with the Presbyterian Mutual Society, we can see the need for greater protection for investors and welcome the protection that this change will bring.

With regard to protection for investors, all credit unions must have in place a business plan, policies and procedures manuals, a documentation system of control, a liquidity management policy statement and a lending policy statement. In addition, version 2 credit

unions must have in place financial risk management policy statements that are tailored to the credit union's circumstances and the specific risks that it faces. That will enable investors to have clear information on the institutions in which they are placing their money.

We note that Northern Ireland credit unions have until January 2013 to produce those documents, and we welcome that lead-in time. It is important that credit unions be given support during the transition phase, particularly smaller, local credit unions that may initially find the greater level of bureaucracy and rules overbearing and difficult to cope with. I trust that the Minister will ensure that there is no hesitation in providing the necessary support until January 2013.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for the detail that she presented before us and, indeed, for her efforts on behalf of credit unions, through her input to the legislation.

In this, the United Nations International Year of Cooperatives, mutual societies should have something to celebrate. However, there is a concern — this has been reflected in the debate so far — about the rapid and widespread change that the sector is being put through. There is little doubt that the regulatory framework needed reform. Indeed, the collapse of the Presbyterian Mutual Society stands out as an example of the failure of light-touch regulation under the Department of Enterprise, Trade and Investment. The UK Parliament's Treasury Committee was severely critical of the Department's failure to identify the problem sooner and its failure to take preventative action.

The reality now is that, having rescued the majority of the finances required for the PMS rescue fund, albeit mostly in the form of a loan under the reinvestment and reform initiative, the UK Treasury has taken responsibility for the regulation of mutual societies in Northern Ireland away from the registry of credit unions under the Department and placed it with the Financial Services Authority. That process was completed on 31 March 2012. A few months later the regulatory framework is being altered again. A further consolidation Bill is planned, bringing together a series of nearly 20 Bills or Acts of Parliament relating to co-operatives and mutual societies.

The Financial Services Bill seeks to replace the previous regulatory framework across the entire financial services industry, not just mutual societies. The previous tripartite structure was put in place by the Labour Government and failed to properly regulate the industry. It, too, clearly needed to be reformed. The Bill will abolish the FSA and create three new bodies to regulate financial services: the financial policy committee, the prudential regulation authority within the Bank of England and the financial conduct authority.

The Bill is now nearing completion of its detailed passage through the UK Parliament. It has been the subject of much debate and attempted amendments during that journey. It has been criticised by the Treasury Select Committee as defective, in particular in regard to the accountability of the new supervisory authorities. My party colleague the Member of Parliament for Foyle, Mark Durkan, has been actively involved in constructive criticism of the Bill in both the Treasury Committee and the Commons debates. He has pointed out in those debates that in the credit union movement in Northern Ireland, there is some disappointment about the impact of the new regulations. Those are seen as a backward step that restricts existing credit union capacity to make sound investment choices.

Credit unions may look forward to being able to offer a wider and better range of services, but they are somewhat disappointed that the price of the new regulatory system is that they will be restricted in making the kind of sensible investment decisions for their members that they have a strong and very successful track record of making. It is well established here in Northern Ireland that credit unions have that record.

Additionally, included in the Financial Services Bill is a clause that states:

“The Treasury may by order amend the legislation relating to mutual societies for any of the relevant purposes.”

Credit unions and other mutual societies would be right to be concerned at such permissive legislation. The Bill’s explanatory note adds:

“Orders may also provide for functions of a Northern Ireland department and of the Registrar of Credit Unions under the Industrial and Provident Societies Act (Northern Ireland) 1969 and the Credit Unions (Northern Ireland) Order 1985 to be transferred to the FCA”.

Having relinquished responsibility for the regulation of mutual societies, there seems little to be gained now by parties pretending to object to the UK Parliament’s consideration of the reform proposals in the Financial Services Bill. The time to object was during the negotiations with the UK Treasury. However, the SDLP looks forward to a time when we all have the confidence in the Executive and the Assembly to deal with these matters ourselves, but we welcome the proposals being brought forward today by the Minister.

Mr Agnew: I declare an interest as a member of my local credit union. I support the legislative consent motion. We are well aware of the importance of credit unions, particularly now, given the reaction to the irresponsible lending by banks. This is a responsible model of lending, which benefits the community rather than the profits of shareholders.

I welcome the work of the Minister and her Department in raising the various concerns that our local credit unions had about the original proposals in the Bill, her engagement with the credit union movement and her representations to the UK Government. Indeed, as the Chair outlined, the Committee has also made written representations to the Government, and we have seen substantial changes made, and that is to be welcomed.

1.15 pm

Others have expressed concern about the potential difficulties for local credit unions in coming to terms with the new regulatory framework. The Minister is obviously well aware of those concerns. I think I am right in saying that she is considering financial support for our credit unions. That support is currently absent — they do not receive the support that is available in GB. I urge the Minister to do what she can to give financial support to our credit unions. I am well aware that the Department is engaging with credit unions to help give them direct training and support in coming to terms with the new regulations. Like others, I look forward to the forthcoming credit unions Bill. I hope it will ensure that our legislation will be up to date and up to speed subsequent to the UK Parliament’s regulations.

For the Minister and the House’s information: the all-party group on co-operatives and mutuals, of which I am chair, will meet in September to discuss the co-operative and mutual models of

finance. I invite all those who are interested to attend that meeting, the details of which will be passed on when finalised.

Mrs Foster: I thank all the Members who spoke to and supported the motion today. I specifically thank my colleagues in the Committee for Enterprise, Trade and Investment and the Business Committee for their consideration of the matter in such a timely fashion, which has allowed for the motion to be on the Order Paper today. I appreciate the positive manner in which the issue has been dealt with and the agreement from all sides of the House.

I will address the points that were raised. The Chair of the Committee indicated that this was another step on the journey of credit union reform. That is exactly what it is. It will allow us to move on to the next step, which will happen in this House. He suggested allowing credit unions to reinvest a proportion of their assets, as did Ms McCann. That issue will be included in the statutory consultation that will inform the Bill for Northern Ireland that will come before this House for consideration. We talked about the timescales during my statement on 22 May, and it is my hope that we can move as quickly as possible to bring that Bill forward. We have to go through the appropriate statutory consultation, and that sometimes holds things back a little.

Mr Newton referred to recent experiences in relation to mutual societies. Mr Dickson mentioned the PMS by name, and Mr McGlone also talked about the Presbyterian Mutual Society. It important to make this differentiation: before 31 March 2012, credit unions were registered and regulated by the Department. When the legislation came through at the end of March, regulation transferred to GB. The purpose behind this legislative consent motion is to transfer the registration of credit unions as well, because we want to keep both elements together.

DETI had the registration function for the PMS in the past, but it did not have a regulation function. That is where the whole debate and confusion about registration and regulation has come from. In fact, I think that, if anything, the PMS situation points to the fact that registration and regulation should be together to avoid any confusion for those organisations that are subject to registration and regulation. That will help to minimise bureaucracy, as Mr

Newton said, and it is absolutely key, particularly for small credit unions, that we cut down on the amount of bureaucracy that they have to contend with. That will also help to avoid duplication.

The Department and officials are standing ready to help credit unions that may need to avail themselves of that help. I recognise, as I said in my statement on 22 May, that there will be an increase in the workload for credit unions over the next while. That is why — to respond to Mr Agnew's point — we announced on 22 May that we will provide financial support for both the Irish League and the Ulster Federation on the condition that they help independent credit unions to come up to the mark in relation to registration and regulation.

I think that those are all the points that were raised by Members. Officials met both the Irish League and the Ulster Federation just last week. They are content with the way in which we are progressing, particularly in relation to the legislative consent motion. They are thankful for the finance that we have put in place to assist them. The continued development of the Northern Ireland credit union sector is a key objective for me and the Department. Passing the legislative consent motion today will highlight the importance that the Assembly places on the credit union sector. I commend the motion to the Assembly and thank Members from across the House for their support.

Question put and agreed to.

Resolved:

That this Assembly agrees that the provisions in Part 3 of the Financial Services Bill, as introduced in the House of Commons on 10 May 2012, dealing with the transfer of functions in relation to mutual societies should be considered by the UK Parliament.

Goods Vehicles (Licensing of Operators) (Exemption) Regulations (Northern Ireland) 2012

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

That the draft Goods Vehicles (Licensing of Operators) (Exemption) Regulations (Northern Ireland) 2012 be approved.

In the North, there are approximately 2,200 operators licensed to carry goods for hire or reward using vehicles of more than 3.5 tons gross plated weight. They are already captured under regulations for the licensing of operators. Own-account operators — those who carry their own goods in the course of their business or trade, as opposed to hire or reward operators — make up around three quarters of the industry but presently are not required to be licensed. There are arguably up to 10,000 such operators in Northern Ireland who are currently not required to be licensed.

Over many years, the need for change to road freight operating licensing in the North has been raised by the freight industry, public representatives and consumer organisations who are dissatisfied with the way in which freight services are delivered under existing policy and legislation. My understanding of their concerns is, first, that they feel that the burden of regulation falls on one side of the freight industry, namely the 2,200 operators who carry goods for hire or reward. Their second concern is about the extent of potential illegal operations. Thirdly, there are concerns about the poor standard of vehicle maintenance and, fourthly, that there should be more and better enforcement.

The Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010, which was passed by this House and received Royal Assent in January 2010, provides my Department with the powers to address those concerns and bring the operator licensing system into line with that in Britain. It will require everyone who uses a goods vehicle above 3.5 tons in the course of their business, whether for hire or reward or as an own-account operator, to have an operator's license.

In this calendar year, there will be arguably the greatest deployment of regulation around road users and road vehicles in a generation. That is seen in today's regulations, forthcoming taxi

regulation, heavy goods regulations, issues around city tour operators, and so on and so forth. The intention of all of those is that, by improving regulation, you improve safety and that, by improving safety, you help business and people generally.

The vehicles in scope for standard national and international licences — that is, the hire and reward sectors — are determined at EU level, so there is no option to vary the requirement. That is already the law. Those vehicles are currently licensed in Northern Ireland, and vehicles and combinations of vehicles and trailers exceeding 3.5 tons used for hire or reward will continue to require a licence under the new Act. There is no change to those categories currently requiring a licence or to those having requirements in future to have a licence.

This legislation, however, allows the scope to be limited to certain combinations of own-account vehicles, and for exemptions to be made for certain classes of vehicle. The Department has endeavoured to simplify the subordinate legislation to make it clear which vehicles and combinations are in or out of scope owing to their weight and which vehicles are exempt as a result of their construction or function. In that regard, what we propose in the regulations is a simpler and more understandable version of exemptions than that which currently prevails in Britain.

My Department is keen to ensure licensing of Northern Ireland's goods vehicles without creating an unnecessary burden for small businesses. Therefore, the statutory rule that is before the Assembly for affirmation provides that, for the own-account sector, vehicles, excluding any trailer that they may pull, will be deemed to be outside the scope of the requirements of the Act if they are of a maximum authorised weight of no more than 3.5 tons.

Other exemptions from operating licensing have been drawn up to cover emergency situations and those vehicles used for activities that fall outside the licensing regime. There is a category of 15 or 16 such exemptions. Existing exemptions from the legislation for the hire or reward sector in Northern Ireland were drawn up in 1968 and, like exemptions in Britain, are outdated, extremely complex and open to widespread abuse. The statutory rule before us includes a simplified list of exemptions

from operator licensing that aims to apply the legislation to appropriate vehicles and to avoid affecting more people than is necessary.

My Department consulted informally in the first instance with various industry representative bodies in drawing up the list, and, in the second instance, formal consultation took place from 15 October 2010 until 7 January 2011. The views expressed largely supported the proposals. In addition to providing exemption for emergency functions, a number of specific exemptions have been included. Those include exemptions for agricultural vehicles used solely for agriculture, horticulture and forestry purposes; for vehicles being used to recover disabled vehicles from the roadside; and for vehicles such as a tower wagon, where the only goods carried are required for the operation of the machine.

In conclusion, I believe that the introduction of the Goods Vehicles Act and its associated regulations will have a positive impact on road safety, tackling organised crime, the environment and fair competition in the freight industry in the North. It is important that all those who need a licence get one and that it is clear for operators and enforcement agencies which vehicles and functions do not need a licence. That is why I propose that the statutory rule be affirmed.

Ms Lo (The Chairperson of the Committee for the Environment): The Goods Vehicles (Licensing of Operators) Act 2010 received Royal Assent on 22 January 2010, some considerable time after the previous Environment Committee reported on the Bill in December 2008.

During the Bill's Committee Stage, the previous Committee heard evidence from the two main haulage organisations and was left in no doubt that the introduction through the legislation of own-account operator licensing was wanted by the vast majority of those involved in the freight sector. However, the Committee also heard from the agriculture and horticulture sectors, which were concerned that, as proposed, the legislation would have a detrimental impact on their industries. As such, they made a case for their vehicles to be exempt from operating licensing.

The Committee accepted their argument and urged the Department to urgently address the issue of which vehicles should be included within the scope of the Act and which should

be exempt. The Department was unable to produce a proposed list of exemptions while the Bill was at Committee Stage, but it insisted that the principles on which it would consider exemptions will be along the lines that are currently applied in Great Britain. It was based on the use of a vehicle rather than the vehicle type. For example, a tractor being used to haul a silage wagon would be exempt, but the same tractor being used to haul building materials would not. The Committee accepted that principle, but members were subsequently concerned to learn that the GB exemption list was in the process of being reviewed. At that stage, some 60% of current exemptions had been identified for removal.

1.30 pm

In the absence of a definitive list being available at the time and the fact that the benchmarks list across the water was in a state of flux, the previous Committee felt that it was necessary that the highest level of Assembly control be retained over the subsequent relevant subordinate legislation. Thus, the Goods Vehicles (Licensing of Operators) (Exemption) Regulations (NI) 2012 are subject to the Assembly's approval today.

At its meeting on 29 March 2012, the Committee considered proposals for seven items of secondary legislation that would complete the implementation of the Goods Vehicles (Licensing of Operators) Act. Six of the statutory rules were due to come into force automatically, and the Committee agreed that their introduction would bring Northern Ireland into line with GB and would result in improvements in road safety, organised crime detection, commercial fairness and environmental standards, and would improve the Northern Ireland freight industry's image.

However, the Committee was keen to ensure that the Department had taken on board the concerns of stakeholders in relation to exemptions, and sought the views of those who had contributed at Committee Stage. In response, the freight industry urged against any further delay to the introduction of the legislation and reminded the Committee of how long it had taken the Department to reach that stage. It stressed that the legislation is critical for road safety and to ensure a fairer operating environment, and it strongly recommended that no changes be permitted at that late stage.

In comparison, the agricultural sector expressed disappointment with the proposals. It noted that it had participated in the consultation on exemptions, which had taken place well over a year ago, but felt that a number of the key concerns had not been taken into consideration by the Department of the Environment. Although the Ulster Farmers' Union (UFU) agreed with the proposed exemptions for agricultural and limited-use vehicles, such as tractors and loaders, it stressed that other agricultural vehicles should be exempt, particularly lorries used very occasionally to transport livestock or goods to market or for processing. It suggested that those could be excluded from the regulations on the grounds of limited mileage or by being linked to an agricultural business or farming. It also stressed that failure to exempt vehicles of that kind is likely to lead to an increase in tractors on the road as farmers will revert to that method of transport rather than facing the expense and bureaucracy of meeting the requirements of the Goods Vehicles (Licensing of Operators) legislation for rarely used lorries.

The Department assured the Committee that it had worked closely with industry representative bodies, including the Ulster Farmers' Union and the Horticulture Forum for Northern Ireland, throughout the consultation process to develop a list of exemptions that would be clear and acceptable to the industry. In addition, the Department said that it will publish guidance to explain the exemptions and minimise misunderstanding in the industry.

The Department argued that the agriculture industry's suggestions were neither fair nor feasible. Limited mileage could apply to many vehicles and not just those associated with agriculture and horticulture. Alternatively, linking an exemption to a business or person would contradict the principle, which was established from the outset by the Department, of basing exemptions on vehicle use. The Department also noted that the enforcement of such exemptions would prove difficult, if not impossible, and would be costly. However, it acknowledged that there might be a resultant increase in the number of tractors on the roads at certain times of the year as a result of the exclusion of agricultural lorries from the exemption list.

The Committee accepted the Department's rationale for not including farm lorries on the

list of exemptions, and, when it considered the draft rule again on 17 May 2012, was content that I recommend to the Assembly today that it be approved. However, I must stress that Committee members remain concerned about any consequential impact on road safety. I urge the Department to monitor this as the regulations are brought into effect and revisit it, if necessary, in due course. On this basis, on behalf of the Committee for the Environment, I support the motion.

Mr Boylan: Go raibh míle maith agat, a LeasCheann Comhairle. Ba mhaith liom cúpla focal a rá. I want to say a few words about the exemptions, which, on behalf of Sinn Féin, I support. However, I want to put them in the context of where we started in this process and the distance that we have come.

Obviously, the Committee supported the Goods Vehicles (Licensing of Operators) Act 2010, which was about getting proper regulation and road safety measures in place. Sadly, the North has a somewhat poor goods vehicles record, as does the rest of this island, and we wanted to put something in place that would address the issues. However, we also wanted to support the haulage industry, which believed that a small proportion of it was incurring all the costs of dealing with proper enforcement. Although we support the measures in the regulations, we must also remember that we need to put robust measures in place. Although there is a need for exemptions, and I support these ones, we must be careful that, when we introduce legislation, we do not leave it open with so many exemptions that we go back to a situation in which a small proportion of the industry supports the industry itself.

We should also address the issue of the agriculture and horticulture industries, which raised some concerns. I support the Minister's proposals, but in view of those concerns, I ask that his Department monitor the regulations over the next couple of years and, if need be, review them. With that in mind, I support the regulations.

Mr Elliott: There is, obviously, general support for the regulations, alongside some notable concerns. I listened carefully to the Minister and to the Chairperson of the Committee for the Environment, who outlined many of the issues very effectively. Following up on Mr Boylan's

comments about the agriculture and horticulture industries, I will touch briefly on one or two issues.

The Ulster Farmers' Union was very proactive and positive about the matter and worked constructively with the Department. The union has a concern about lorries and other vehicles used for agricultural use only. I would like the Minister to assure us that he will keep that issue under scrutiny and, if required, bring additional information back at some stage. The agricultural industry has a huge concern because those vehicles are used for very limited purposes for the transport of agricultural goods for a particular farm. That means they are used only very occasionally. They are used purely for that farm and not for hire or to draw or transport goods for other farmers, which means that their use is very limited.

Paragraph 18 of the schedule mentions:

"A limited use vehicle which is used solely for the purposes relating to agriculture, horticulture or forestry".

Sub-paragraph (b) specifies that:

"the distance it travels on public roads in passing between any two such areas does not exceed 1.5 km."

That is a very short distance, particularly in today's agriculture and horticulture. Many businesses are split up by a much greater distance. That could conflict with some of the other exemptions. I would like some clarity on that and maybe even see that changed at some stage or have that 1.5 km increased. I ask the Minister to look carefully at that issue.

Paragraph 15 of the schedule concerns:

"A showman's goods vehicle and any trailer drawn thereby."

That could include quite a lot of organisations and groups. I know that a lot of people would maybe classify themselves as showmen — or show women, actually. I do want to sound sexist but we need to be realistic. A lot of organisations could fall into that category, and maybe a wee bit more clarity on that would be helpful.

Mr Dallat: I support the business in front of us. In many respects, we are discussing the history of transport. My first lesson on that was the Red Flag Act, when somebody had to walk in front of a steam engine, which could not do more than 4 mph. I am old enough to remember

farmer Brown in his wee Fergie, which probably did 10 mph and could draw maybe a ton or, at most, two tons. Today, we have tractors that are monsters that can do 50 mph or more and, of course, are drawing diggers and things like that of huge dimensions.

The Red Flag Act was about road safety. What we are discussing today is road safety as well. We have made progress, and I agree with Tom Elliott that this needs to be constantly monitored and certainly not left for 40 years before it is looked at again, not that I am suggesting that I would be here in 40 years. However, 1968 was the last time it was looked at seriously.

I have had many meetings with transport operators, whom I commend and who warned us and told us repeatedly that too many vehicles on the road are not roadworthy. We need to take that seriously. We do not want to rest on our laurels, but we should take some satisfaction that the number of people killed on the roads has vastly diminished. Any new legislation that encourages that and keeps in front of people the absolute need to put road safety at the top of everything is important. I share some of the disappointments of the agricultural sector but they themselves know that safety on the farm and the road is of paramount importance. Hopefully, they will accept that these regulations will reduce any confusion.

Mr Deputy Speaker, I do not want to give you a history lesson but there was a time when Land Rovers were exempt if they were for agricultural use. That led to an interesting Budget debate in the Assembly in 1972, the last Budget before the collapse of the old Stormont, when there was total confusion as to what constituted a Land Rover that was used for agricultural use. We certainly do not want to get involved again in a debate about whether or not a vehicle is a tow hitch. Generally speaking, I found the debate in the Committee to be extremely interesting, and I support the Minister's recommendations.

1.45 pm

Mr Attwood: I thank all Members who contributed to the debate. The Chair of the Committee captured the character of this issue when she said that the issue of goods vehicle licensing has now stretched over a considerable period: the lifetime of two mandates. It was necessary to create certainty, avoid doubt and be decisive, which is why I wish to introduce

these regulations. As I indicated in my opening remarks, that is the mindset that I will bring in respect of regulation of vehicles and control of issues around roads. We need to have wise and proportionate regulation of all vehicles that are on the road and regulation and licensing of all those who use the roads. That is necessary to bear down on illegality, improve road safety, create better driver performance, potentially reduce insurance premiums and, ultimately, secure the welfare of those on the road and in vehicles, and maintain our economy efficiently and effectively. As a part of that narrative, these regulations are important.

I note what the Chair and other Members said about the control, regulation and licensing of agricultural vehicles. Mr Boylan captured the sense that it is very important that, in introducing exemptions to goods licensing, those exemptions are not of such breadth that the purpose of having licensing is contradicted. I refer Members to the schedule to the regulations where the 15 exemptions are outlined, including, as Mr Elliott mentioned:

“A showman’s goods vehicle and any trailer drawn thereby”.

For the purpose of shaping exemptions in the first instance, those are wise, exhaustive and proportionate. If we were to go further than that, I would be concerned, as Mr Boylan said, that you may defeat the purpose and ambition of the regulations by having exemptions that, in the first instance, are extensive to the point of defeating the spirit if not the letter of the law.

That said, I reassure Mr Elliott that, over the next period, as the new regime rolls out and as the exemptions begin to apply, the Department will keep under review how these matters are impacting, not least upon our single biggest industry in the North: agriculture. If there is good evidence and a good argument for a need to revisit the exemptions as currently drafted to make them somewhat more expansive, the Department will consider that and, if necessary, consult further with the Committee and other third parties as appropriate.

I confirm that the Department will publish guidance to help understanding of the exemptions, including the one that Mr Elliott referred to. The response to that is that showman’s goods vehicles are already heavily regulated. I am not sure what is meant by specialist vehicles, for example, roundabouts,

but if there is any further clarity that I need, I will share that with Mr Elliott in the fullness of time.

I confirm that there were conversations with the agriculture industry about the exemptions for agricultural vehicles. The Department consulted the UFU and the National Horticulture Forum and, as I indicated, considered, in the first instance, a limited number of exemptions for certain vehicles used solely for agricultural, horticultural and forestry purposes where appropriate. I have to make clear that the exempted vehicles are those generally designed for off-road use and agricultural machines or vehicles that are taxed in a limited use class. However, given the rigour and vigour of the agriculture lobby, if it feels that the exemptions so far shaped need to be broadened, I have no doubt that it will bring that to the attention of the Department, Members and the Committee sooner rather than later.

Question put and agreed to.

Resolved:

That the draft Goods Vehicles (Licensing of Operators) (Exemption) Regulations (Northern Ireland) 2012 be approved.

Social Security Benefits Up-rating Order (Northern Ireland) 2012

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

That the Social Security Benefits Up-rating Order (Northern Ireland) 2012 be approved.

The uprating order is an annual order that sets out the rates of contributory and non-contributory benefits, together with the various allowances and premiums that make up the income-related benefits. In general, the new amounts from April 2012 are based on the increase in the general level of prices over the 12 months ending in September 2011. That is measured using the consumer price index (CPI), which is the measure of price inflation considered most appropriate for that purpose by the coalition Government.

I am sure that Members will join me in welcoming the increase of 5.2% from April this year. The increase comes at a time when inflation has just fallen to 3%, the lowest since February 2010, and is predicted to fall further. This uprating, therefore, represents a welcome increase in real terms for many people and puts much needed extra money into their pockets.

As a result of the uprating order, we will spend an additional £265 million on social security in 2012-13, and that money will go into the local economy. The basic state pension, which for many is the foundation of income in retirement, is increased to £107.45 for a single person, which is an increase of £5.30 a week and is the biggest ever cash increase in the basic state pension. From April, the increases in state pension credit mean that no single pensioner will have to live on less than £142.70 a week and no couple on less than £217.90 a week. The above-earnings increase in the pension credit guarantee, together with the efforts my Department is making to increase benefit take-up through, for example, the recent Make the Call campaign, underlines the continuing commitment to tackling pensioner poverty.

I am sure that all Members will wish to ensure that people in Northern Ireland, including some of the most vulnerable in our society, can continue to receive those new rates of benefit and will, therefore, join me in supporting the order.

Mr A Maskey (The Chairperson of the Committee for Social Development): Go raibh maith agat,

a LeasCheann Comhairle. First, I apologise for not being in the Chamber as the Minister rose to propose the motion. I was engaged with the Bahraini delegation. I apologise for my delay.

The Minister has outlined the primary purpose of the regulation. The Committee for Social Development gave its approval to the SL1 pertaining to the legislation at its meeting on 23 February. As the Minister is likely to have indicated, that rule came into operation in April, and we are simply being asked to confirm the regulation.

I would make the point that, in discussion on this regulation and other matters related to the welfare reform agenda, a number of Members expressed their concern about moving the link of the uplift in the rate away from the retail price index (RPI) to the CPI. Again, most Members have accepted both that this is an issue of parity and that this is not the time or place to raise the more substantive issue of the link to CPI. I just wanted to put that point on the record for a number of Committee members who expressed concern about this issue. However, the Committee was content to support the regulation that is before the House

Mr Copeland: I, too, support the Minister in his proposition. In 2011, inflation on the coalition Government's preferred measure of CPI stood, as has been said, at a record 5.2%. The rate was driven by increases in the price of fuel, food, drink and transport. Many of the most vulnerable who will be affected by this receive some form of social security payments, and this 5.2% rise will no doubt be a welcome boost to their incomes.

The rates of benefit up-lifting need to reflect the price increases to enable recipients to maintain a survivable standard of living. Although it seems high, 5.2% will not leave everyone better off or even rewarded enough to meet increases in their current costs. Analyses of these figures show that for low income families with children, inflation in the year to September 2011 was about 0.5% higher than the headline CPI rate, which would put it at 5.7% as opposed to 5.2%. Therefore, perhaps the issue is not as clear as it at first appears.

Indeed, the Institute for Fiscal Studies said that there were concerns about the change from RPI to CPI, which is a done deal, and that that change may, in future, be a principal driver in increasing rates of child poverty and fuel

poverty. That is something that we may have to deal with at some stage.

Nevertheless, it has to be said that the cost of this uprating will bring into the Northern Ireland economy an additional £265 million. That is not an insignificant amount, and it will go to families that suffer a degree of need. The thing to remember is that that will not be spent largely on imported or foreign goods; it will be spent on food, transport and in local shops. As such, this measure must be welcomed and, at this stage, it enjoys the support that I have indicated.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I have just a couple of things to say. The RPI-to-CPI argument has been well rehearsed. The Minister mentioned that the rise in pension will take a single person's pension to £142.70. I would make the point that, even at that level, the basic state pension here and in Britain is the meanest in the developed world. It is also worth pointing out that previous reports from British Governments have stated that the minimum needed for a pensioner to live on is approximately £170. So we are still far short of that. Obviously the move from RPI to CPI is a different argument, and parity is another issue that needs to be resolved. The Committee supported this SL1 back in February, so I support the motion.

Mr McCausland: I am pleased with the consensus of support across the Assembly for this uprating order. I thank the Social Development Committee for the positive way in which it has dealt with this matter. I am certain that we all welcome the significant increases to benefits made by the uprating order, and I commend the motion to the House.

Question put and agreed to.

Resolved:

That the Social Security Benefits Up-rating Order (Northern Ireland) 2012 be approved.

2.00 pm

Committee Business

Economy: Innovation, Research and Development

Mr Deputy Speaker: The Business Committee has agreed to allow up to two hours for the debate. The proposer will have 15 minutes to propose the motion and 15 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr A Maginness (The Chairperson of the Committee for Enterprise, Trade and Investment): I beg to move

That this Assembly approves the report of the Committee for Enterprise, Trade and Investment on its inquiry into developing the Northern Ireland economy through innovation, research and development; and calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, to implement, as applicable, the recommendations contained therein.

Mr Deputy Speaker, could some time be given for colleagues to arrive? There seems to be a dearth of colleagues in the House. I think that the time has caught them out.

Mr Deputy Speaker: Standing Orders state that we must carry on unless we go below a certain threshold in the Chamber. I do not think that we have reached it, so we must continue.

Mr A Maginness: I am happy to do so. I am honoured to propose the motion and to present the report from the Enterprise, Trade and Investment Committee to the House. The document is good and, in many respects, exciting, and it highlights the very serious issue of research and development and innovation in our economy in Northern Ireland.

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

First, I thank colleagues on the Enterprise, Trade and Investment Committee for their co-operation and hard work and for the consensus achieved on the report. In particular, I thank the Committee staff, who worked tremendously hard to compile the report over the past nine months. I also want to thank, in particular, Mr Robin Newton, who was asked to take on and accepted the position of rapporteur for the

report. Unfortunately, due to illness, he was unable to fully discharge his responsibilities in that regard. However, I thank him for his work and encouragement on the report.

If we are to rebalance our economy, we have to be innovative. To be innovative, we need strong research and development in our economy and our businesses. That is the lifeblood of innovation, and if we do not have it we will not succeed in rebalancing our economy. Innovation and research and development play an essential role in developing new and improved products and services, in providing high-value, well-paid jobs and in creating and developing successful businesses. If we do not provide at least the same level and quality of support for innovation and research and development as is provided in other regions and countries, we will miss opportunities for investment, fail to grow our economy and rapidly fall further behind our competitors.

Given the range of programmes available to support research, levels of innovation and R&D in Northern Ireland are much lower than should be expected. The Barnett review found that in 2009, and the Treasury report of March 2011, which consulted on the rebalancing of the Northern Ireland economy, also noted low levels of R&D. We are not providing as high a level or quality of support as other regions and countries. It is essential that the opportunities to invest in innovation and R&D are fully exploited. It was for that reason that the Committee agreed to undertake the inquiry. During the inquiry, the Committee found that there was a wide range of opportunities available, from the complex EU framework programme 7 to the opportunities provided at a local level by district councils.

Evidence to the inquiry was mostly supportive of the available programmes and the work done by Invest Northern Ireland representatives on the ground. Most of the concerns expressed relate to the structures and processes that are in place to support research and development. They relate to the way programmes are integrated, managed, communicated and administered. Organisations, business and academic, face many barriers to becoming involved in research and development. Many companies, especially small and medium-sized enterprises (SMEs), are not aware of the support that is available and do not know whether they are eligible for opportunities or how to access them. Some

companies may not even be sure whether the work that they do constitutes research and development.

The Committee found that, although many organisations may have good innovative ideas, they lack the capacity and capability to become involved in R&D. Many lack the people, skills, time and finances needed to avail themselves of opportunities. There was general agreement across government, business and academia that the commercialisation of research is where the long-term benefits will be realised. However, many correspondents believe that there must be more opportunities for business-led research and more support for the commercialisation of research and development.

The Committee was informed that more needs to be done to help companies to manage the risks associated with research and protect intellectual property rights. More needs to be done to help organisations to navigate the complex bureaucracy associated with funding processes and, specifically, to help SMEs and microbusinesses.

The Committee could have looked at the issues and provided the Department with a report listing things that needed to be improved in the current structures, but the problem is much wider than that. The issues identified by the Committee will not be resolved by adding to the current structures and processes and continuing as before. If Northern Ireland business and academia are successfully to exploit the current and future opportunities for innovation in R&D and achieve a competitive advantage in an increasingly global marketplace, an entirely new way of thinking is required. Many businesses, both universities and a number of FE colleges and research institutes are doing excellent work to drive the innovation and R&D agenda, but the current structures and processes being deployed to support R&D were designed for a different time and purpose. Innovation and R&D have now come to the forefront as key drivers for rebuilding and rebalancing the economy. As far as the current delivery structures for R&D are concerned, we are living in the golden age of steam, when what we need is a high-speed, high-capacity link straight to the heart of Europe and beyond. To achieve this, there must be an integrated and holistic approach to supporting innovation and R&D. It should be all-inclusive and must be designed to meet the needs of large businesses, SMEs and microbusinesses.

It must take full account of the contributions that could be made from government and academia at all levels. The approach should be underpinned by a clear vision and must include policies, strategies, structures and processes designed specifically to meet the long-term challenge of maximising the potential for Northern Ireland businesses and academia to take advantage of existing and future opportunities for innovation.

The Committee has recommended two structures that will be key to long-term success. The first is a high-level steering group, comprising government, business and academia to advise on policy and oversee the integration and co-ordination of R&D activity. There is already a high-level steering group in existence for framework programme 7; therefore, the bones of a steering group for all R&D activity may already be in place. The second structure that the Committee has recommended is a single unit to integrate and co-ordinate all innovation and R&D activity. The unit should have responsibility for improving knowledge of and information on R&D; developing programmes and processes to meet the needs of business and academia; implementing support, including promotion, education, mentoring and providing practical support; and, importantly, developing and supporting a culture of innovation and R&D across government, business and academia. R&D should be as familiar to all businesses as sales and marketing. Those two structures will help to raise Northern Ireland to a new level of achievement in research and development. They will provide a sound and lasting platform from which to implement many of the other recommendations in the report.

The opportunities for research and development will grow. The next EU framework programme for research and development, Horizon 2020, will be launched in 2014, just 18 short months from now. That will provide €80 billion across Europe for R&D projects. We are told that it will be much more suited to the needs of SMEs than its predecessor and that it will be much less bureaucratic and easier to manage. A guarantee on that was provided by EU Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn, when she visited the Assembly last week. She also said that much R&D in Europe is being commercialised elsewhere and that Horizon 2020 will provide support for R&D almost to market. She said that Horizon 2020 will be about future-proofing our economy.

We must ensure that Northern Ireland is well prepared to avail itself of the opportunities and challenges that Horizon 2020 will bring.

Although the opportunities will grow, the challenges will also grow, and so will the competition for research projects. The Committee has been told that the success rate for Northern Ireland applications to the current framework programme is around 20%, with the costs of going through the process being measured in the tens of thousands of pounds. If businesses are to be encouraged to become involved in Horizon 2020, we must work to increase significantly the success rate of applications. That means much more shared learning across government and more hands-on support for businesses.

It is not only for Horizon 2020 that support is required; help must be provided to support small mature companies, new and growing companies and other innovative companies. Invest NI's innovation escalator approach is designed to remove companies from a short-term, market-led approach to innovation to a long-term, technology-led approach. Why does that have to start at the level of Invest Northern Ireland? Surely the Federation of Small Businesses, the Institute of Directors and local enterprise agencies can be involved to stimulate and capture the imagination of businesses that may not yet have considered innovation.

Those structures are important, but they will take time to establish, and the Department cannot afford to wait to implement the other recommendations in the report. A start must be made now to improve our knowledge and information, to review and improve our programmes, to provide more hands-on practical support and to develop a culture of R&D. Many businesses do not know where to turn or how to get support on issues such as building capacity and capability, intellectual property rights, consortia building to support R&D and support for the development of ideas. We must have a culture in place where the answers to those questions are readily accessible or, more appropriately, where all businesses have the answers to hand.

One of the most frustrating issues for both business and academia is the high level of bureaucracy associated with R&D. There must be improved support for organisations to cope with the bureaucracy involved, and there must

be increased efforts to reduce the bureaucracy required.

I draw attention to some of the short-term measures recommended by the Committee. It recommended that Invest Northern Ireland should consider how to open up its mentoring schemes to wider participation. It currently undertakes mentoring for framework 7, but many smaller organisations would benefit from mentoring for some of the smaller programmes on offer. As everybody knows, businesses are struggling for finance, and cash flow is a real issue for many of them. It is difficult for businesses to invest in long-term R&D projects that divert funds from day-to-day operations. Having to wait 90 days for a grant to be awarded could be crippling, and that delay should be reduced. Surely 30 days would be more than sufficient.

2.15 pm

The small business research initiative (SBRI) is a UK-wide initiative that engages companies in competitions for ideas that result in short-term development contracts. Northern Ireland companies punch well above their weight in securing contracts in Britain. However, SBRI is not used in Northern Ireland. That is a missed opportunity. The Department of Finance and Personnel should take steps to introduce and promote the SBRI. Venture capital should be encouraged. We should appoint a chief scientific officer and establish a science steering committee.

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

Mr A Maginness: Overall, the recommendations in the Committee's report represent a holistic approach to supporting innovation across all levels and, if implemented in an integrated and co-ordinated fashion, can only result, in the long term, —

Mr Deputy Speaker: Time is up.

Mr A Maginness: — in putting Northern Ireland at the forefront of innovation and research and development. I commend the report to the House and seek its support for the motion.

Mr Moutray: As a member of the Enterprise, Trade and Investment Committee, I support the motion. Back in March, in the debate on the draft economic strategy, I made the point that we must improve in areas such as research

and development, innovation, creativity and skills. Today's debate and, indeed, the report before us will further reinforce that point. Many of us in the House have personal experience of running a business or, if we do not, know others who do. If we have our ear to the ground, as we ought to, we will be very aware of the pressures and constraints under which those businesses operate in the current economic climate. The years of the Troubles, coupled with the past few years of financial crises and recession, have not exactly created a climate in which businesses, especially smaller businesses, are willing to invest in innovation or research and development.

Just after the Assembly elections, this time last year, it became clear to our Committee that levels of innovation and R&D were not what they should be. We decided that it would be worthwhile to spend some time and effort on an assessment of where things stood. As we did so, we were concerned by some of the evidence we uncovered. Of course, we were required to do more than merely investigate. Having considered all the evidence presented to us, we have made a series of important recommendations, which are contained in the report before the House.

In Northern Ireland, expenditure on R&D is somewhat behind the rest of the UK and Europe. Over the past five years, the amount invested by business here has averaged at 0.69% of GVA. That is almost half the figure for the UK as a whole. The scale of the problem becomes even more stark when you realise that most of the expenditure on R&D in Northern Ireland is focused on a small number of companies, mainly externally owned firms and large enterprises. In 2009, just 10 companies were responsible for over half of all investment in R&D. Although foreign direct investment has long been part of the business and industrial landscape of Northern Ireland and we welcome such investment, the fact remains that the backbone of our economy has always been the smaller, local, often family-run businesses. It is here that the main problems in relation to innovation and R&D are to be found. In the present climate, SMEs often struggle just to keep their head above water and maintain a meaningful profit margin. They are living almost day to day and are reluctant to take the risk of investing time and money in research and development. They might be unaware of the support and opportunities available to them or,

if they are aware, are perhaps not sure whether it is relevant to them or that they would even qualify.

A further problem for SMEs — to me, it is a major problem — is the fact that they are faced with high and unacceptable levels of red tape when they get involved in R&D programmes. That is especially the case with the range of EU-funded R&D programmes. It is hard enough for bigger companies to make their way through all the paperwork and form filling; just think what it is like for a small family firm.

It must be recognised that many of the key agencies are working hard to address some of the issues and encourage businesses to take up any opportunity to engage in R&D. We appreciate all that has been done. The Committee was encouraged by respondents who spoke about the positive and helpful role of Invest NI. Invest NI has played a major part in the efforts to reduce bureaucracy, and we are grateful to it. DETI itself is very aware of the importance of R&D and the need to continue to attract high value-added FDI to ensure sustained and meaningful economic growth. However, as our report states:

“While much is being done at a strategic level there is also evidence that there is considerable disconnection between programmes, between Government, business and academia and within each of the three sectors.”

Perhaps that is the hub of the problem. Valiant efforts are being made at various levels, and we are encouraged by some of the evidence presented to us, but, as in so many areas of public life, a joined-up, cross-cutting and holistic approach will enable us to maximise the impact and effect of all the good work that has been done. That is why we recommend the creation of a high-level steering group to oversee, co-ordinate, direct and promote R&D across the three sectors. We feel that such a body would go a long way towards creating a real culture of innovation and R&D. It has the potential to offer real help and encouragement and to advise businesses. It must be effective and efficient, and it must deliver.

I have spoken about the dangers of red tape and bureaucracy. We must, therefore, be careful to ensure that any new steering group —

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

Mr Moutray: — that is set up does not itself become part of the bureaucracy.

Mr Deputy Speaker: I call Mr Daithí McKay.

Mr McKay: A LeasCheann Comhairle, I am winding on the debate.

Mr Deputy Speaker: I call Mrs Sandra Overend.

Mrs Overend: I welcome very much the opportunity to contribute to the debate on the Enterprise, Trade and Investment Committee’s inquiry into developing the Northern Ireland economy through innovation, research and development. I thank the Committee staff and the Committee Clerk for the hard work that they have undertaken in compiling this comprehensive report. I also thank the very many stakeholders who contributed to and shaped the inquiry.

In these difficult economic times, it is imperative that we utilise all opportunities available to us that will assist the Northern Ireland economy to grow. A vital component of that will be Northern Ireland fully drawing down as much research and innovation funding as it can from the variety of opportunities and programmes that are available. To achieve that goal, the Ulster Unionist Party welcomes the recommendations set out in the Committee inquiry report. They will allow Northern Ireland to maximise the potential for businesses and academia at all levels to take advantage of existing and future opportunities for innovation, research and development. In particular, it is essential that we increase uptake from the European funding streams that are available.

Europe 2020 is a 10-year strategy that was proposed by the European Commission in March 2010 for reviving the economy of the European Union. It aims at smart, sustainable, inclusive growth, with greater co-ordination of national and European policy. One of the five main aims of that strategy is to achieve the target of investing 3% of GDP in R&D. Northern Ireland lags far behind that, with business expenditure in R&D over the past five years averaging at only 0.69%. Currently, the main stream of research and innovation funding from the EU is FP7, which is worth almost €50 billion. However, from 2014 to 2020, that will be replaced by a new funding stream known as Horizon 2020, which will be worth almost €80 billion. It will be the largest research and innovation funding stream anywhere in the world, and it is the EU’s new programme for research and innovation. It will

form part of the drive to create new jobs and growth in Europe.

With that in mind, I was delighted to have the opportunity to discuss the new programme with the Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn, on her recent visit to Northern Ireland. In order to maximise the full potential of the forthcoming programme, it is essential that Northern Ireland works towards overcoming many of the barriers outlined in the Committee's report and implements its recommendations to ensure that we do not end up in a situation where we lag behind other member states in the drawdown of funding, as has traditionally happened in the past. The opportunities must be promoted to all the businesses and organisations across Northern Ireland that are eligible. That must be followed up with structured support and assistance, particularly during the application process, to ensure research and innovation funding is drawn down.

The Ulster Unionist Party has continually highlighted the potential European funding available for research and innovation, particularly through our MEP, Jim Nicholson. As the Ulster Unionist Party's economy spokesperson, I was particularly concerned to learn that many of the barriers facing organisations that were trying to get involved in research and development related to the sheer complexity of the application process and the unnecessary bureaucracy that seems to exist around research and innovation funding, particularly where Europe is involved. I was, therefore, pleased to learn that Horizon 2020 will provide a major simplification of the rules from those set for previous funding programmes.

The Committee's report recommends that preparation for Horizon 2020 should commence immediately, including an assessment of what Northern Ireland can offer in business and academia to funding opportunities that will be available through Horizon 2020. That must also be implemented alongside a long-term strategy and implementation plan, developed with appropriate resources for the promotion of opportunities for R&D, education and mentoring, practical support through projects and awareness programmes. In addition, Northern Ireland must ensure that the focus of much of the support is directed towards our SMEs and microbusinesses, which have, for too long, missed out on the opportunities that research and innovation funding can provide. The Committee for Enterprise, Trade and Investment

heard that just 10 companies accounted for around 57% of all businesses' R&D investment in 2009. It is essential that we endeavour to reduce the time between applications being made and the receipt of funding.

The Committee heard from many stakeholders of the great benefits of research and innovation and how it is necessary to improve and develop business opportunities. I refer also to a visit to the InnoTech Centre in my constituency of Mid Ulster. I will conclude there, Mr Deputy Speaker.

Mr Deputy Speaker: As Question Time begins at 2.30 pm, I suggest that the House takes its ease until then. The debate will continue after Question Time, when the next Member to speak will be Judith Cochrane.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Agriculture and Rural Development

Mr Deputy Speaker: Question 13 has been withdrawn and requires a written answer.

Renewable Energy: Cross-departmental Working

1. **Mr Dickson** asked the Minister of Agriculture and Rural Development to outline how her Department is working on a cross-departmental basis to promote renewable energy generation.
(AQO 2106/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a LeasCheann Comhairle. It is well recognised that the agriculture and forestry sectors have a key role to play in the development of sustainable and renewable energy. My Department is represented on the sustainable energy interdepartmental working group, which was established in January 2009 with the aim of ensuring a co-ordinated approach across the Executive to the promotion of sustainable energy. The group's objective is to enable Departments to ensure that energy-related policies and practices are in concert with one another, with the aim of maximising the use of public funding and delivering value for money. The working group has four subgroups: bio-energy; sustainable communications; economic opportunities; and energy efficiency. My Department is represented on all those subgroups, with the exception of the sustainable communications group.

Looking forward, my Department, working with others, will attempt to ensure that the renewables sector has access to the €80 billion innovation and research funding on offer between 2014 and 2020 through the new European Horizon 2020 programme.

Mr Dickson: The Minister may be aware that Northern Ireland Water is the largest consumer of electricity in Northern Ireland and that it leases land on a long-term basis to the Forest Service. There are opportunities to develop

wind energy generation on that land. Minister, will you assure us that your officials will work with Northern Ireland Water to ensure that wind turbines can be placed as economically as possible on the land and that there will be full co-operation between Departments to allow that to happen?

Mrs O'Neill: As I said in my answer, I am committed to the promotion of renewable energy by looking at all avenues and potential areas. The Department has a renewable energy action plan that looks at how we can work co-operatively with other Departments and agencies. I do not have a problem in working with any agency to promote renewable energy.

Mr Hussey: Northern Ireland's agrifood industry has become one of the foremost innovative industries here, and my party has no doubt that that industry will be able to diversify into the renewable energy market very effectively. Is the Minister aware that farmers in some areas of Northern Ireland are facing significant challenges arising from competition for grasslands with the proprietors of anaerobic digesters? What advice can she offer farmers in such circumstances?

Mrs O'Neill: I agree with the Member's point about the agrifood industry and its performance. The availability of grasslands will always be an issue, given that there is a growing world population and a growing demand for food, which means that our farmers will have to produce more. The availability of land is obviously a considerable issue that needs to be taken into account.

As regards working with farmers, if farmers have any concerns, there are many avenues they can go down, not least visiting any DARD Direct office across the North or going directly to the Department, and I encourage them to do that. The Department works very closely with the two educational colleges to promote renewable energy and to help farmers diversify and look at the challenges they face. This is just another area in which the Department is involved.

Mr A Maginness: I do not detect any great enthusiasm or energy — if I can use that word — in the Minister's approach. Will she reassure the House that she will, in fact, act as a champion in the Department of Agriculture and Rural Development (DARD) and in the Executive by encouraging renewable energy on farmland across Northern Ireland?

Mrs O'Neill: I do not agree with the Member's assertion that I am not energetic, particularly on renewable energy. There is an Executive commitment to increase renewable energy, and DARD has such a policy and a renewable energy action plan. DARD also holds practical on-farm renewable energy events at Greenmount in Enniskillen. Again, this is about getting information to farmers and letting them see what is available and what support is there for them to look at renewable energy as a way forward. Those seminars and workshops are ongoing year on year. I think that farmers are very keen to learn more about renewable energy. There is a lot of potential, particularly if farmers collaborate. Sometimes, they cannot produce enough energy on their own farms, but by working together, the potential is massive.

Fisheries: Whitefish By-catch

2. **Mr Beggs** asked the Minister of Agriculture and Rural Development, further to the December Fisheries Council meeting, for an update on the work being carried out to identify technology to reduce the whitefish by-catch. (AQO 2107/11-15)

Mrs O'Neill: At the last December Fisheries Council, I committed to an objective for the Irish Sea that, by 1 July 2012, the nephrops fleet would fish with gears that would enable it to secure exemption from the effort regime as laid down in article 11 of the cod plan. The commitment is to use measures that result in a catch of less than 1.5% cod and not only a general reduction in whitefish by-catch. A selective gear trial project has been established, led by the Sea Fish Industry Authority and involving industry, net makers, scientists, gear technologists and officials from my Department. Trials involving four different gears began at the beginning of April and finished last week.

Work is now urgently under way to analyse the results and produce findings of the report. Early indications are that, as expected, grid-type gears are very efficient at separating prawns from whitefish but do not appear suitable for all fishing vessels or all fishing grounds. In particular, they are prone to clogging by seaweed and other debris. The most promising gear tested uses a large square mesh panel in a modified cod end and additional trials were carried out to improve that design further. I am expecting a final report to be available later this week.

Mr Beggs: I thank the Minister for her answer. Will she acknowledge that there is considerable frustration within the fishing community at the slowness in introducing better mechanisms for minimising fish by-catch? Is she aware of the concern of the fishing community that there are already indications from officials, through the Environment Committee, that it could be further adversely affected by the maritime Bill as presently constituted?

Mrs O'Neill: I thank the Member for the question. In December last year, the Commission had moved to impose a Swedish grid on the industry. That would have been devastating, because the industry does not believe that the Swedish grid is appropriate for all fishing grounds in the Irish Sea. In conjunction with the industry, and after talking to it at some length, I went to Brussels and put a proposal to the Commission, which the Commission accepted. The proposal was that we would trial our own gear; a gear that is acceptable to and suitable for our industry. That is the position that we are in. That is something that we have done along with industry, and we will continue to do so.

As I said, I will get a report later this week, but we hope to be on target to meet what we promised to the Commission, which was actually very positive for the industry, in that it exempted us from the days-at-sea cuts that would have been forced upon us if we were not able to get to that position.

The maritime Bill is Department of the Environment legislation, and I will always make sure, through the Department, that the needs of the fishing industry will be taken into account as all policy is developed.

Mr Frew: I thank the Minister for her answers around this very important issue for the fishing and trawler industries. We are aware that the trials have taken place and the findings are due to be published soon. What can the Minister tell us at this time, before the report is published? Is she hopeful that there are answers to be found within the trials that would help to end the days-at-sea dilemma for our fishing industry?

Mrs O'Neill: I think it is fair to say that we have made very good progress so far. The fact that we have worked with the industry in developing a gear that is acceptable to it — the industry has trialled it and knows that it works — has been key to us arriving at the position that we are in. As I said, I hope to have details of the

final report by the end of the week. Also key to that has been keeping the Commission on board and informed about what we are doing. When we get the report at the end of the week, I will obviously have to discuss that with the Commission, but, at this stage, things seem to be relatively positive. We have trialled everything successfully and we are meeting the needs of our industry.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. When will the cod recovery plan be reviewed?

Mrs O'Neill: I think everyone would agree that the cod recovery plan has not worked. The Commission had promised a review at the start of 2012, but the timetable for that seems to have slipped. There are some technical amendments coming forward later in the year, but as for when the Commission officially plans to review the cod recovery plan, we will have to keep that under review.

Mrs McKeivitt: What progress has been made towards bringing forward proposals for the regionalisation of quota allocations and other measures that would pump-prime the fishing industry in south Down?

Mrs O'Neill: I am going to Luxembourg tomorrow for discussions on the common fisheries policy. We hope that it may be the end of the negotiations. Tomorrow will probably be a very important day in meeting the needs of our fishing industry. Regionalisation is a key part of the common fisheries policy. We have argued strongly all along that we need to be able to suit the needs of our industry, not to have one blanket approach across Europe that does not impact positively on us at times. The key is regionalisation. It is about flexibility and suiting the needs of our industry.

Mental Health: Rural Areas

3. **Mr McGimpsey** asked the Minister of Agriculture and Rural Development to outline the discussions she has had with her Executive colleagues in relation to addressing the mental health needs of people living in rural areas.

(AQO 2108/11-15)

Mrs O'Neill: Ensuring proper services to address mental health issues in rural areas is a high priority of mine. As you are aware, the Department of Health is the lead Department with regards to mental health provision. However,

it can be a particular issue in rural areas due to their somewhat remote and isolated nature. Also, the stigma attached to mental health means that sometimes it is not openly discussed.

Earlier today I met the Minister of Culture, Arts and Leisure to discuss how our respective Departments could work together to better address suicide and mental health issues. Naturally, my aim is to maximise awareness and support to rural dwellers regarding this emotive subject.

As part of the rural White Paper action plan, I met Minister Poots to discuss a range of measures to support the health and well-being of rural dwellers. Following this meeting, my officials have been working closely with Public Health Agency officials to bring forward health checks for rural communities. Part of this initiative will involve a signposting service to mental health support services. I am delighted to announce that the Executive approved the rural White Paper action plan on 31 May. That is a key document in ensuring that we have cross-departmental support to tackle all the issues that are relevant to the people we represent.

I also discussed the maximising access in rural areas project with Minister Poots. DARD and the Public Health Agency are working collaboratively on this to ensure that those who are most vulnerable in society are accessing what they are entitled to. The project is an initiative based on the premise that visiting people in their own homes encourages them to avail themselves of services and grants that they would not otherwise have known about.

While identifying the issues that exist in rural areas, DARD worked in tandem with a number of Departments and agencies to support rural dwellers, with householders completing a health and well-being assessment and receiving advice on the available local and regional services. Trained enablers who have received certified training in safeTALK, which is a suicide-awareness programme, and in safeguarding vulnerable adults carry out this service and bring any concerns to the attention of the local social services department.

Mr Deputy Speaker: Your time is up.

Mr McGimpsey: I thank the Minister for her very comprehensive answer. She will be aware that mental ill health is often a consequence of the stress associated with financial difficulties. Bearing in mind the financial challenges that are

facing society in general, what steps does she believe her Department can take to ease the process of payments made by the Department through, for example, single farm payments, to take some of the stress out of the difficulties faced by many farmers?

Mrs O'Neill: As the Member will be aware, I think it is key that Departments work together, because suicide prevention and good mental health is not just the job of the Department of Health. Some areas of work that I talked about earlier in which Departments are collaborating are key in tackling social isolation and lack of access to services, as well as making sure that we are targeting those people who feel vulnerable.

I take my responsibility around financial difficulties very seriously, as that can often be a factor in people's mental health and how they are feeling in general. I fund a number of initiatives, including the rural support helpline, Rural Connect. I encourage people to use those phone lines to get in touch with the Department if they are having difficulties.

My Department has targets for processing payments, and it is a key aim to meet those and to get payments out to people as soon as possible. It is true that payments were slower in getting to some people this year. We have reached our targets, but a small number of people, approximately 1,000, still need to be paid, and I think it is key to get those payments out. I have listened directly to people and their stories of how that impacts financially and the stress that that brings, so my aim is to ensure that those payments are made as quickly as possible.

Mr McCarthy: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her responses so far. She mentioned a number of Departments, including Health and Culture, Arts and Leisure, but she has not mentioned the Department for Regional Development (DRD), which is responsible for community rural transport.

Its budget has been cut, and the effects have transferred right down to the community. Fewer and fewer people are able to avail themselves of DRD services to get to hospitals. In my constituency, that could be from the tip of the peninsula to the proposed Lagan Valley hospital for mental health. Will the Minister advise whether she will be in touch with her DRD counterpart to try to overcome the problems that we have in rural areas?

2.45 pm

Mrs O'Neill: I thank the Member for his question. Absolutely. I will continue to engage with all Departments, including DRD. As I said, the Executive agreed the rural White Paper action plan, which looks at the rights of people in rural areas and the issues that they face, particularly transport issues. My Department's 'Tackling Rural Poverty and Social Isolation Framework', which I launched recently, is looking at working with DRD to fund some rural transport, which is a very worthy initiative. I come from a rural area, so I know how difficult it can be for people to access public transport. That is a practical example of how I am working with DRD. I will continue to work with DRD through the rural White Paper action plan.

Mr Campbell: The Minister will be aware, as I have written to her about it, of the issue of adults with learning difficulties and how they access services in rural areas. Does she agree that those in the community and voluntary sector who open up offices in rural areas for people with learning difficulties, including mental health difficulties, should operate from premises that are accessible to all sections of the community and that there should be nothing in or on those offices that might deter people from accessing those services?

Mrs O'Neill: I thank the Member for his question. As he said, he wrote to me on this issue. I absolutely agree with you about the value of the work that the community and voluntary sector does in supporting vulnerable people; it is second to none. Quite often, that sector is filling the gaps and doing things that should be done by the Department but are not. That sector is key to moving forward. Accessibility is a very simple, plain issue. Everywhere should be open for everybody to be able to access, regardless of whether they are able-bodied or not.

Theft: Rural Areas

4. **Mr S Anderson** asked the Minister of Agriculture and Rural Development for an update on the action being taken to help farmers and rural dwellers to reduce the risk of theft.

(AQO 2109/11-15)

15. **Mr Craig** asked the Minister of Agriculture and Rural Development what measures she

has taken to combat the theft of agricultural machinery in rural communities.

(AQO 2120/11-15)

Mrs O'Neill: With your permission, Mr Deputy Speaker, I will answer questions 4 and 15 together.

I am very aware of the increasing number of thefts on farms. I have met the Minister of Justice and the Chief Constable to highlight the increase in rural crime and the concern that it is causing in the farming community. A further meeting with the Chief Constable is planned for later in the month, at which I plan to review progress with him. I will continue to work closely with the Minister of Justice on raising awareness of rural crime. I welcome local initiatives brought forward by community safety partnerships to prevent rural crime, such as trailer marking and the forensic marking of sheep. I am encouraging farmers to participate in those initiatives and to continue to ensure that they secure their properties by taking steps to minimise the risk of theft from their farms.

I was pleased to take part in the launch of the Farmwatch scheme in County Fermanagh in April. That scheme was developed by one of the neighbourhood policy teams in Fermanagh and uses funds from the assets recovery incentivisation scheme. It has a number of strands, including sheep retina scanning; the forensic marking of machinery; recording of assets on a police database; and a texting service to alert participants to any suspicious activity in an area. Every participant receives a personal visit by the neighbourhood policing team to discuss farm security. I am pleased that the scheme has been very well received, and there are plans to roll it out to other policing areas. In my meeting with the Chief Constable, I will encourage him to make that scheme widely available.

My departmental officials are also working closely with the PSNI and an Garda Síochána in relation to the theft of livestock and related crimes. That has included the training of police officers in livestock identification and movement controls, and the establishment of round-the-clock communication channels. My officials have also been involved in joint investigation visits with the PSNI, which has led to the recovery of stolen livestock.

Mr S Anderson: I thank the Minister for her very comprehensive answer. I and my colleague Stephen Moutray met the local PSNI this

morning. One of the issues discussed was rural crime and the effect that it is having on the rural community. The Minister has had many meetings with the Minister of Justice, the police, and so on. Would she support the formation of a task force, comprising the police, rural watch groups, insurance companies, farmers, and suchlike, to get something off the ground? I know that there is an idea in the local community to make better contact and to see what positive results could be achieved from having such a grouping.

Mrs O'Neill: I thank the Member for his question. He will be aware that responsibility for rural crime rests with the PSNI and the Department of Justice. However, were a task force to be formed, I would not have a problem with getting involved with it via the Department. Some of the initiatives on the ground are very positive, and if we could get them rolled out right across the North, that would be significant. Some of the things demonstrated at the Crimewatch scheme that I was involved in launching in Fermanagh were spectacular — sheep are even able to be identified through retina scanning. I will raise the Member's issue with the Chief Constable when I meet him in the near future.

Mr Craig: I thank the Minister for her initial comprehensive answer. It is quite interesting to hear of all the PSNI initiatives that are going on. Will the Minister assure the House that a number of those initiatives will be rolled out? One of the most beneficial is vehicle identification, but I will not go into the details of it, because we do not want some people to know about it. If any financial assistance could be given to ensuring the roll-out of that initiative right across Northern Ireland, that would be preferential, because it is very effective in the recovery of stolen assets.

Mrs O'Neill: I thank the Member for his contribution. When I meet the Chief Constable, I will be happy to raise the issues that have come up in today's questions. As you say, some very positive initiatives are already happening, and it is key that they are rolled out. It is the Chief Constable's responsibility, and I think that of the Policing Board, to ensure that the programmes are rolled out right across the North, but I will certainly be impressing on the Chief Constable that that would be beneficial.

Ms Boyle: I thank the Minister for her answers. What measures are in place to support victims in the aftermath of crime, particularly farmers and rural dwellers?

Mrs O'Neill: I thank the Member for picking up on the issue of victims, who are those people targeted by rural crime. The Department of Justice (DOJ) funds Victim Support, which supports victims of crime. Recent research from Victim Support indicates that victims of crime from rural areas are much less likely to seek support from it and use its services. That is concerning, given that many rural dwellers wrestle with the issue of isolation, and that often exacerbates the impact of crime. Therefore, the Department is working with Victim Support to see how we can get a better response to its services and actively encourage people to seek support if they are victims of crime.

Mr Cree: I have no doubt that the Minister is concerned about the current spate of thefts across the rural community. However, it was the same last year and indeed the year before, and the Minister today has outlined the steps that are being taken. At the risk of sounding repetitive, those steps were mentioned before, going back two years. Is there anything that can be done or any urgency that can be applied to the whole issue now to make a difference to the number of thefts?

Mrs O'Neill: I am absolutely aware that the levels of rural crime have increased over the past number of years. There are emerging technologies, and some of those that I mentioned earlier are helpful, but I think that the responsibility for combating rural crime lies with the police and the Department of Justice, and I will continue to work with them to ensure that I do my bit to support rural dwellers and farmers.

The Department of Justice is responsible for collating the statistics from the past number of years, and I refer you to it for a look at the figures. However, as I say, some innovative technologies are coming forward to help to tackle rural crime, and I will continue to work with the police and the Department of Justice.

Mr McGlone: Gabhaim buíochas leis an Aire chomh maith. There is a very worrying trend of violent crime, particularly in some of our more isolated rural areas. The Minister and I share a constituency, and there has been one particular instance of violent crime in recent times, the

detail of which we obviously cannot get into today because of ongoing investigations.

Will the Minister give us a steadfast assurance that, in the various pilot schemes that are being conducted throughout the North and through the collaboration that should occur between the likes of DOJ and the PSNI, good practice will be replicated right across the North? Good things often happen in certain areas that are not shared with other areas. Will the Minister please assure us that that will be done?

Mr Deputy Speaker: I am sure that the Minister got the gist of that question.

Mrs O'Neill: I have absolute sympathy with the family about whom the Member spoke. There is a difference between agricide and rural crime, and they have to be addressed separately. Agricide was what I referred to earlier when I mentioned the theft of machinery and cattle. Rural crime is very different, and I know that that is what you were referring to. When I meet the Chief Constable, Matt Baggott, the two topics discussed are agricide and rural crime. I absolutely condemn those actions, particularly the case that you spoke about, which was a vile, violent attack on a young man. I will raise the issue with the Chief Constable when I meet him in a few weeks' time.

Bovine Viral Diarrhoea

5. **Mr Swann** asked the Minister of Agriculture and Rural Development what action her Department is taking to tackle bovine viral diarrhoea.

(AQO 2110/11-15)

Mrs O'Neill: Bovine viral diarrhoea (BVD) is not a statutory disease. Its impacts are primarily felt at farm level, so it is for the industry to take the lead in any initiative to deal with it. Therefore, I welcome the fact that there is an increasing desire in the industry to tackle BVD and other conditions that are not subject to statutory control programmes.

Last month, I met industry representatives to discuss their plans for an industry-led organisation to develop and promote control programmes to tackle diseases such as BVD. As experience elsewhere has shown, a commitment from industry to funding such initiatives on production diseases will be critical to their sustained success. I was, therefore, encouraged to hear that the group is securing private investment to support the new approach.

I was also pleased to hear about the plans to establish formal collaborative links with industry in the South, as taking an all-island approach will definitely help trade right across the island. There is real potential to improve the competitiveness of the sector through tackling these diseases, so I am very keen to get the initiative off the ground as soon as possible. At last month's meeting, I agreed, in principle, to match financial contributions committed by industry stakeholders. Obviously, those will have to be subject to an economic appraisal, but, in principle, I absolutely agree with match contributions.

My officials have been working closely with industry on the initiative and providing advice. We are also considering whether support could be provided under the training measures in the rural development programme. That would help to make farmers aware of the steps that they can take to tackle BVD and the advantages of doing so. The Department is also supporting an industry-led BVD research project through the research challenge fund aimed at determining the prevalence of the virus. I look forward to hearing how the initiative progresses, and the Department will continue to work with the industry.

Mr Swann: Minister, the Scottish authorities are proposing a ban on the sale, or even movement, of persistently infected animals. What is your assessment of that proposal? Would you consider bringing in such a ban in Northern Ireland to support the industry?

Mrs O'Neill: There has been no call for a ban from the industry, which wants to tackle production diseases and BVD. The working group has done a lot of work over the past number of months. The economic benefits of dealing with BVD speak for themselves, and farmers are aware of them. Farmers would very quickly receive payback for the small amount that it would cost for testing. If we were able to eradicate BVD and take the infected cattle out of the farms, the economic benefits would speak for themselves. As I said, there has been no call for a ban. The industry wants to tackle the issue and believes that we can do so in a short time frame. This is not a long-term plan; we can tackle it quite quickly.

Mr Byrne: I thank the Minister for her answers. Does she accept that the Department needs to lead very strongly on the eradication of bovine

TB? It is crucial that Northern Ireland achieves the disease-free status that Scotland has had for many years. We have spent an awful lot of millions on a scheme to eradicate TB that has not yet realised its potential.

Mrs O'Neill: I thank the Member for his comments. Tackling TB and brucellosis (BR) are key issues in the Department. We have a target of 2014 for eradicating BR, and we hope to be able to deliver on that. The Member will be aware that TB is an emotive issue and a complex disease. There is no simple solution or quick fix. If there was, we would apply it. We are working with the industry and have some proposals coming forward to tackle TB. A £4 million TB research and wildlife programme is ongoing, and I hope to introduce further initiatives in the near future.

3.00 pm

Education

Mr Deputy Speaker: Question 9 has been withdrawn and a written answer is required.

Schools: Homophobic Bullying

1. **Mrs D Kelly** asked the Minister of Education for his assessment of the prevalence of homophobic bullying in Northern Ireland in light of 'The Teachers' Report', which identified homophobic bullying in Great Britain as being three times more prevalent than bullying on the grounds of religion or race. (AQO 2121/11-15)

Mr O'Dowd (The Minister of Education): The Stonewall teachers' report deals specifically with homophobic bullying and teaching about sexual orientation. It reports the views of staff from primary and secondary schools across Great Britain. There is no equivalent report on the views of staff here. However, every five years, we seek the views of pupils and staff about the nature and extent of bullying in our schools. The sample that is used is representative of the primary and secondary sectors.

Some 120 schools are involved and the views of more than 2,000 pupils from years 6 and 9 and around 200 school staff are sought. Pupils' views are sought using a questionnaire on bullying developed by Dan Olweus. This is an internationally recognised and widely used measuring tool. By using the Olweus questionnaire,

we can compare the findings with previous studies and with the position in other countries.

The most recent research was published in October 2011. Overall, the most common form of bullying reported by 39% of pupils was being called mean and hurtful names or being made fun of or teased in a hurtful way. The Olweus questionnaire includes a question for year 9 pupils about being bullied with names, comments or rude gestures with a sexual meaning. Around 14% of pupils reported being bullied in this way. Clearly, bullying of this type includes homophobic bullying, and it is the sixth most common form of bullying. Bullying, for whatever reason and in whatever form, is unacceptable, and I am committed to working with schools vigorously to tackle it.

Mrs D Kelly: I thank the Minister for his answer. I notice that the data on which he relies for his answer are based on sample questionnaires that do not involve all the young people. Will he commit to having a much more robust data collection mechanism, and will he then outline what strategy he is putting in place to deal with homophobic bullying?

Mr O'Dowd: The data collection is based on sound principles. There are thousands of young people in our school system, and I am not sure how practical it would be to question all those children, or indeed, the several thousands of staff who work in our schools. Let us be clear, there is a duty on schools to tackle homophobic bullying, as there is on society. I believe that we have the practices and policies in place that can do that.

Bullying in schools comes in many different forms, and there is a legal duty on schools to have policies in place to tackle bullying. Those policies should be drawn up in consultation with parents, pupils and guardians, and they should be robust enough to deal with all forms of bullying, regardless of their nature, including homophobic bullying, which is completely wrong.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. What legal protections are in place to protect people from becoming victims of bullying, including homophobic bullying?

Mr O'Dowd: All grant-aided schools are required by law to have measures in place to prevent all forms of bullying. Schools, as I said in my answer to Mrs Kelly's supplementary question, must consult with parents and pupils about

these measures, after which it is a matter for the board of governors of a school to draw up a policy. The Department of Education also issues guidance to schools on these matters.

I have also visited a number of schools where the measures that have been put in place provide fine examples. For instance, school councils have been very successful in creating self-disciplinary policies, with agreement among all pupils and staff on how to regulate behaviour in the classroom and in the playground at school. There is a school project, which, I believe, is called Unite, which encourages unity between all staff and pupils on how to deal with disciplinary matters in school. It also tackles all forms of bullying. I was very impressed when I met the school council that was in charge of the discipline in the school, which helped to eradicate bullying, including homophobic bullying. There are many different measures. We need legislation, but we need the participation of young people and staff in those measures as well.

Ms Lo: A recent report by the Rainbow Project showed that 84% of pupils who were being bullied because they were perceived to be lesbian, gay or bisexual (LGB) had suicidal thoughts, and 35% of LGB-perceived pupils who were being bullied have attempted suicide. What action is the Minister taking to combat homophobia-related suicide in schools?

Mr O'Dowd: The measures I outlined to the Members who asked questions previously included those against homophobic bullying in schools. The attitudes in our schools are often a reflection of the attitudes in our broader society. There is a responsibility on communities and families to ensure that homophobic bullying is totally unacceptable. There is a responsibility to ensure that we do not use language or involve ourselves in actions that will encourage such homophobic bullying or, for that matter, any form of bullying.

I believe that the measures we have in place are robust. I constantly review all my policies. I engaged with the Rainbow Project on several occasions with regard to these matters, and will continue to do so. If there are other measures that we can take to help to eradicate bullying, we shall do so. However, we also have to eradicate the attitudes that promote and allow homophobic bullying to take place.

Preschool Provision

Mr Deputy Speaker: I call Ms Michelle Gildernew for a question.

Ms Gildernew: My supplementary is on question —. Sorry. Go raibh maith agat. Gabh mo leithscéal, a LeasCheann Comhairle. Question 2, please.

2. **Ms Gildernew** asked the Minister of Education for an update on his Department's efforts to ensure adequate provision of preschool places.

(AQO 2122/11-15)

Mr O'Dowd: Every effort is being made by my officials and the education and library boards to ensure adequate provision of preschool places across the North and to meet the Programme for Government commitment of ensuring that at least one year of preschool education is available to every family who wants it. Over 22,500 children have secured a preschool place for September 2012. Of the children whose parents applied at stage 2 of the process, only 24 remain unplaced. I expect that number to fall further in the coming weeks.

Although a number of parents did not apply at stage 2 of the process, places do remain in the system if they wish to reconsider. They may find that additional places have become available, which will allow them to consider other options. I cannot stress enough the importance of parents continuing to work with the education and library boards as every effort will continue to be made to find places for eligible children.

Mr Deputy Speaker: I call Ms Gildernew for a supplementary.

Ms Gildernew: Go raibh míle maith agat, a LeasCheann Comhairle. Well, everybody knows now why they are getting rid of me. *[Laughter.]*

I thank the Minister for his answer and welcome his confirmation that the vast majority of children have been placed. Will he reiterate why priority is given to children from socially disadvantaged backgrounds?

Mr O'Dowd: I am sure that nobody believes that we are getting rid of you. I take this opportunity to thank Michelle and her colleagues Paul, Conor and Pat for all their assistance down through the years, and wish them all the best in their new venture, which is very important with regards to representation.

Why do we positively discriminate for children from socially disadvantaged backgrounds? It is because all the evidence points to the fact that children who come from socially disadvantaged backgrounds face the greatest challenges when it comes to education. If we as a society are serious about breaking the generational cycle of disadvantage within many communities, we have to start in early years. That is what all the research shows us is the best thing to do. It may be 10, 20 or 30 years before we see the full positive impacts of this policy, but I believe it is the right policy.

Mr Copeland: I am sure the Minister will be aware from correspondence of the difficulty that is encountered by folk in getting their children placed in nursery schools. There appear to be patches or areas where that is more difficult. Is the Minister content that everything that could have been done to avoid that problem was done?

Mr O'Dowd: I am more content than I was six weeks, 12 weeks or three months ago. I believe we made significant progress over the latter period, but it also has to be remembered that 22,500 children have been placed in preschool and nursery settings, and that has to be welcomed. The education boards and my departmental officials have worked intensely over the past number of weeks to ensure that those children and parents who applied at stage 2 of the process have been placed. We are now down to 24. I will not be satisfied until we have those 24 children placed, and I am continuing to approve new preschool settings on a regular basis in areas where they are required.

We are not yet satisfied that we have this absolutely correct and we will continue to implement the workings of the review. I have recently signed off on paperwork to go to the Education Committee regarding the end of the July and August birthday criterion. I will continue to implement the outworkings of the review that I announced to the Assembly in January of this year. A lot of good work has been completed, and there is more work to be done.

Mr Storey: Although the Minister has made much of the 24 places that are left to be allocated, what about the 400 who, in the second round, decided not to bother with the process and have now disappeared into the system? What steps will the Minister take to look at the issue in a way that means that working parents who deserve to have a place

will get one? How will he deal with the 400 parents who made a decision that the process is so inadequate that they will give it a bye?

Mr O'Dowd: I am not sure whether the Member has had an opportunity to speak to all of those 400 parents and so can speak on their behalf on why the process is inadequate.

Mr Storey: I do not need to.

Mr O'Dowd: He does not need to. In that case, he is a mind reader in addition to all the other talents that I know he has.

The fact of the matter is that 600 parents, minus 24, who applied to stage 2 have had their children placed. Parents did not enter the second stage for a variety of reasons. It might well be the case that parents were disappointed that they did not get their first choice, and I accept the Member's point on that. We cannot set up a system where all parents will be able to get into their first preference. We have a proven and tested formula that works, and I encourage those parents who did not apply to stage 2 to go back to their education and library boards and seek information on whether there are settings available in their area that would suit them. I am continuing to approve additional settings. My officials are continuing to work with the board in the pre-school educational advisory groups to see where additional places are required, and that work will continue. I certainly cannot accept that the 400 parents withdrew themselves from the system because they found it to be unacceptable. There are a variety of reasons why parents did not come back to the system. My duty of care was to the parents of the 600 children who did come back into the system.

Mr McDevitt: I note the positive change that the Minister has made on July and August birthdays. Can he clarify to the House why he thinks that it is possible to perpetuate a policy that supports one section of the community while clearly discriminating against another section of the community? When will he realise and accept that the only fair and equitable way of addressing the needs of this group of young children is through the statutory right to a preschool or nursery place at age three?

Mr O'Dowd: The Member never ceases to amaze me. A member of the Social Democratic and Labour Party is criticising me for having in place positive discrimination that benefits children from socially disadvantaged backgrounds. Is

it now the policy of the Social Democratic and Labour Party —

Mr McDevitt: *[Interruption.]*

Mr Deputy Speaker: Order. Please let the Minister answer.

Mr O'Dowd: — that you will criticise policies that benefit children from socially deprived areas? All the evidence points to the fact that if you make early interventions in the lives of people from socially disadvantaged backgrounds, you not only give that individual a chance in life but you allow that individual to become a valuable member of society who can contribute to it. I will not apologise for the measure. In fact, we should be proud of the measure. As part of the review, when the full implications of the Welfare Reform Act 2012 become clear, we will widen the criteria to include those families from low-income backgrounds who are out working. That is the next measure in this. In this instance, the policy of positive discrimination is a good policy.

Mr Deputy Speaker: I remind Members that it is not the convention in the House to interrupt a Minister when he is answering. The next time that it happens, I will simply move on.

Education: All-island Working

3. **Mr Hazzard** asked the Minister of Education for an update on the work that he is undertaking on an all-island basis in conjunction with his counterpart in the Dublin Government.

(AQO 2123/11-15)

Mr O'Dowd: Through the North/South Ministerial Council (NSMC), I am working to progress a wide range of educational issues. Ministers agreed at the most recent North/South Ministerial Council, held on 1 February, to proceed with a joint survey to inform cross-border pupil movement and school planning. The survey is scheduled to be conducted in the autumn of 2012, and I hope that it can generate widespread participation. The future approach to service delivery at the Middletown Centre for Autism will be discussed at the NSMC meeting this Friday, 15 June. Other work includes the educational underachievement and literacy and numeracy working group, the inclusion and diversity service, the working group on teacher qualifications and the dissolving boundaries programme.

3.15 pm

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his comprehensive answer. Will he give an update on the proposals to offer the teachers' Irish language requirement in higher education institutions here in the North?

Mr O'Dowd: Yes. We are continuing to work on that proposal. It is an important development in allowing teachers to work on either side of the border, given the differing qualifications required. We have set a mechanism that will ensure that trainee and qualified teachers in this jurisdiction can achieve a qualification to allow them to work in either jurisdiction.

Mr Campbell: The Minister mentioned the NSMC. If he is in attendance at the next British-Irish Council meeting, will he ensure that his counterparts throughout the length and breadth of the rest of United Kingdom are aware of the excellent education system that we have in Northern Ireland and the fact that we intend to make it better for every child?

Mr O'Dowd: I have no difficulty in engaging with my colleagues in other jurisdictions. In fact, I have recently corresponded with Michael Gove, the Education Minister in England, and with the Education Ministers in Wales and Scotland. I am happy to report that the Education Ministers in Wales and Scotland have agreed to meet me to discuss recent announcements made by Minister Gove about A levels and GCSEs. I am happy to discuss with them the qualities and challenges in our education system, because the Member is perfectly correct: we have to make our education system excellent for everyone.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle, Gabhaim buíochas leis an Aire chomh maith as ucht a chuid freagraí go nuige. Could the Minister provide us with some detail on what discussions have taken place between departmental officials and the Central Applications Office on making third-level courses more accessible to students from the North?

Mr O'Dowd: That is more of a question for Minister Farry as it is about third-level education, and I am sure that he would be happy to respond to it.

Mr Allister: It may be of no concern to the Minister but, from the perspective of the hard-pressed taxpayer, will he take any steps to ensure that

the Republic of Ireland's Government pay for the 400-plus pupils from the Republic who enjoy free education in Northern Ireland schools?

Mr O'Dowd: As a hard-pressed taxpayer, I can assure the Member that central to the delivery of all my policies is an assurance that the taxpayer gets value for money and that all taxpayers are treated equitably. We have an agreement in place with my counterpart in Dublin to ensure that the costs of pupils who travel in either direction are covered. I assure the Member that, as a result of the continuing work of the North/South Ministerial Council, it is recognised that co-operation across the border is a more effective and efficient way of running government than ignoring each other.

Mr Kinahan: Does the Minister have the results of the survey on parental opinion on cross-border education that were promised a few months ago?

Mr O'Dowd: I will clarify that for the Member: the survey will hopefully be agreed at this week's meeting of the North/South Ministerial Council in education format, and the actual survey will be conducted over the autumn. The results will not be available until January 2013.

Education and Skills Authority Bill

4. **Mr Swann** asked the Minister of Education when he will introduce the Education and Skills Authority Bill. (AQO 2124/11-15)

Mr O'Dowd: The Bill is being finalised for approval by the Executive. I hope to introduce it shortly, with the aim that it will complete its Second Stage before the summer recess. That timescale is later than I had hoped, but it leaves time for careful scrutiny by the Education Committee in the autumn and for the Bill to become law before 1 April 2013. The Programme for Government commitment for the establishment of the Education and Skills Authority (ESA) remains on course.

Mr Swann: Can the Minister detail what plans he has to retain regional bodies that will either represent or respect the regional needs of schools?

Mr O'Dowd: ESA will be the education body. However, the Member raises an important point. There will be local contact with ESA; it will be not a centralised service. I want to ensure that local connections between councils, schools and education facilities remain. I have not

finalised any proposals for where offices — there will be offices — will be located, but that work will continue in my Department.

However, the clear message that I want to get out is that although it will be a single educational authority, ESA will be representative on the ground and available to schools, and it will be based in localities rather than in a central office in a particular area.

Mr G Robinson: If approved, how will the Bill benefit the controlled sector?

Mr O'Dowd: The Bill, if approved, will benefit all sectors because, at its heart, the Bill is about running a more efficient and effective management system that is fit for the 21st century. The education and library boards have served their purpose, as have other bodies. We are ensuring that we have a single education authority that will help raise educational standards across all sectors. The Education and Skills Authority Bill will also introduce a controlled education sector support body, which, for the first time, will work directly with controlled schools and give them a voice in education.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I look forward the Bill coming before the Committee. How will the controlled, maintained, integrated and Irish-medium sectors and the wider community be represented on the ESA board?

Mr O'Dowd: The First Minister and the deputy First Minister have reached heads of agreement on, and the Bill will provide for how, the body will be made up. The transferors and trustees of maintained schools will retain their established legal right to membership and have four members each. The eight political members will be nominated under the d'Hondt mechanism, which will ensure local democratic accountability. Others will be chosen for their skills and competence to represent the community. I assure Members that I want to see a representative body at the head of education to ensure that all voices are heard for the benefit of education.

Mr Rogers: Thus far, how much has been spent on ESA?

Mr O'Dowd: I do not have the exact figures in front of me, but a significant period of planning has been put into ESA. It is regrettable that ESA has been delayed on several occasions.

However, we must now focus on ensuring that we bring forward ESA, which is a Programme for Government commitment, and that we establish and have it in place to ensure an effective and efficient management system for the delivery of a public service.

Schools: Bullying

5. **Mr A Maskey** asked the Minister of Education how his Department's anti-bullying policies compare with those in the Irish Republic and Britain. (AQO 2125/11-15)

Mr O'Dowd: The policy position here, in the South and in Britain is that bullying behaviour is unacceptable. Bullying behaviour, for any reason and in every form, has no place in schools. All schools have a role to play in teaching respect for diversity and should support pupils who have been subjected to bullying.

Although the underpinning policy is the same, the approach used across Britain, in the South and here does vary. All grant-aided schools here are required by law to include, in their discipline policy, measures to prevent all forms of bullying among pupils. It is a matter for schools to determine, in consultation with pupils and parents, the details of their policy. The publication 'Pastoral Care in Schools: Promoting Positive Behaviour' offers detailed guidance on tackling bullying. This guidance is intended to stimulate discussion in a school around the issue of bullying. It is intended to encourage collective ownership of the issue and the actions to be taken to counter it.

The position is similar in other jurisdictions in the South and in Britain. In Wales, schools must, by law, have a specific policy on bullying. Schools in England and in the South must have a behaviour policy that includes the prevention of bullying. In Scotland, schools are not legally obliged to have an anti-bullying policy, but it is recommended as good practice.

Mr A Maskey: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for that response. Will he outline any specific assistance that the Department here will give schools to help them to tackle and eradicate bullying?

Mr O'Dowd: As I said in relation to a previous matter, advice and guidance is available from education and library boards and from the Anti-Bullying Forum, the website of which I

revisited just before coming to Question Time. That website is a useful tool to assist parents, pupils, elected representatives and schools' boards of governors in tackling bullying. Each board has a designated officer who assists in the development of whole-school policies and who supports individual pupils who have been victims of bullying. In-service teacher training is provided by each of the five education and library boards. Nominated teachers are provided with enhanced training to recognise and support young people in crisis, including those who have been subjected to bullying.

As I mentioned in response to a previous question, the examples I have seen of school councils and pupils taking ownership of the issue and dealing with it have been very positive. I think that it strengthens and builds the character of pupils as individuals and collectively when they are entrusted and charged with dealing with such issues. I also think that it helps to eradicate bullying much more quickly than any legislative process.

Mr Deputy Speaker: Order. Members, there is too much talking in class. I need to hear what the Minister and other Members say. Otherwise, Members may complain.

Mr Elliott: Cyberbullying and social network bullying are more recent concepts in schools. Has any new guidance been given by the Department to schools, education and library boards or administrative bodies on how to deal more effectively with those forms of bullying?

Mr O'Dowd: There has. If my memory serves me correctly, last year's anti-bullying week focused on cyberbullying and the use of new technologies in bullying. Advice was given to parents, pupils and teachers on how to assist in the eradication of such matters.

Regardless of the format of bullying or whether it takes place in the playground, the classroom or outside school, it is wrong. It is based on power and someone wishing to impose their power on someone else, and it should be resisted and eradicated at all times. As elected representatives, we have a role to play in ensuring that the message goes out that bullying is wrong, and parents, families and communities have a similar role to play.

On the issue of cyberbullying and how parents can reassure themselves that their children are not subject to bullying through electronic

equipment, I would again point Members to the Anti-Bullying Forum's website. It has a specific web page that will give great assistance to everyone and help to ensure that we eradicate cyberbullying.

Mr Byrne: I welcome what the Minister has said about the development of an anti-bullying strategy. Does the Minister accept that cyberbullying causes great havoc and pain to students and teachers? Will the Minister detail how many teachers have been on sick leave as a result of cyberbullying?

Mr O'Dowd: I do not have those figures in front of me. The Member touched on the important point that cyberbullying can not only affect the work and lives of pupils but can be used to abuse teachers. There have been a number of examples in the local and broader media of teachers being subjected to such abuse, and there is a responsibility on those who provide internet sites to ensure that they are managed properly and are used for the proper purposes. The other effect of cyberbullying is that it can deter young people in particular from getting the full benefits of ICT. I reiterate the simple message that any form of bullying is wrong.

Early Years (0-6) Strategy

6. **Mr Hamilton** asked the Minister of Education for an update on the implementation of the early years (0-6) strategy. (AQO 2126/11-15)

Mr O'Dowd: The analysis of the consultation process is complete. I need to decide on the best approach to revisiting the draft early years (0-6) strategy in light of that analysis, taking into consideration the lapse in time from the original development of the strategy and the current context. I am committed to working with ministerial colleagues to enhance the delivery of a range of early years and early intervention services. Those must be balanced against the pressing need to deliver much-needed and sustainable improvements in early education.

A number of issues need to be addressed to strengthen the position of early education and its contribution to improved outcomes. Those require urgent attention. I am still reflecting on how I want to reshape the strategy, and I will publish the outcome of the consultation and set out the way forward when I am in a position to do so.

Mr Hamilton: I thank the Minister for his response. In response to an earlier question,

the Minister highlighted the importance of preschool education. Is the Minister aware of the concerns expressed by many that the draft strategy is more of a three-to-six-years strategy and of the growing body of opinion that more of an emphasis on the years nought to three is important?

Mr O'Dowd: Those concerns were clearly raised as part of the response to the draft early years (0-6) strategy. I agree with the concerns in one sense. All the time, we are improving our knowledge about years nought to three and the importance of intervention at that stage. I have had some useful discussions with the Health Minister about that matter, and I believe that he and I are on the same page about how both Departments can assist each other in improving the lives of our young people, their parents and, therefore, the community.

The 0-6 strategy was first developed in 2006. It went out to consultation, and there were several thousand respondents. As the consultation was ongoing, none of the Departments in the Executive stood still. We all moved forward with the knowledge that we had on how we would improve young people's lives and make positive interventions at as early a stage as possible. I want to take all those measures into account before I move on. I have asked my officials to engage with officials in the Health Department with regard to how we can best move forward together on early years.

Mr Deputy Speaker: That concludes Question Time.

3.30 pm

Committee Business

Economy: Innovation, Research and Development

Debate resumed on motion:

That this Assembly approves the report of the Committee for Enterprise, Trade and Investment on its inquiry into developing the Northern Ireland economy through innovation, research and development; and calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, to implement, as applicable, the recommendations contained therein. — [Mr A Maginness (The Chairperson of the Committee for Enterprise, Trade and Investment).]

Mrs Cochrane: I welcome the opportunity to speak on the report and will make a few brief comments on its content.

Let me make it clear at the outset that, in considering our local economy, we must avoid viewing it through the prism of a post-Troubles haze, seeing it simply as a peripheral issue. It is not simply an optional add-on to the peace process. A fully functional economy complements and is complemented by a fully functioning society. If we seriously wish to tackle key issues such as division, poverty and unemployment, we must strive to develop an economy that generates jobs and prosperity.

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

One of the key challenges outlined in the report is the danger of a top-heavy focus on technical research and development in favour of an emphasis on commercial endeavours. The universities are perhaps warranted in their view that they could be better utilised, yet there is a real risk that the discussion will turn solely to product innovation, to the detriment of other areas.

Also in the report is a challenge to the risk-averse nature of government, particularly the fear of the scrutiny that could subsequently arise from ventures judged not to have been successful. One area that has suffered as a result of that inherent risk aversion is the green economy, embodied by the green new deal. It appears that fear of the unknown is a key factor in how the green new deal has been received.

It now seems impossible for us to promote innovation and research and development when we fear the repercussions from those waiting in the wings. Our bureaucracy remains focused on process and not on outcomes.

A major shortcoming in the report is the absence of focus on exports. If we genuinely wish to develop an innovative and competitive economy, fundamentally, there needs to be an enhanced emphasis on researching and developing goods and services that people outside Northern Ireland are willing to purchase. In many ways, such a solution would begin to address some of the questions I raised previously about the areas in which local research and development should be focused; ideally, in exportable sectors.

The overarching focus and the sentiments underlying the report are worthy of merit, and it is on those principles that I support the motion. As we move forward, we must remain vigilant about the significance of the economy in all the decisions we make, as well as giving the necessary consideration to proposed reforms and placing a renewed and concerted focus on defining and developing our exportable sectors.

Mr Dunne: I welcome the opportunity to speak on the Committee for Enterprise, Trade and Investment's important report on developing the economy through innovation, research and development. I commend the work carried out by all those involved in this lengthy process, including the Committee and all who contributed from outside: industry, universities, colleges and other organisations.

The Committee endeavoured to find out why the uptake of European funding through framework programme 7 was so very low and why business expenditure on R&D in Northern Ireland was heavily focused on a small number of companies, with just 10 companies accounting for 57% of business in R&D in 2009. During the Committee's evidence sessions, it was clear that a lot of good work has been done by universities, colleges and local councils, working alongside large businesses and SMEs, through programmes and in collaboration in order to develop access to funding through European framework programme 7. A lot of good work is ongoing, but there is a clear risk of duplication of providers. There is a definite need for more consistency in research and development funding.

Unfortunately, organisations face many barriers. There is a lack of awareness of the opportunities that are available, and SMEs, especially, are not aware of their eligibility to avail themselves of them. Some do not recognise that the work that they do is part of R&D. Many companies, including some larger companies that we visited, do not access European funding as they do not have the resources, such as personnel, time and finances, available to dedicate to R&D. Others do not have the knowledge and skills available to go through the application process for R&D projects. There is also clear reluctance among some businesses to get involved in R&D because of the risk of committing resources to where there is no certainty of success. Today, many companies cannot afford to take such risks. Intellectual property risks were also recognised as a barrier. Many companies see collaboration with other firms as a risk: often, they could end up as competitors in the same marketplace.

Having to work through the unnecessary and repetitive bureaucracy involved in the programmes and related administration was often flagged up as a concern. The need for collaboration with partners doing similar work throughout Europe was a major stumbling block, although some SMEs had assistance, which was fully recognised, from Invest NI and Queen's University, often through partnerships in the Republic of Ireland. One company that we heard evidence from spoke of its work on framework programme 7 and told how the lead-in time for the development of the project was up to four years, which was far too long for a small business trying to compete and survive in these tough economic times. The cost to that company of completing its proposals was £35,000, which is a huge outlay for an SME, especially as it could take at least four years before it saw any real return. The risk is too high for such small businesses.

DETI recognises that R&D will play an important role in attracting FDI to Northern Ireland. More needs to be done to co-ordinate all the key players who are in place to support businesses. We need a more holistic approach and to establish a high-level group to co-ordinate, gather knowledge, benchmark and get strategic direction for all R&D activity. A clear and consistent approach must be put in place across government, business and academia in Northern Ireland. The new programme of European support, Horizon 2020, must be much

more responsive to the needs of businesses in Northern Ireland. A smarter system must be put in place to allow businesses to maximise funding opportunities through R&D. I support the motion.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Committee staff, the Chair and the rapporteur who carried out many hours of good work on the inquiry. The debate can tend to be arduous and boring because nobody speaks against the motion, so I will not speak for too long.

Research and development is an interesting and important area of work for our economy. If we can manage it correctly, it will be a massive area of growth, particularly in two of our most important sectors: energy and agrifood. Right across the European Union, there is huge potential for R&D and a huge proposed change in how it will be managed and funded. So we need a lot more flexibility from government here, from local government and at European level, as well as our private sector. It should be a two-way process in which companies are enabled to be more flexible, and they are willing to be more flexible and to adapt much more quickly to the changes in the pipeline.

Many Members who spoke previously focused on the challenges that SMEs face. SMEs find it tough to benefit from and set aside the resources to invest in R&D. The figures that we received as part of our initial research showed that the vast majority of R&D expenditure was down to a very small number of very large companies. The Executive and the Assembly should try to change that. I am glad that the Minister is here, and I encourage her to accept the report's recommendations. If she does, her Department and the private sector will have the support of the Committee for Enterprise, Trade and Investment and the House as a whole.

Mr Nesbitt: I welcome the report and the motion. I praise the Chairman and his Committee, in particular Robin Newton, who acted as rapporteur during the process.

Every now and then, we, as mankind, as it were, invent new ways of conducting business. Sometimes it is giving up bartering and inventing money, shops, town centres, out-of-town shopping centres and the internet as a vehicle for conducting commerce. So it is timely that we debate the report.

I open my remarks with a little context for change, innovation and the need for research and development. It was around 100 years ago that we saw the emergence of what we would now consider to be the first set of multinational companies: the likes of Procter and Gamble and Shell, to name two familiar names. A few years ago, a British economic historian by the name of Leslie Hannah compiled a list of the global top 100 companies of 1912, a century ago. By 1995, which is effectively within a lifetime, 48% of those companies — nearly half — had disappeared. Of the 100, 29 had gone bankrupt, and only 19 were still in the global top 100. There was no Microsoft, no Apple. In 1995, W F Woolworth was king of the high street. Not much sign of Woolies today. On the theme of the commercial high street, the Independent Retail Trade Association says that we are losing 1,000 small shops a year in Northern Ireland as we again change the way that we do business. The bottom line is that most things eventually fail. We need to understand that fact and ensure that we constantly change and evolve the dynamic through innovation and research and development.

Invention is, in some areas, in our DNA; for example, engineering. I understand that one Bombardier aircraft takes off somewhere on planet earth every three seconds. Nobody makes aeroplane wings like Bombardier in Belfast: we are a world leader in that regard and are constantly striving to innovate. In agrifood, perhaps the most impressive fact is that we now process and export the potato back to the United States, from whence it came a few centuries ago. We have, then, the exemplars and the mentors. We have access to finance through the European framework programme 7 and the forthcoming Horizon 2020. We have the capacity of our universities. In organisations such as Invest NI and InterTradeIreland, we have the matchmakers who can go and seek that European finance. The incentives, the support and the confidence are, I believe, all there.

I finish with a personal experience, although it is backed by similar stories from many others I have spoken to who share a sense of frustration at how we sometimes treat intellectual property. I am interested to hear the Minister's thoughts on this narrative. Some years ago, I believed that I had an innovative service in the general area of communications. This was at the time of the US/NI investment conference, which was held, very successfully, in April 2008. You will remember that that conference attracted

many high-powered US business executives but, inevitably, saw many others left at home, even though they desired to be there. I had an idea that I felt could max out the opportunity of those three days. I took my idea to Invest Northern Ireland, not for a development grant but as a service that I believed would have been of benefit to its operation, particularly beginning with the investment conference. I took a business proposition, ready to negotiate. The response began very positively: Invest Northern Ireland liked the idea. However, when we got down to the nitty-gritty, I was told that Invest NI actually contracted out all its communications to a third party and felt that it would perhaps need to give the idea to that third party to exercise, which it realised was not really an option. The only other option was to put it out to tender. Of course, to draw up a tender document would have forced Invest NI to disclose my intellectual property. So, in fact, we went nowhere.

I hope that we can use the publication of the report to spur us on to think imaginatively about how to max out the potential for innovation to be the growth engine for the private sector and, perhaps —

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

Mr Nesbitt: — a catalyst for a new spirit of entrepreneurship in the public sector.

3.45 pm

Mr Newton: In supporting the motion, I, first, pay tribute to the work that has been done in this area by the Minister, her team and Invest Northern Ireland. The fact that it has been realised and that work has been going on in this important area gave the Committee some confidence to try to take it a stage further. I also pay tribute to Jim McManus and his team for putting the report together. It is an extremely professional report that was done succinctly and in a manner that encapsulated all the points that the research brought to the Committee. I also want to say a special thank you to Fergal Campbell, a young man who is with us as a graduate placement. He did the hard slog that was necessary in putting the report together.

I want to say only two things about the report; others have spoken widely about it. The report and the Committee recognise the importance of the manufacturing sector to the Northern Ireland economy. The Programme for Government

recognises the need for the manufacturing sector to be expanded. However, we can expand only from the base that we have, recognising that low-cost products are no longer going to be manufactured in this part of the world and will be manufactured in an area that has a low-cost manufacturing base. In recognising that, there is only one way to go, and that is for the manufacturing base to look at high-technology products, which are high value-added products. High value-added and high-tech products require research and development and innovation.

I have already recognised that good work has been done, so how do we go or where do we go? The report has suggested to the Minister a pathway that can be followed and recognised as sensible. I want to speak about one area of the report. Recommendation 4 is that a mechanism should be put in place and resources allocated to support and improve the capacity and capability of organisations at all levels to participate in innovation and R&D. That encapsulates the ethos and culture of the report. In recognising that, it says two things to government and to industry. It says that we need to develop a culture of research and development. Companies, even SMEs, think about the manufacturing strategy, the marketing strategy or the finance strategy but ignore a strategy for research and development or innovation. In many cases, such companies believe that that is not applicable to them, when, in fact, their ethos and culture should be just as strong in their thinking on innovation and research as it is in their finance and marketing. The report highlights the need to take a strategic approach in Northern Ireland and says that a culture of R&D should be embedded in our companies, regardless of their size. There are ways of doing that.

The report highlights the need to make greater use of our universities. I recognise the capabilities and the good work of the University of Ulster and Queen's University, but there is more to be done, and I think both universities recognise that. There is also an opportunity for us to use the higher education colleges, as they have a contribution to make.

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

Mr Newton: Reference was made to the work of the Ulster Unionist MEP Diane Dodds did a good piece of work last week in announcing at a

business breakfast a directory of support within FP7 and Wider Horizons, and I commend that to complement this work.

Mr Agnew: Like others, I support the motion and thank the Committee staff, the Chair and our rapporteur for their work on the report. Throughout the inquiry, there was consensus that R&D is of the utmost importance to the development of the Northern Ireland economy. The difficulties for companies engaging in R&D were continually highlighted, particularly by SMEs. Difficulties in securing funding and the high risk nature of R&D were highlighted. The particularly bureaucratic nature of the EU framework programme 7 was probably the most common cause for complaint.

Last week, we heard encouraging words from EU Commissioner for research and development, Máire Geoghegan-Quinn, when she suggested that the processes for Horizon 2020 would be streamlined. We cannot be complacent, as there will be little point in complaining that the structures are inefficient and bureaucratic after they have been set up. We must be in there at the outset working to ensure that Horizon 2020 is designed in a way that meets the needs of our SMEs and addresses the challenges that have been highlighted in the report.

There is also work that we can do locally to promote that culture of R&D, and Robin Newton has just referred to it. Among the report's key recommendations is the need for a high-level steering group on research and development and the need for a single unit to integrate and co-ordinate R&D.

Another key recommendation, which has been referred to a number of times by various businesses, is the need for a quicker turnover of grant funding and the target for 30-day grant funding. By their nature, government processes can be slow and cautious, whereas the private sector is fast paced and must be risk-taking. We need to ensure that, in ensuring the best use of public funds, we do not overscrutinise our processes and negate the benefits that public spending seeks to achieve.

As I said, I support the motion and the report, but there was one area where I differed from the rest of the Committee and from some of the comments of the report, and that was in the purported link between the promotion of R&D and a low corporation tax rate. Countries that consistently lead on innovation have not

followed that approach. In countries such as Finland, Sweden and Denmark, the public sector has led the way, and each of those countries spends around 1% of its GDP on R&D. If you compare that to Northern Ireland, you will see our combined public and private sector spend on R&D equates to around 0.7% of GDP. It is worth noting that the EU target is 3%. Finland, Denmark and Sweden are all consistently high achievers on innovation. They all have corporation tax levels in and around the mid-20s. They have not sought the low tax approach but have been judged to produce the best results. We are being asked to spend like Sweden but cut taxes like Ireland. In an ideal world, that would be a great approach, but, in the reality of our straitened financial times, that is not a viable way forward. Professor Steve Smith from Exeter University states:

"All the international and UK evidence points to one inescapable conclusion: in R&D, it is governmental spending that leverages out private sector spending and is a magnet for private investment and, for inward investment."

The Enterprise, Trade and Investment Committee recently visited the Northern Ireland Advanced Composites and Engineering Centre. One member, the owner of a local company, stated that, if we did not start to produce more PhD students in engineering, his company would have to go elsewhere. That highlights the seriousness and the nature of the challenge we face. We must invest in human capital if we are to achieve success and innovation, and we cannot do that if we drastically cut public spending due to a reduction in corporation tax.

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The area of innovation, research and development will become an increasingly important driver in our local economy in the years ahead; that is widely accepted. At present, it is widely considered to be the case that we do not perform to our potential in the innovation, research and development sector. Last week, colleagues and I were particularly glad to welcome EU Commissioner Máire Geoghegan-Quinn, who sat with and listened to us. Mrs Overend mentioned that as well. Some of her comments during the meeting were refreshing to hear. More on that later.

It is clear from the work of the ETI Committee that there is support for companies wishing to invest in innovation, research and development through a number of programmes and sources

of funding. Companies that are already engaging with such support mechanisms value them and recognise the benefits they provide. It is also clear that there are problems. Although there has been a recent increase in R&D expenditure, it is still comparatively low. Also, that expenditure is heavily focused on a small number of companies, with just 10 companies accounting for around 57% of business R&D investment in 2009.

The bureaucracy associated with the administrative process was highlighted as an area of concern. It was particularly refreshing to hear Commissioner Máire Geoghegan-Quinn, because she grasped the detail and understood the complexities and the difficulties that people face when trying to cut through red tape. You were there, Mr Principal Deputy Speaker. Indeed, the illustrative example she gave of her staff presenting the detail and complexities to the higher levels of the European Union was refreshing to hear. We hope that progress will be made on the back of that.

The current economic climate is an additional restricting factor for companies that are weary of the perceived risks of becoming involved in innovation and R&D programmes. There is a lack of understanding and experience of managing that risk. There is also a lack of awareness of the opportunities and support available for innovation and R&D. That is a particular problem for small and medium-sized enterprises. I think that it is widely accepted that we expect a lot of the growth to come from those small and medium-sized enterprises, many of which are based and grounded in local communities. That is where the stability of business is: businesses rooted in local communities. Indeed, the Minister has been out and about visiting local firms, and I have criss-crossed with her on a number of occasions. Those people have a grasp of the local economy, and they need support, particularly in research and development.

There is also a shortage of available venture capital. However, we should note that there are good programmes for businesses and academia investing in innovation and R&D, and the participants are largely supportive of those programmes. They include international R&D programmes and EU programmes such as framework programme 7. There are UK-wide programmes, ones specific to Northern Ireland for which Invest NI has responsibility, and all-

Ireland programmes through InterTradeIreland. Some local councils have also put in place programmes. Universities and colleges are working well with businesses across many areas. However, many respondents made a repeated call for a more integrated and better co-ordinated and planned holistic approach. In particular, they called for an access point for information about what programmes and resources are available. That seemed to be a common theme, especially among small and medium-sized enterprises, the local firms that are trying their best to maintain their business at the current level but could do with a bit more specialist advice about accessing the funding and resources they require to do it a bit better and to expand as a result.

There is a disconnect between and within the various sectors. That is where a high-level steering group comprising government, business and academia would provide a valuable role in providing advice on policy and overseeing the integration and co-ordination of all R&D activity.

We must be careful not to undermine the existing support programmes as we develop our approach. There must be continuing consultation with business and academia to ensure that everyone is fully convinced that we are taking the correct path. It is vital that we get this right. We need a clear vision of how we intend to develop and support innovation and R&D. The Committee's report is a good start. Hopefully, the Minister and the Executive will now take it forward. Go raibh maith agat.

4.00 pm

Mrs Foster (The Minister of Enterprise, Trade and Investment): I welcome the publication of the report by the Committee for Enterprise, Trade and Investment and join the Chair and others in thanking all of the staff involved in its preparation. I want to echo the Chair's words of thanks to the Committee rapporteur, Robin Newton, who was very enthusiastic. I remember being delighted when he told me that he had been appointed rapporteur. Then, unfortunately, ill health intervened. I am sure that the whole House is delighted that Robin is back with us and on the Committee again.

I do not intend to respond in detail to all the specifics in the report. I will, of course, give it my detailed consideration and respond more fully to the Committee request on its recommendations in the near future. However,

on a general note, it is reassuring to see the clear synergies between the Committee's recommendations and what the Executive are doing now and plan to do in innovation and research and development. There is clear cross-party agreement on the important role that innovation and R&D must play in rebuilding and rebalancing our economy. That is reflected in the economic strategy that we launched just three months ago.

The underpinning theme of the strategy is the need to stimulate innovation, R&D and creativity. Innovation is not an economic priority because it is a nice thing to do; it is the key driver of productivity and economic growth. In the economic strategy, we set out some very clear actions and what we propose to do to support Northern Ireland companies to invest further in innovation and research and development. Although research and development is, of course, essential to growing the economy, we must recognise the importance of wider aspects of innovation in driving productivity and economic growth.

Mr Nesbitt mentioned the retail sector, which does not automatically come to mind as one that would invest in research and development. Frankly, however, one of the most innovative schemes that I have come across recently is a Bangor retail company's bricks-and-clicks scheme. The company encourages people to visit its shop through its presence on the internet. It uses new technology as a way of drawing people into its retail business.

Research undertaken by NESTA reinforces the importance of innovation as being responsible for 63% of growth in productivity. Although we tend to concentrate on research and development, innovation is also key in moving our economy forward. It is also worth noting that investments in research and development made up just under 20% of innovation activities. I want more companies to invest in research and development. I want even more companies to innovate, whether through training, design or, as in the bricks-and-clicks example, the adoption of new technologies and improved processes. Such innovation is critical if we are to improve our overall levels of productivity, particularly in areas such as retail, tourism and services.

The Committee rightly highlighted that the annual expenditure on research and development in Northern Ireland has not been as high

as it should have been and that the level of innovation activity in our firms has been very low. I accept that. However, it is important to point out that we are beginning to make progress. Mrs Overend was absolutely right to point out that business expenditure on research and development is very low. However, another statistic shows that it has improved by 95% over the past five years. As is always the case, you pick your statistic. It is important that we reflect that there is much more to do, but progress is being made.

Time prevents me from addressing all the recommendations, but I want to comment on a few of the most pertinent. The first is the Committee's recommendation that there should be a clear vision for innovation and research and development in Northern Ireland. I welcome this and can confirm that we have put the first stage of that in place through the economic strategy's prioritisation of innovation, creativity and R&D as its key underpinning theme. As Members will be aware, the economic strategy will be supplemented by an innovation strategy and accompanying action plan, which will be published later this year. The Committee's report is, therefore, very timely in informing the development of that draft strategy, and I will welcome further engagement with the Committee as the innovation strategy is developed over the coming months.

An innovation strategy and vision without ownership across stakeholders and leadership to drive implementation would accomplish very little, it has to be said. Therefore, I welcome the Committee's recommendation for the establishment of a high-level steering group, something that was mentioned by a number of Members, which will comprise representatives of business, academia and government to oversee and co-ordinate innovation and R&D policy.

In the economic strategy, we undertook to examine the need for the establishment of an innovation council to ensure that we had an operational example of the classic innovation triple helix at the highest level, with the Executive, academia and business working together to fully encourage greater innovation across the Northern Ireland economy. We have drawn heavily on best practice from other countries such as Finland, and the scope and remit for an innovation council will be developed further as part of the innovation strategy. A key strand of the work of the innovation council

will be to ensure that there is a genuine culture of innovation and research and development across government, business and academia in Northern Ireland, and to help us to forge partnerships outside our region.

The Committee's recognition of the importance of collaboration between stakeholders here in Northern Ireland and further afield is, therefore, very welcome. In working to encourage partnerships across borders, I am pleased to see that the Committee has placed particular emphasis on the need to increase drawdown of R&D funding under programmes such as FP7. I wholeheartedly agree with this. That is why, over the past 18 months, my Department has taken the lead in strengthening support mechanisms for firms and research organisations to participate in the framework programme and, perhaps just as importantly, to ensure that we in Northern Ireland are better placed to influence decisions on the development of Horizon 2020. As part of this, the Department will shortly appoint a Horizon 2020 manager whose task will be to ensure better co-ordination across the public and private sectors to help Northern Ireland capture a greater share of the £80 billion-plus that will be available through that scheme.

As part of the ongoing efforts to encourage a greater share of the European Union R&D funding, I was delighted last week to have the opportunity again to welcome Commissioner Máire Geoghegan-Quinn to open a major conference aimed at helping firms and researchers to apply for European Union support, and to attend the Executive's economic subcommittee. I know that she also met colleagues in the Northern Ireland Assembly and Business Trust.

We have engaged with Máire Geoghegan-Quinn on a number of occasions, at the North/South Ministerial Council and here in Belfast. The very clear message was that she was listening to all the information that she had been given in relation to SMEs and the fact that they found it so incredibly difficult to get through the bureaucracy of European Union funding. Her key messages were about communication and simplification; she wants to see a more simplified process used because she has seen for herself the difficulties that companies have encountered. She also feels, and this point was raised by the Chair of the Committee today, that we need to communicate in a much more effective way to small companies that they may

be able to be assisted in what they do through a European Union grant.

One key issue that she mentioned, which, again, has been mentioned by many Members today, was the balance of risk. She reflected that there is tension between, on the one hand, the Public Accounts Committee in relation to the accountability of how people use funding, whether that is here at a regional level or at European Union level with the Court of Auditors, and, on the other hand, allowing people to take risks to try to find the next big thing.

One point about research and development is that it is not always successful. There will be failures when one carries out research and development, so the same rules should not apply as apply to other funding streams. I discussed that with the Committee on one of my first visits to it back in 2008, but we in this House still need to get to grips with that point about funding for R&D.

On the issue of the bureaucracy surrounding European Union funding — and I know it was acknowledged by some Members — the innovation voucher that is used by Invest Northern Ireland is a hugely successful mechanism because the bureaucracy associated with FP7 and the other European funding streams is not associated with it. Indeed, to take up Mr Newton's point, it can be used for further and higher education colleges as well as universities. So, it is a very important part of what we are trying to do to encourage more people to get involved in innovation.

I am determined to see more Northern Ireland firms, researchers and government play an even greater part in moving innovation forward. I am very pleased that the Technology Strategy Board's chief executive, Iain Gray, was with us recently. He had a very productive meeting with the Committee Chair. Through the Technology Strategy Board, we want to build up what we are doing on knowledge transfer partnerships and the small business research initiative, both of which have been highlighted in the Committee report. The knowledge transfer partnership has been a genuine success story, with Northern Ireland research institutions and companies helping us to be the top performing region in the UK in that excellent programme. That is something that we should celebrate.

As the Committee highlighted, our companies have also been highly successful in competing

in the small business research initiative. Northern Ireland firms make up three per cent of applicants to that innovative procurement scheme but have won 11% of the contracts and 12% of the money drawn down, which is an excellent performance.

The challenge that the Committee has highlighted is to ensure that we, as an Executive, also play our role as the biggest procurer of goods and services in Northern Ireland. I am pleased to report that we have already made progress in that: in 2010, we were the first devolved Administration to run an SBRI competition for tourism apps. However, we recognise that we must do more. DETI and the Central Procurement Directorate have been working closely on that topic, and a policy paper on innovative procurement has been endorsed by the procurement board. I can also confirm that innovative procurement, including SBRI, will feature strongly in the forthcoming innovation strategy.

I have covered most of the points raised by Members. Clearly, bureaucracy comes up time and time again, and Members are rightly saying that they want to see outputs measured as opposed to the processes that people have to go through. I mentioned growing our innovation culture in Northern Ireland, and Members all have a role to play on that issue in their own constituencies.

In closing, once more I thank the Committee and the Members who have contributed to this debate. Building our innovation and research capacity as a region is a long-term project. I accept that. We have made good progress to date, but I am confident that the Committee's report has made a valuable contribution to the agenda, and I look forward to working with the Committee over the coming months as we develop the new innovation strategy.

Mr McKay (The Deputy Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. As Deputy Chairperson of the Committee for Enterprise, Trade and Investment, I restate the Committee's appreciation to everyone who contributed to the inquiry. The Committee is grateful to everyone who provided written evidence and to those who appeared before the Committee to give oral evidence. That provided the Committee with a very valuable insight into innovation, research and development, and into the difficulties faced by universities, FE colleges, research institutions

and in particular businesses that are involved in, or are for the first time seriously considering being involved in, innovation and research and development.

In his opening remarks, the Chairperson, Alban Maginness, highlighted the need for a co-ordinated, integrated and long-term approach to innovation and R&D. From the evidence considered by the Committee, it is clear that such an approach would be very much supported by universities and FE colleges, research institutions, businesses of all sizes and the government Departments.

To make the most of existing and future opportunities for R&D, we must have a long-term vision. That must include not only universities, large businesses and government, but small businesses, microbusinesses, local councils and organisations such as the Federation of Small Businesses and trade bodies.

4.15 pm

Stephen Moutray, Sandra Overend and Patsy McGlone all mentioned the low uptake of R&D among small businesses and the fact that only 10 companies account for the majority of R&D spend. Steven Agnew mentioned the need to increase the number of PhD students, which must be part of that same vision.

Stephen Moutray also mentioned the disconnect between government, business and academia; he commented on the need to include all three sectors, at all levels, in developing the structures, systems and processes for R&D. The Committee believes that that is an important first step in designing how we grow the research base in future. The vision must be one that says that any business, no matter how large or small, will be given opportunities and support to develop its good ideas into worthwhile products and services.

At present, many businesses regard R&D as an add-on. It also comes down to the issue of culture, which was mentioned by Robin Newton. He said that we have to recognise the need to develop high-tech, high-value products but that, first, we need to recognise that there are only particular markets in which we can compete and to adapt to those circumstances. R&D is seen as something that would be good to do if we had the time and resources. That attitude in the business community needs to change.

Stephen Moutray mentioned the benefits of putting in place a high-level steering group, which is one of the key recommendations in the report. Mike Nesbitt commented on the need for businesses to change constantly through research and development in order to survive. Robin Newton, the rapporteur, spoke of the need for companies to think of strategies for R&D in the same way as they consider strategies for day-to-day activities.

The Department, the Executive, the universities and the business representative bodies all have responsibilities to come together to challenge and change attitudes to R&D, to share knowledge and information, and to provide practical support to all businesses when and where they need it. Increased support must be available to small businesses in particular to get them into the way of thinking that R&D is something that they can and must do.

The Committee has recommended new structures for R&D in the form of a steering group and a single unit to integrate and co-ordinate innovation and R&D activity. Sandra Overend considered the need for a more integrated and co-ordinated approach when she commented on the need to promote opportunities to all businesses. Steven Agnew highlighted the need to put in place appropriate structures to support research and development. Patsy McGlone also called for a more integrated and co-ordinated approach.

There seems to be quite a bit of confusion about the current structures for supporting R&D; many businesses simply do not know what support is available or what the nature of that support would be. Some respondents to the inquiry suggested that an innovation centre is required to act as a single point of contact for all R&D support. It was suggested that it should sit in Invest NI and be sited in the science park. The Committee has chosen not to make rigid recommendations about where the structures should be; it will be up to those with responsibility for developing the structures to agree the best place to base them.

The Committee found a surprising lack of awareness about the opportunities for R&D among businesses. Even when businesses know about programmes, they may not know how they can apply or whether they are eligible in the first place. Stephen Moutray mentioned the pressure and constraints that businesses,

especially small companies, are under. Sandra Overend and Gordon Dunne also commented on the need for businesses to know what programmes are available to them and how to apply. There is clearly a need to raise awareness and to promote opportunities for R&D. Businesses need to be given support to apply for funding for research and development; they also need to be given practical, hands-on support where necessary to complete the application process.

We, as an Assembly, need to become more informed about research and development and to catch up with the rest of the island in particular. It is important that we learn from good practice elsewhere so that the programmes, systems and processes that we put in place to support R&D can compete with the best that others have to offer. It is also important that we look at our own strengths and weaknesses and understand the potential that exists here for government, business and academia to contribute to R&D.

Phil Flanagan mentioned the lack of resources that businesses have for R&D, and a number of Members also commented on the need to reduce the current high levels of bureaucracy and to support businesses to give them capacity and capability.

Gordon Dunne and Patsy McGlone commented on the risks that companies face in becoming involved in R&D, risks that may prevent them from reaching their full potential. It is only when that potential is known that proper support can be given to businesses to provide them with the capacity and capability to develop their good ideas and bring new and innovative goods and services to the market.

I also wish to comment on some of the short-term measures that the Committee recommended. Invest NI has a mentoring scheme in place for framework programme applicants. That is very commendable. Anything that can be done to increase participation and success rates in attracting European funding is to be welcomed. However, mentoring schemes are needed for all types of research and development activity. Many small and medium-sized enterprises and microbusinesses need support just to get started in R&D. It is when we get those small companies to start thinking about R&D as a key part of their business that we will have

started to develop a real culture of research and development.

Businesses find it difficult, particularly in the current economic climate, to allocate funds to anything outside of what they would consider normal business activity. To have to wait for up to 90 days following submission of costs to receive funding can be prohibitive to many small businesses and can prevent them from becoming involved in research and development.

The Committee Chair commented on the need to make our processes more business-friendly by significantly reducing the delay between submission of costs and receipt of funding. The Executive will send out the message that the Assembly is serious about addressing the barriers to businesses becoming involved in research and development.

Judith Cochrane raised the issue of the need to focus on exports, and the report does focus on the need to commercialise research and development. That will result in new, innovative products and services, which, in turn, will make a significant contribution to exports.

Finally, I thank the Minister for her constructive and supportive comments in welcoming the report. She mentioned that research and development is a key driver for innovation and economic growth. The Committee welcomes the Minister's recognition that more needs to be done and her assurances that the position continues to improve. It looks forward to receiving a more detailed response from her in due course and very much welcomes her commitment and that of her Department to respond more fully to the report in the near future.

I commend the report to the House and ask Members to support the motion.

Question put and agreed to.

Resolved:

That this Assembly approves the report of the Committee for Enterprise, Trade and Investment on its inquiry into developing the Northern Ireland economy through innovation, research and development; and calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, to implement, as applicable, the recommendations contained therein.

Mr Principal Deputy Speaker: Before we proceed to the next item of business, I ask Members to take their ease for a few moments.

(Mr Speaker in the Chair)

Private Members' Business

Criminal Justice: Murder of PSNI Officers

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 in which to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Before we begin, I advise Members of the need to take care in their contributions today. The first part of the motion refers to the sentences that were handed down for the murder of Constable Stephen Carroll. The House will know that the Director of Public Prosecutions has indicated his intention to refer matters to do with the sentencing of that case to the Court of Appeal for review. Although the referral has not yet been made, I ask Members to be mindful that those matters are expected to come before the Court of Appeal. I am sure that Members will be careful not to stray into the domain of the courts in Northern Ireland.

I also caution the House that I will expect the debate to focus on the key purpose of the motion, which is to call for a review of sentencing for the murder of PSNI officers, or on the amendment, which calls for a sentencing guidelines council. I ask Members not to stray into any other issue or refer to matters that are not directly related to the motion or the amendment, both of which are very clear-cut. If Members stray too far, I assure them that I will intervene very quickly.

Finally, the motion deals with sensitive and serious issues. I expect Members to be mindful of the dignity of the Assembly at all times. Let us move on.

Mr Craig: I beg to move

That this Assembly, in light of the sentences handed down to those responsible for the murder

of Constable Stephen Carroll, calls for a review of sentencing for the murder of PSNI officers.

The DUP believes that this issue is of significant importance. On 9 March 2009, Constable Stephen Carroll was in the twenty-fourth year of carrying out his duty as a police officer and was brutally murdered in a terrorist plot in Craigavon. The whole community was stunned and had to come to terms with the first killing of a police officer for 11 years in Northern Ireland. At the end of March, Brendan McConville and John Paul Wootton received minimum sentences of 25 years and 14 years respectively for their parts in that callous murder. In the case of John Paul Wootton, the minimum sentence was lowered by Lord Justice Girvan to coincide with the ruling of Lord Woolf in the McCandless case of 2004. Clearly, it is thought that those under the age of 18 should be handed a lower sentence in contrast to adult perpetrators of murder. Although that may be true, the sheer belligerence of the act of killing a serving police officer demonstrates a distinct knowledge and understanding of how to commit such an atrocious act.

Although that English ruling has been superseded by a newer framework in England, Northern Ireland does not fall under the new remit for longer tariffs to be administered. Subsequently, a lighter sentence was recently handed down. It should, therefore, be proper that Northern Ireland should have the same legislation as England in that regard. A minimum of 30 years is the sentence. In fact, in the Republic of Ireland, a similar conviction for the murder of a police officer could see a period of imprisonment of at least 40 years. The difference in those sentence periods in comparison with the actual sentences that were handed down suggests that PSNI officers do not hold the same degree of importance as their counterparts in England and the Irish Republic. A concern —

Mr Allister: Will the Member give way?

Mr Craig: I will.

Mr Allister: The Member makes an interesting point, which is that we should have the same sentencing framework as in GB, which is set down in statutory form in the 2003 Act. Would he care to comment that, under the 2003 Act, the starting sentence for someone aged 17 at the time of committing the offence is not 30 years, but 12 years?

That is the current position under the 2003 Act. If the Member is advocating the 2003 Act, he is advocating exactly the de facto situation that we have. Is that not right?

4.30 pm

Mr Craig: The Member has raised a good point, and that is why, if he reads the motion carefully, he will see that I did not advocate an exact copy of the legislation in the rest of the UK. It is up to this House to decide what value we put on the life of a police officer. I agree with the Member if he is disagreeing with the minimum sentence of 12 years; I also disagree with that.

The sentence handed down to those who were responsible for the murder of Constable Carroll should act as a deterrent. In recent years, that, to my mind, has not been the case. It should be seen as a way to influence positive change in the sentences handed down to those who carry out horrific acts such as the murder and attempted murder of members of the security forces. It is important to highlight that the motion does not aim to create tension across the Benches. Rather, it is aimed at seeking clarification and assurances that any act of terrorism that attempts to claim or claims the life of a PSNI officer will be treated with severity through the judicial system.

The practice statement from the Court of Appeal in 2002 by Lord Woolf specifies the variation of starting points for life sentence offenders depending on their age and other mitigating factors that hold influence. A starting point of 15 to 16 years in the statement applies to cases where the killing was professional and politically motivated. The unfortunate reality in March 2009 was that this murder was carried out in a professional manner and had political ramifications, despite widespread condemnation from all sides of this Chamber.

The victim, Constable Carroll, was providing a public service and was specifically lured into position for the planned killing to take place. These factors all point towards this case being the most serious murder case since the formation of the Police Service of Northern Ireland. The recent Public Prosecution Service news release on the Wootton and McConville trial stated that it hoped that, following the trial process, the verdict:

“will bring a measure of comfort to Kate Carroll”.

Inevitably, the outcome of the trial has demonstrated a concern, which many will recognise, about the sentence handed down to the offender. At the moment, there is, unfortunately, still a threat to police officers and members of the security forces. Those individuals are clear targets for dissident republicans, who are attempting to kill them. There is a feeling that the murder of a police officer or a member of the security forces should command the highest sentences possible.

The undue leniency of the sentence in this case leaves an open door to review, as I mentioned earlier, through the Court of Appeal. The Court of Appeal has a wide remit, and further consideration can be given to an increase in the sentence handed down. The seriousness of the offence and the widespread coverage that this case received should act as a precedent to demonstrate that future attacks or attempted murders of police officers should receive as high a sentence as possible from the judicial system.

The support of Lord Justice Girvan and the Police Federation of Northern Ireland's chairman, Terry Spence, for a review of sentencing policies is to be welcomed and demonstrates the collective view from both sides — the judicial system and the Police Federation — that new measures should be implemented to bring sentencing into line with law on the British mainland. In light of that, my party believes that it is of significant importance that a review of such sentences affecting attacks and attempted murders of police officers is carried out to give assurances to those who are presently affected and to support those who may become victims in the future.

Unfortunately, due to the lack of detail around the area, the DUP will not support the SDLP amendment calling for an independent council on sentences to be established. However, I have no difficulty whatsoever in commending the motion to the House. It is a motion that goes to the heart of policing in our community. What value do we put on the life of officers who we send out daily to take risks on our behalf so that our community will be safer? Unfortunately, I had to go to an incident last week where an attempt was made on the lives of two officers. That brought home to me the risks that those people take daily on our behalf to serve us, so it is only right that I commend the motion to the House.

Mr A Maginness: I beg to move the following amendment: At end insert

“; and further calls for the establishment of an independent sentencing guidelines council for Northern Ireland.”

I do not think anybody in the House could fail to be moved by the reaction of Mrs Carroll to the murder of her husband, a serving police officer, and to the sentencing. Most, if not all, in the House would share that sense of concern and outrage about what happened. That highlights the need for us, as legislators and public representatives, to send a very strong message to the community that we support the PSNI and officers in carrying out their duty serving the public. There is a need to send out a very strong message to those who attempt to murder and injure or do murder and injure police officers. It is very important that we send the very strong message that these are officers who serve and protect this community and uphold the law. Therefore, we are very supportive of the DUP motion.

The SDLP amendment also highlights an important issue to address now in a timely fashion. The Stephen Carroll case highlights the issues of public confidence and consistency in sentencing. It is important for us to remember that the public at times do not share the confidence that maybe we have in the justice system. Indeed, the 2008-09 Northern Ireland crime survey found that only 24% of respondents believed that the courts were effective at giving punishments that fitted the crime. Only 24% felt that the criminal justice system achieved the correct balance between the rights of offenders and victims. When asked what the criminal justice system could do to improve its public confidence rating, the largest proportion of respondents cited the need for tougher sentences. The case of Stephen Carroll highlights that. We believe, therefore, that it is appropriate to raise the issue in the House today. We regret the fact that the DUP will not support us in relation to that, but it is important to highlight the issue of a sentencing guidelines mechanism or council. Of course, the Department of Justice has conducted a consultation on that.

It is our view that a council should be the preferred method of dealing with sentencing and sentencing guidelines. That is because the council that exists in Britain serves a very useful public purpose in giving confidence to the

public that sentencing will be appropriate and consistent. The Sentencing Council in Britain states that it will:

“promote a clear, fair and consistent approach to sentencing; produce analysis and research on sentencing; and work to improve public confidence in sentencing.”

It will also:

“prepare sentencing guidelines; publish the resource implications in respect of the guidelines it drafts and issues; monitor the operation and effect of its sentencing guidelines and draw conclusions; prepare a resource assessment to accompany new guidelines; promote awareness of sentencing and sentencing practice; and publish an annual report that includes the effect of sentencing and non sentencing practices.”

That council was chaired by a rather obscure Lord Justice, Lord Justice Leveson. He is not so obscure now. That council was important in informing the judiciary in relation to what the public felt. One of its functions is to help to educate public opinion on the difficult issue of sentencing. That should be the preferred option of this House, and I pay tribute to the Lord Chief Justice, Sir Declan Morgan, who set up a sentencing group in 2009. That group has been working, and he has expanded it. The group has been doing good and valuable work, but it is at the lower end of things. We believe that there is an added value to establishing a council similar to the one in Britain. The council would be a combination of judges and laypeople and would be independent. There would be no political interference in that council, and it would have an educational role here in Northern Ireland. We ask all colleagues in the House to think carefully about our suggestion that that should be the preferred option.

I know that there are different views in the House, and I know that all of us are united in trying to move this forward and to win public confidence on sentencing. Let us go for the best option rather than for a mechanism that may not be fully effective in dealing with the issue that is so clearly highlighted by the Stephen Carroll case. That option is public confidence in sentencing and consistency in sentencing. I do not think it is up to us as legislators, at this point, to directly legislate on the sentencing of those convicted of the murder of a police officer. It may well be that, at some time in the future, we will have to legislate, but it is preferable that the Court of Appeal and the judiciary take into

account the public views and the public concern of the Assembly in relation to the murder of police officers.

We in the SDLP have worked hard to support the PSNI. We believe that many young men and young women have joined the PSNI to serve the public valiantly and dutifully, and they deserve our utmost support. They should not be sold short, and, therefore, we are supportive of sending a very strong message to those who would seek to attack or murder police officers. There needs to be deterrence, and a very strong signal needs to be sent out that the murder of police officers will not be tolerated and that those who carry out and are convicted of those murders will face a very long and tough sentence.

This is a timely and proper motion to bring before the House. We are supportive of it, and we hope that colleagues will consider what we say, so that we can move forward on the issue together as a united House.

4.45 pm

Mr McCartney: Go raibh maith agat, a Cheann Comhairle, Beidh mé ag labhairt ar son an leasaithe agus in éadan an rúin. Sinn Féin will support the amendment tabled by the SDLP. We thank the Members who brought the motion and the amendment to the Assembly today. Sinn Féin tabled an amendment calling for the establishment of a sentence guidance council because we believe that such a body would provide a fair, equitable, open and transparent process for producing appropriate sentences once a person is convicted. The DUP motion, in our opinion, moves away from those principles.

In the case of Stephen Carroll, I, like others, add my sympathy to his family and my condemnation of those who carried out his murder. Concerns have been raised by his widow, Kate — I acknowledge her presence in the Assembly today — and those concerns will now be addressed by the Court of Appeal. It is her right to do that, as it for any person who believes that a sentence is not appropriate. There is an ability to challenge that. In this instance, I believe that the mechanism has been employed correctly by the Director of Public Prosecutions. However, that in itself does not address the wider concerns in society about sentencing guidelines. Indeed, many people query the sentencing processes.

We have to ensure that the justice system and all its processes are based on equality and fairness. At present, anyone convicted of murder receives a mandatory life sentence, and we have to ensure that people are not confused about what is a tariff and the fact that a person has been sentenced to life and that such a sentence is mandatory. As I have previously stated, criticism of the judicial systems and sentencing processes are not new, and one has only to consider the case of Harry Holland to verify all aspects of that concern and, in particular, some of the issues that we will address today.

Sinn Féin believes that there is a need for a clear and consistent approach to sentencing under the principles of fairness and equality. In our opinion, that will ensure maximum public confidence. Sentencing councils work successfully in other jurisdictions because they ensure that one of their core functions is to promote awareness among the public of the complexities and often the realities of sentencing. The Minister has stated his intention to set up a sentencing group as initiated by the Lord Chief Justice, and, although that may address some concerns, it is our belief that the Minister should go to the next level and put in place the mechanism that will inspire maximum public confidence, namely the sentencing guidance council model. That is the case because it is on a statutory footing.

In some ways, I am disappointed — I am sure that the DUP will respond to the contentions of Alban Maginness, who proposed the amendment — because, in my opinion, the House should not divide on this issue. The SDLP has proposed a fine amendment, and the original motion brings too narrow a focus to a very complex and sensitive issue. The SDLP amendment allows for all the issues raised today to be addressed through a sentencing council.

It is our responsibility as legislators to ensure that everyone is treated equally before the law, and the best method of delivering that in sentencing is, in our view, the model of the sentence council. Such a body should be placed on a statutory footing, covered by legislation, with guidelines that cannot be departed from without judicial explanation. In our view, that will address the many diverse and complex issues that the sentencing procedure entails and that have been brought to public attention. Indeed, such a council will cover all the issues arising

from the Stephen Carroll case and will not prevent appropriate sentences when someone is convicted in the future. Therefore, we will support the amendment.

Mr Hussey: Article 1 of the United Nations Universal Declaration of Human Rights states:

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

The American declaration of independence, written in 1776, states:

“that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

In 1948, the Universal Declaration of Human Rights that was adopted by the United Nations declared:

“Everyone has the right to life, liberty and security of person.”

Therefore, there is no argument that an individual has the right to life and, of course, that no individual has the right to take a life.

The human rights legislation goes further and dictates how someone who takes another person's life should be treated. It is within that that we have the call for the removal of capital punishment. Capital punishment is no longer an option open to the courts for the murder of a police officer or of any other individual. Some will agree with that restriction, and others will not. In our history, in 1973, the last man to be sentenced to hang was William Holden, and his death sentence was commuted.

We are aware of the policy of England and Wales in relation to the murder of a police officer. Schedule 21(5) to the Criminal Justice Act 2003, states that, if the offender is over 18 and the court considers the offence serious, the starting point for sentencing is a minimum term of 30 years. In the Republic of Ireland, the sentence is a minimum term of 40 years. Offences that would satisfy English law include:

“the murder of a police officer or prison officer in the course of his duty”

or

“a murder involving the use of a firearm or explosive”.

So, clearly, in another part of this kingdom, the starting point would be more than 30 years' imprisonment for a person over 18, who, by use of a gun or explosive, chooses to murder a police officer, and, in the neighbouring Republic of Ireland, the starting point is 40 years.

I declare an interest as a member of the Policing Board and as someone who had the honour to wear the uniform of the Royal Ulster Constabulary GC and the Police Service of Northern Ireland. Someone who is prepared to protect this community deserves the right to expect that this society treat those who murder police officers as being beneath contempt. I also believe that murder is murder and that a murderer should go to jail for the remainder of their natural life. The term "life imprisonment" should mean life imprisonment. In New South Wales, life imprisonment for murder is generally for the remainder of the prisoner's life, unless clemency is granted by the governor or governor-general.

Normally, we are looking at an offence committed by a person aged 18 or over because they are classed as adult. So, where do we go if the murderer is under 18? In the specific case that we are looking at, one of those convicted was 17 when the offence was committed. Was he any different then than he is now? As the case is subject to DPP review, I cannot comment further on his specific actions; however, had he been 21 at the time of the murder, his intent would have been exactly the same. People have to accept that in a civilised society it is not acceptable to murder a police officer in cold blood. At 17, you can legally marry, join the army, drive a car — in fact, our Environment Minister is considering reducing that age to sixteen and a half — so you are no legally different from someone who is 18. Most of your mental faculties and reasoning power would have been formed many years previously.

I believe that our law in relation to the murder of police officers must mirror that in England, as we are part of the United Kingdom. I also believe that, given similar circumstances, the age of the perpetrator of the murder of a police officer is irrelevant. I would even be prepared to support the view that the law that applies in the Republic of Ireland should apply here and a 40-year tariff should apply.

Have the perpetrators learned anything from their act of terror? Mrs Carroll will never again

have the opportunity to open the door to her husband, and it is Mrs Carroll who we need to have in our thoughts when we reach a decision on this matter. All those who are prepared to stand out on cold, dark nights when we are tucked up in our beds and, as members of the Police Service of Northern Ireland, put their life on the line for us deserve our support. The victim is the one we must remember at all times, not the perpetrator. As I said, human beings are endowed with reason, and nobody with a conscience would set out to murder anybody in cold blood.

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

Mr Hussey: I support the motion.

Mr Dickson: I begin by once again expressing my sympathy to Mrs Carroll and paying tribute to her husband, Stephen, a dedicated police officer who lost his life serving the whole community. His willingness to serve the public every day, including the night that he was murdered, contrasts so intensely with the cruelty and cowardice of those who carried out that attack. The events of that night have been repeatedly discussed in recent weeks. This cannot be an easy day for Mrs Carroll. Indeed, many more days will not be easy for her. I pay tribute to her dignified response to the sentencing and subsequent developments in the debate.

The Alliance Party supports the motion and opposes the amendment. In recent weeks, there has been much discussion about sentences for the murder of police officers and comparative sentences in England and Wales. Of course, one of the great benefits of devolution is that we no longer have to rely on other politicians when we respond to this type of public discussion in Northern Ireland. Devolution allows local representatives to engage with local people and give much greater consideration to their concerns.

As other Members have said, few crimes are as serious and as offensive as murder. Taking a life causes not only short-term distress but long-lasting pain and anguish for all those affected. It is important that such an offence is met with sentences that reflect the severity of the crime and the disgust with which it is regarded by society. Therefore, the Alliance Party supports a review of sentencing guidelines for all cases in which a life sentence of murder has been passed, including the murder of police officers.

I am somewhat surprised that an amendment was tabled by the SDLP. The Department of Justice's consultation on sentencing guidelines was issued in October 2010, and I note from the summary of responses of March 2011 that the SDLP did not respond, despite having ample opportunity to do so.

The Alliance Party is not prepared to support the establishment of an independent sentence guidelines council. On 23 June 2011, the Justice Committee was briefed on the responses to the consultation, and it was explained that there was overall support for a structured mechanism to deliver on sentencing guidelines. During the consultation process, it was estimated that a sentencing guidelines council would cost Northern Ireland nearly half a million pounds annually. The majority of respondents agreed that, in a tough financial climate, a council or panel model does not represent value for money. The Alliance Party agrees that the adoption of either model cannot be justified when the objectives agreed for a sentencing guidelines mechanism can arguably be achieved by using existing structures. Moreover, there is an absence of evidence that such models boost public confidence in sentencing.

My party wants the views of victims to be represented. We want the provision of more information to allow for a better understanding of sentencing among the general public, and we want the public to be better engaged in the debate. To those ends, the Minister rightly put forward proposals to have a victims' representative on the judicial sentencing group, to install an interactive guide on sentencing on the NI Direct website and to develop a community engagement strategy on sentencing.

I am encouraged by the Department's intention to hold forums in the community. The response to the sentencing of Constable Carroll's killers once again shows that there is strong community interest in sentencing. Therefore, the Department's proposal for a representative of the judiciary and the main criminal justice agencies to attend those forums and engage directly with the public on sentencing is an important step that should be welcomed by the House. We also welcome the Lord Chief Justice's programme of action on sentencing. It is helping to improve transparency, consistency and public confidence and intersects, on many levels, with what the Minister is doing. We are moving forward effectively within the existing

structures and without the need for a council that would cost —

Mr Speaker: The Member's time is almost gone

Mr Dickson: — half a million pounds.

We should not lose sight of why we are having the debate. I finish by paying tribute to Mrs Carroll and her husband, Stephen. I welcome the public interest in sentencing and express my party's support for the original motion.

5.00 pm

Lord Morrow: This debate is taking place against a backdrop of some glaring inadequacies in the present legislation that are, in particular, evidenced by the sentences handed down to those who murdered Police Constable Stephen Carroll. Two individuals are now serving prison sentences for that dastardly crime.

The question is: why is there no specific offence of murdering a police officer? The murder of a police officer is treated in the criminal justice system as a normal murder of a person whose occupation happens to be that of police officer. In determining the sentence of a person who murders a police officer, the judge will consider aggravating factors to the crime, and being a police officer is one of them. However, murdering a serving police officer does not, under the guidelines, automatically bring a mandatory life sentence; rather, the starting tariff is 30 years. Discount will then be given for mitigating circumstances such as a guilty plea, etc.

There needs to be a debate on legislation for assaults and attacks on public servants performing their duty or linked to the performance of it: when they are attacked when not at work but over something that is, in some way, linked to their work. At present, there is a separate charge definition for assaulting a police officer, so why not a separate definition for murdering a police officer? In respect of the murder of a police officer, a separate offence of "police murder" should be created and should carry a mandatory whole-of-life sentence. That offence would be committed when a person unlawfully kills, knowing that their victim was a police officer and intending to kill that person or is reckless as to whether death results.

We should look at legislation in the Republic of Ireland. The position there is set out in the Criminal Justice Act 1990, which places the requirement of a mandatory life sentence of 40

years, without the chance of parole, for those convicted of murdering Garda officers, prison officers or murder committed in an act against the state on behalf of a proscribed organisation for a political purpose.

Recently in my constituency, district judge Mr John Meehan sentenced a man to four months' custody for attacking two police officers. One was punched on the forehead and spat on; another, a female constable, was bitten on the arm. Judge Meehan remarked that although some may think that assaulting a police officer is not as bad as assaulting a civilian, he took the opposite view. So here we have a judge taking a stronger line because the victims were police officers.

As I have stated, a relevant specific charge of assaulting a police officer already exists. However, there is no specific charge of murdering a police officer, and that, in my opinion, needs to be urgently addressed. There is a fundamental discrepancy in this sphere of the justice system when the murder of a police officer carrying out the rule of law is not treated as a specific crime.

As the law stands, the gravity of the offence of murdering a police officer is understated in any sentence that will be parallel to the statutory murder tariff. It offers no additional deterrent to those who would seek to carry out their murderous activities, as we have witnessed with the dissident republicans who are becoming more active. Therefore, Northern Ireland in particular requires a change in the law, given the dissident republican threat against the police, the justice system and those who enforce it. We are fully aware that they remain the target. Therefore, it is the responsibility of the Assembly and of the Justice Department to give full protection by legislation to our serving police officers.

Mr Lynch: I support the motion and the amendment. My party colleague Raymond McCartney outlined some of the key issues, particularly in relation to Constable Stephen Carroll. Likewise, I send my condolences to his wife and family, who are here today.

I do not propose to repeat what Mr McCartney outlined; rather, I will deal with the issue of an independent sentencing guidelines council for this part of Ireland. In my opinion, a sentencing guidelines council would be the best vehicle to deal with the complex and often emotive issue of sentencing, especially for those families affected by the murder of a loved one, whether

the person is a public servant or a member of the community.

It must not be forgotten in the context of sentencing that everyone is equal before the law and that everyone has the right to the equal protection and benefit of the law. Courts are often not best positioned to establish a complete system for dealing with sentencing, since they deal with cases one by one. Experience of other jurisdictions proves that even well-developed criminal justice systems eventually need a sentencing guidelines framework of some kind to guide the sentencing discretion.

The criticism, as outlined by my colleague Raymond McCartney, of judicial decisions and sentencing predates the case of Constable Stephen Carroll. Similar concerns have been raised in relation to such cases as Harry Holland and other high-profile cases. There is certainly a need for a clear and consistent approach to sentencing to improve public confidence in the criminal justice system. The 2010 Hillsborough agreement contained the commitment to establish a sentencing council. The DOJ recently published a consultation document on the issue, which presented three different models. The establishment of such a body would promote consistency in sentencing, deal appropriately with concerns that particular offences are not regarded with the appropriate degree of seriousness, bring greater transparency to sentencing and increase confidence in the criminal justice system, all of which should be based on the principles of fairness and justice.

The establishment of such a council would be a much more productive way to address the Holland and Carroll cases, rather than knee-jerk responses from politicians. I ask the House to support the motion and the amendment.

Mr S Anderson: I support the motion in my name and those of my colleagues. The motion has been brought because of the deep feelings of outrage, revulsion and disgust that were felt and expressed right across the community at the 14-year sentence handed down to one of those convicted of killing Constable Stephen Carroll. Constable Carroll was a dedicated police officer and a family man, who was shot dead by terrorists in my constituency. He was the first PSNI officer to be murdered. I am glad that the Director of Public Prosecutions has referred the

case to the Court of Appeal. In light of that, I will try to confine my remarks to the broader issue.

We need to have a very tough sentencing regime to act as a deterrent against the crime of murder. Those who murder get off far too lightly. When we come to the murder of police officers, the crime somehow seems to be even worse and even more unforgivable. Police officers are the custodians of the rule of law, they put themselves on the front line against lawbreakers and criminals, and they do so to protect the whole community. That is why the murder of a police officer is greeted with revulsion and anger in any democratic society. Such a murder is a direct challenge to the rule of law.

In Northern Ireland, we know all about the murder of police officers. Some 300 RUC officers died at the hands of ruthless terrorists. Surely, the early release of prisoners under the Belfast Agreement was a studied insult to the memory and gallantry of all those brave officers. Thankfully, the murder of police officers is no longer a frequent or regular occurrence. However, two PSNI officers — Constable Stephen Carroll and Constable Ronan Kerr — have been murdered by dissident republican groups, and that is two too many. They were killed because they dared to want to serve the community. The community must unite as never before to demand tougher sentences for those who, for whatever reason or for whatever warped cause, go out and murder police officers.

Kate Carroll, in stark contrast with those who murdered her husband, has been an example to us all. I had the sad task, as the then Mayor of Craigavon, of having to visit Kate and her family at her home just after Stephen was killed. She has been given a life sentence, and will never see her husband again. However, she has shown enormous courage, restraint and dignity in coping with her loss. My thoughts and prayers are with her as she tries to come to terms with that great loss.

Although a justice of sorts has now been done, Mrs Carroll has rightly described the 14-year sentence handed down to one of those convicted, who has shown no remorse, as “disgusting”. She said:

“It gives the message out that it is fine to kill a policeman here because you get a small rap on the knuckles whereas in England you get the full term.”

In England, you get the full term. It does seem absurd that sentences for the murder of police officers are not as tough here as they are in England, where the minimum term is 30 years.

Mrs Carroll also made the valid point that it is the younger and more impressionable who are being sucked into terrorist activity. Stiffer sentences would surely act as a deterrent to that particular group. How tragic that such young people are being drawn towards terrorism. What a contrast with those young people joining the ranks of the PSNI. Dissident republican terrorists are intent on deterring young people, mainly from the Roman Catholic community, from joining the PSNI because of fear of assassination. It is, therefore, vital that we do all we can to ensure that they do not succeed with this aim. If we want to encourage young people to choose policing as a career, one way of doing that would be to ensure that that career is made safer because those who murder police officers will go to prison, and go to prison for a very long time.

Our motion calls for a review of sentencing. The judge in the murder trial has himself called for such a review. There has already been some debate about who should take the lead in this. The DPP and the Court of Appeal have a role, but I feel that the Justice Minister cannot and must not sidestep the issue. He has the power and the duty to look at that legislation.

Turning briefly to the amendment, I do not believe that we need to establish yet another body. Surely, the DPP and the Department of Justice should be able to work together and with other relevant parties to ensure that something is done. Justice demands a tougher sentencing regime. Sentencing demands it. Action must be taken, and taken soon. I support the motion.

Mr Elliott: I thank colleagues and Members for bringing forward the motion today for debate in the Assembly. Like all other Members who have spoken, I pay tribute to the late Constable Stephen Carroll for being the dedicated police officer that he was serving this community. I pay tribute to his wife and family, who are now left without a husband and a father. Many of us in this community know what that has been like down the years. Many of us have visited the homes of those families. All we can do is hope and pray that that will come to an end and we will no longer have to continue to carry out that role.

Sentencing guidelines is a huge issue. I listened to Mr Maginness talk about the proposed amendment to bring forward a sentencing council or something to that effect. I listened to others talk about what is required and that those who are under the age of 21 can be sentenced for only so long. I have to tell you, this is not rocket science. Everybody knows what is required. I do not think that we need commissions, quangos or councils to tell us. The general public know what is required. They know that if somebody murders a policeman in cold, brutal terms, having gone out with the idea and mentality to do that, they should be sentenced to the longest term possible. Whether that is 30 years or 40 years, I think the longer the better. We should not be in the situation where we are delaying any longer. I look forward to hearing with what speed the Minister will bring forward proposals. We do not need any more delays. We have had our debate. We have had our consultation. We know what the public are thinking. This has been about for a long time now. We just need to get on and do it. We need to react to what people believe and think.

5.15 pm

There needs to be deterrents. There needs to be deterrents for those who have murder on their mind; for those who have taking life from other human beings on their mind; for those who take the life of people and good citizens who go out to serve the community and who want to serve all the people here in Northern Ireland. There are some people who need that deterrent. They need to know that they are going to be punished, whether that is for the murder of Stephen Carroll, Ronan Kerr or anybody else. They certainly need to know that they will suffer severe consequences. To me, life should mean life.

I know that people make mistakes in life. They do not go through life without making those mistakes. If they were to show some remorse and indicate how sorry they were, maybe there could be a more lenient look at it. Down the years, however, I have seen that many of the people who carry out those murders and those terrible acts and deeds show no remorse. They show no feelings for the grieving family who have been left behind. That is the huge difficulty.

Some of those people will be released within 11, 12, 13, 14 years to, perhaps, live a very comfortable life beyond that. If they showed

remorse and wanted to help society move forward, maybe we could look at that in a more positive vein. Without that, no sympathy should be shown to those people; they should get a life sentence, and a life sentence should mean a life sentence. They should stay in jail until their life is ended, so that they know exactly what it is like for the people who have been left on the outside.

Mr G Robinson: The sentence that was handed down recently to someone convicted of the murder of courageous PSNI officer Stephen Carroll is a disgrace and should be interpreted as lowering the value of a police officer's life. All our police officers must be highly valued, so a life sentence must be the only tariff, with life meaning life. In other words, there must be a strict and absolute deterrent.

I have been approached by serving and former officers who feel that anything less than life imprisonment for the killer of a police officer is totally unsatisfactory. I urge the Minister to review the current sentence guidelines and to seek to greatly strengthen them in line with English law, under which a perpetrator aged over 18 attracts a 30-year sentence. I sympathise with Mrs Carroll and her family. As far as I am concerned, we are all part of Great Britain, so the laws here in Northern Ireland should be the same as those in GB.

As many points have been covered, I state my support for the DUP motion and urge all MLAs to support this very worthwhile motion in support of all our dedicated police officers who protect life and property day and night.

Mr Allister: The murder of Constable Carroll was foul and wicked in every sense, and I am sure the thoughts of us all continue to be with his family. However, the murder was no more foul and wicked than the murder of 300 members of the RUC down through the years. There are Members who should hang their heads in shame with regard to the protestations they make about the inadequacy of the sentencing of those convicted of the murder of police officers. Some of them are the same people who campaigned for, supported and demanded the introduction of the early release scheme under the Belfast Agreement, when the murderers of many police officers had their sentences cut short and were released back into the community. Those who, today, call for stiff sentences for the murder of police officers, should, therefore, examine their past

commitment on the issue in respect of what they had to say and what they campaigned for.

The sentences are often inadequate, but they are at their most inadequate when that which is imposed is terminated by a release policy, the gates are opened, and they are ushered out at the behest of a political process. That is a classic illustration of the corruption that is brought to a sentencing process when it is politicised, and politics demand that sentences are cut short. That was wrong then, and it is still wrong.

Many people have said that the present sentencing regime should be as it is in GB. I have a lot of sympathy and empathy with that. Let us be clear: if Constable Carroll had been murdered in England or Wales, some people seem to think that under the 2003 legislation, the sentence would have been 30 years, but, in fact, it would probably have been a whole life sentence. Under schedule 1 to the 2003 Act, it is provided that, where the motivation is political, a whole life sentence is available for such a person. Where it is not political, and the murder is that of the police officer, the sentence available is 30 years. However, the 2003 Act makes a distinction in respect of young people. Indeed, historically, for as long as one can go through many of the statutes in this regard, that distinction has been made. Those who say that we should have had the English system should reflect on the fact that under the 2003 English Act, the starting point for someone who is under 18 when they murder is in fact 12 years. It is a surprise to me that we have had this debate given that the real focus of dissatisfaction flows from the sentence of one of the persons who was under 18. We have had this debate, and no one has addressed that issue. Is it right or wrong that the sentence for a young person should be less than that for an adult? This House can talk about all these issues, but unless it addresses that issue, it is not addressing the crux of the matter whatsoever. Therefore, that is something that needs to be carefully addressed.

In this case, I feel that the judge was acting within the parameters that he had to act within. He took the starting point, added a little to it and gave the sentence that he gave. However, our system allows a review, and the review has been activated. The opportunity now exists for the Court of Appeal to examine what has been happening in England, to draw as it did on the

McCandless case and the English experience at that time and to say what the experience is now, in light of what should now be the approach to this issue, and it can review the sentences in that regard. It has that facility so we do not need a sentence advisory council. That would be an unnecessary encumbrance on the system. It is not necessary.

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

Mr Allister: A scope of sentences is available that can be made adequate, and if it comes to it, let us put it in legislation, but let us deal with the issue, rather than run away with it, which some have.

Mr Ford (The Minister of Justice): I congratulate Jonathan Craig and his colleagues on obtaining this debate and welcome the interest that has been expressed all around the Chamber in these very important issues.

Like others, I will start my speech by paying tribute to the work of Constable Stephen Carroll and his colleagues in the PSNI and express my sympathy to Mrs Kate Carroll for the dignified way in which she has responded to her tragic circumstances. The fact that the circumstances of Stephen Carroll's murder have now been rehearsed so openly in recent weeks can only have added to her pain and grief. I have had the opportunity to speak to her over the weekend and this afternoon, and I want to pay tribute to her and acknowledge the courage and dignity with which she has put forward her case and represented many other police families at the same time.

No decent person could be unmoved by the emotive yet always dignified response that Kate Carroll has made to the sentencing issue of Stephen's murderers. What she has said has struck a chord with many people and has been reflected in every part of the House this afternoon.

As has been said, it is certainly the case that the devolution of justice powers gives us the opportunity to be more responsive to the concerns of people in this jurisdiction, and we need to give serious consideration to the views that have been expressed. We in the Chamber do not always agree easily on approaches to justice matters. However, it seems that there has been very strong support for the points made by Jonathan Craig, in proposing the

motion, and Alban Maginness, in proposing the amendment: we need to send a strong message of support for police officers in general and recognise the gravity of the crime that was inflicted on Stephen Carroll. I have been greatly concerned about this subject for some time.

The legislation governing the determination of tariffs that applies to us is the Life Sentences (Northern Ireland) Order 2001. Under that legislation, the setting of a tariff is at the discretion of the court, guided by sentencing guidelines. As others have reflected, that has been updated in other jurisdictions since then. Lord Justice Girvan has already said that he believes that the current guidelines require reconsideration. I certainly welcome what was possibly a unique statement for a trial judge, reflecting his concerns about that. The guidelines have been in place for some time. We have seen different guidelines developed in England and Wales, our most comparable jurisdiction. Others have referred to the situation in the Republic in relation to the murder of police officers or prison officers, or other particularly serious categories of murder. We should reiterate the point that has just been made again by Jim Allister: Members can quote 30 years, or perhaps 25 years or a whole life for the murder of police officers, depending on the motivation, in England and Wales, but the tariff for anybody who is under the age of 18 when they commit a murder there is 12 years. I must say that I share the view that Kate Carroll expressed to me, which is that it is very difficult to tell the difference between somebody who is 17 years and 10 months and somebody who is 18 years and one month.

The Director of Public Prosecutions has quite properly referred Wootton's case to the Court of Appeal, which means that the court will now have the opportunity to consider those matters. I do not think that it would be right for me as Minister to take any precipitate action before the court has had the opportunity to rule. It is the role of government to determine the legislative framework within which courts make their decisions. Other jurisdictions have legislated for different minimum tariffs. That was not the case 11 years ago, but I believe that the time is now right to review the arrangements in Northern Ireland. Therefore, once the Court of Appeal has had the opportunity to consider the Wootton case, my Department will put in place a wider review of the legislation governing the

determination of tariffs where the court has passed a life sentence for murder.

The review will include, but will obviously not be limited to, the murder of police officers. In the context of today's debate, it is clear that the issue of police officers will be a significant part of that review. At that stage, I will want to hear all relevant views on what sentencing should be. This case, while demonstrating all too clearly the impact that an individual case can have on public confidence, has shown the level of interest and engagement that there now is in justice issues under devolution.

Members raised a number of issues about how —

Mr McCartney: Will the Minister give way?

Mr Ford: Yes.

Mr McCartney: In relation to the Minister's announcement about a review, is he saying that he will wait until the Court of Appeal rules on the Stephen Carroll case before he initiates a review or that he will do that immediately?

Mr Ford: I am saying that I believe that it is appropriate to wait for the formal outcome of the Wootton referral to the Court of Appeal. However, preparatory work is under way in the Department to ensure that we can move speedily when that case comes through.

I am glad to say that we now have an environment in which we can discuss openly and frankly issues such as this. I believe that the debate in the House this afternoon has been very positive. I want to build on that by taking the issue to the wider public, rather than just confining it to the Chamber, in order to have a consultation on an appropriate sentencing guidelines mechanism, with greater transparency, consistency and community engagement to ensure that sentencing applies in a way that promotes public confidence.

Justice Committee members will be aware, following discussions with my officials, that I was influenced by two particular factors as I looked at the outcome of the consultation on sentencing guidelines. There was a specific issue around value for money and another around the specific development, unique to Northern Ireland, that is coming forward from the judiciary.

The amendment calls for an independent sentencing guidelines council. That is something that, in the past, I have spoken about the need to consider. Indeed, it arose during the

Hillsborough Castle discussions that led to the devolution of justice powers. However, we have to acknowledge that such models can be costly to establish, costly to maintain, and in the current financial climate, it would be remiss of any Minister to ignore those kinds of concerns if we can provide an appropriate way of addressing sentencing mechanisms that provides confidence without the formalities of a bureaucratic system.

5.30 pm

The separate judicial development to which I just referred is the programme of action initiated by the Lord Chief Justice. That is something that contains a number of measures to enhance the structures by which the judiciary ensures consistent and fair sentences. For the first time, we will have sentencing guidelines for the Magistrates' Court, which was not previously acknowledged. Guidelines for 67 offences have been developed and published, covering both the Magistrates' Court and Crown Courts. Although Alban Maginness said that they were mostly at the lower end, they cover crimes such as manslaughter, child cruelty, hate crime, tiger kidnapping, duty evasion and serious sexual offences. Although there was certainly a need for guidelines in the Magistrates' Courts, the work being led by the Lord Chief Justice covers a range of serious offences.

There is also, for the first time, public consultation on areas where guidelines should be developed. Those are really the things that I would wish a guidelines council to produce. The others around community engagement can and will be led by the Department. I believe that what I am proposing as Minister can meet what we would have hoped to have seen from a formal sentencing guidelines council without unnecessary expenditure. I have not picked up any particular evidence internationally that a formal statutory council would do anything more to improve public confidence.

I believe that the judiciary has shown that it is not unresponsive to public concerns, and the Lord Chief Justice's programme of action is a clear indication of that. So, too, was the response of Lord Justice Girvan to the concerns expressed by Kate Carroll and the wider public on the Wootton case. I believe that those are significant steps forward in this jurisdiction, providing for improved consistency and

transparency in sentencing. However, I believe that we also need to do more.

One of the key gaps that needs to be addressed is the issue of community engagement, which is why I can announce today that the Lord Chief Justice has agreed to my request that he should include lay members on the judicial sentencing group, a group that he has established under his programme for action to identify areas where sentencing guidelines are required and to oversee the development of guidelines. There will be two lay members appointed through a public and transparent process, one of whom will represent the views of victims, because that is a particularly important perspective. We all know that, far too often, victims feel that their views are not recognised and their voices are not heard. I hope that the outcome of this debate will show that that is not the case. I believe that introducing lay members will open up the process, which has been seen as something of a closed shop until now. Sentencing benchmarks will be transparent. They will enable informed debate on sentencing issues outside the context of an individual case.

In tandem, I propose to develop a community engagement strategy to ensure a two-way flow of information on sentencing issues. We will pilot open forums in the community on a range of justice issues, attended by representatives of the judiciary and the main criminal justice agencies. It will be a two-way process, providing the opportunity to inform community representatives and others about sentencing practice and also, importantly, enabling communities to let us know about the issues of concern to them and allowing open and frank discussion of those issues.

As I have said, I am convinced that information on sentencing practice is central to the success of building public confidence in sentencing. Enhanced provision of data to the public on the NI Direct website and to the judiciary will also form part of the strategy. Those data will include sentencing statistics and information on work with offenders, on the effectiveness of various disposals and on ongoing developments across the justice system. The strategy will be an involving process, responding to the needs identified from ongoing community liaison and liaison with the judiciary.

I believe that the proposals that I am announcing today, which are tailored to local needs, will use

local strengths. Alongside the work of the Lord Chief Justice and through existing structures and partnership working, I believe that they will enhance consistency, transparency and understanding of sentencing practice in a way that will promote public confidence, delivering the objectives set for a council, but without the need for a separate and costly body. I believe that the measures that I have announced should address the concerns raised by those who supported the amendment.

As I said, the mechanisms will be reviewed within two years to assess their effectiveness in achieving these objectives. If a case exists for a formal sentencing guidance council with statutory powers that go beyond what we have done, I will be prepared to look at that on the basis of the evidence.

I welcome the opportunity for the House to debate this important issue and, again, I acknowledge Kate Carroll's bravery and determination. We should not forget that although we have debated general issues today, the motion was brought about through one particular set of tragic circumstances.

I certainly support the thrust of the motion in calling for a review. All those convicted of murder are given a life sentence. That legislation does not require review, but what is needed, and what I have undertaken to do, is to review the legislation covering the setting of tariffs where the court has passed a life sentence for murder. I trust that I have explained why I believe that an independent sentencing guidelines council is neither appropriate nor necessary at this time, and I hope that Mr Maginness will consider not pressing his amendment in order that the House can be unanimous in its support of the motion.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his response. As we speak today, we are united in our sympathy for Mrs Carroll and her family. In their loss, she has become a figure of great dignity and great courage and, more recently, of reconciliation. That has come from her loss, and I thank her for that.

I welcome the motion and support the amendment. In sentencing those responsible for the murder of Constable Stephen Carroll, it is clear from the reaction of the Director of Public Prosecutions and the trial judge, Lord Justice Girvan, that the current guidelines require reconsideration.

Lord Justice Girvan stated that the guidelines needed:

"to properly take into account the argument that there is a heightened need for deterrence and retribution in the fixing of tariffs, at least in relation to certain categories of murder including, in particular, the terrorist murder of a police officer."

One of those sentences has been referred to the Court of Appeal, where, hopefully, a more appropriate term may be applied.

We note the Justice Minister's announcement today of the inclusion of two lay members on the judicial sentencing group established by the Lord Chief Justice, and the fact that they will be appointed through a public appointments process. I welcome the news that one of them will represent victims. It is a small move; it is welcome, and it has to be seen as such. However, we do not believe that it goes far enough in establishing an independent sentencing guidelines mechanism.

At the outset, Mr Craig, who is always very wise in the case that he presents, said that what my colleague Mr Maginness proposed lacked detail. The consultation document on a sentencing guidelines mechanism contains quite a bit of detail, from page 26 onwards, on how the mechanism should and would work. The idea was put out for consultation, and my colleague went through the results in some detail in Committee.

In opposing our amendment, Mr Dickson said that existing structures should be used. Unfortunately, those existing structures do not appear to be working too well; otherwise, we would not be having this type of debate today. The Hillsborough agreement in 2010 contained a commitment to establish a sentencing guidelines council. The establishment of a clearly independent sentencing guidelines council would be the best way to achieve the high level of public confidence in our courts system that we all want to see.

Sentencing bodies across the world can and do carry out a range of functions, including drafting guidelines, public education, disseminating information and resource management. Information on those bodies is contained at the beginning of the consultation document. When the Department of Justice consulted on the options for a sentencing guidelines mechanism, an independent sentencing guidelines council

clearly appeared to be the preferred option among many respondents, yet it has not materialised. Instead, as I said, the Minister appears to be tinkering with the notion of the judicial sentencing group, with some additional measures.

Mr McCartney spoke extensively in favour of the amended motion, as did Mr Lynch, who also referred to the DOJ consultation document and the detail of models contained therein.

There is a cost to maintaining an independent sentencing guidelines council. Nobody disputes that: that is why it is supposed to be there. However, the long-term cost of failing to address a lack of public confidence in the court will inevitably be much higher. The costs involved concern the associated secretariat and support function, including legal expertise, research and analysis, community engagement and public education and administration. Some of those support functions are included in the proposals being made by the Minister but they come without the benefits of having an independent council.

I welcome the motion and support the amendment. Establishing an independent sentencing guidelines council, as set out in the Hillsborough agreement of 2010, would be the best way to review individual sentencing issues and ensure that a robust and independent sentencing guidelines mechanism exists that can secure and improve public confidence in our judicial system.

Mr Givan: I thank everyone for their contributions this afternoon. Constable Stephen Carroll was brutally and callously murdered on 9 March 2009 by republican terrorists. The police were deliberately lured into the area, and using an AK-47, the terrorists killed Constable Carroll. He served for over 20 years in the Royal Ulster Constabulary and the Police Service of Northern Ireland and was the first officer to be killed serving in the PSNI. He joined the service on 13 March 1986.

Sadly, like Constable Carroll, so many of our gallant men and women serving in the police, in the then Royal Ulster Constabulary GC and in the PSNI, have been and continue to be the target of terrorist organisations. We in this House have a duty to defend those who have defended, and continue to defend, us and wider society.

Having been found guilty, Brendan McConville and John Paul Wootton were sentenced to 25 years and 14 years respectively. The response to the inadequacy of those sentences, particularly

in respect of John Paul Wootton, has been almost universal consternation across our society.

Kate Carroll has shown great dignity and determination. I pay tribute to her for the work that she has done in leading this campaign, and I recognise her presence here today. I also thank the Minister for taking the time today to meet us. Kate Carroll has led the calls for a review of those sentences and a much greater and fundamental review of sentencing generally. Those calls have resonated across our community.

John Paul Wootton was found to be actively involved in that murderous act and wider activities of republican terrorism, specifically seeking to obtain personal information about police officers for use by terrorists. He also made a cold-hearted comment, which dehumanised police officers: "a cop is a cop". That clearly inferred that police officers were legitimate targets. The fact that that individual received a 14-year sentence has caused distress to the family and concern across our community about the leniency of the sentence, the message that it sends to terrorists targeting police officers, and the message it sends about the value that we place on the life of a police officer. Specifically, there are concerns about the message that it sends to terrorists: that they can actively recruit our young people to carry out those acts because of the lenient sentences that they will get because of their age.

I corresponded with the director of the Public Prosecution Service on behalf of Kate Carroll on this matter, seeking a referral to the Court of Appeal on the grounds that the sentence was unduly lenient. Significant discount was given to take account of the defendant's age, resulting in a reduction of 11 years, compared with the sentence given to Brendan McConville. I believe that the director would have had sufficient grounds to refer this without being invited to do so by Lord Justice Girvan when additional sentencing remarks were made. Those additional remarks were highly unusual, and I welcome the move by Lord Justice Girvan to seek his decision to be referred to the Court of Appeal, which the director of the PPS subsequently confirmed he will do. We await the grounds upon which he seeks that referral, as the general sentencing guidelines used need to be considered for future cases.

5.45 pm

Equally important is the opportunity for the Court of Appeal to deal with the leniency of the 14-year sentence given in the case of Wootton. I agree entirely with Lord Justice Girvan's comment, which Mr McGlone also quoted:

"I feel bound to express the view that the current guidelines and the case law based on them do require reconsideration to take account of modern conditions and to properly take into account the argument that there is a heightened need for deterrence and retribution in the fixing of tariffs, at least in relation to certain categories of murder including, in particular, the terrorist murder of a police officer".

After the case of R versus McCandless in 2004, the Court of Appeal failed to update the sentencing guidelines in Northern Ireland when it had the opportunity to do so to reflect the mandatory minimum terms prescribed in England and Wales through the Criminal Justice Act 2003. Instead, the Court of Appeal chose to continue to follow the 2000 practice direction of Lord Woolf that prevails today and to which Lord Justice Girvan felt constrained to adhere.

Mr Allister: Will the Member give way?

Mr Givan: I will not because I have a lot more to say.

I trust that the Court of Appeal will now make the appropriate changes. Under the current law, it is for the Court of Appeal to consider this matter. The Assembly cannot answer for what happened prior to the devolution of policing and justice. However, the option is now available to this place to create legislation that can provide the legal framework for sentencing similar to that which was passed in the 2003 Act at Westminster or, as many on this side of the House would argue, that goes much further. This option should be kept open as we await the response of the Court of Appeal.

Ultimately, it is the politicians who must be satisfied that the appropriate laws are in place to ensure the protection of our society. That is why I have concerns with the amendment. In principle, I have no objection to the establishment of an independent sentencing guidelines council, which was discussed in Committee a number of times. However, we feel that it is necessary to have much more information about how independent that council would be. We believe that we, the legislators,

are ultimately responsible for defining the law. If we are not satisfied with sentencing guidelines, whether they are created by the Court of Appeal or a sentencing guidelines council, this place can take those decisions.

I have concerns about how the amendment is worded and about what exactly is meant by "independent". Would the House have the right to change a decision if a sentencing guidelines council decided something that we did not agree with? I am concerned about the detail of the amendment and that it would tie the Assembly's hands in looking at this issue in the future. Alban Maginness said that we should maybe not legislate now but left it open that this place could legislate on these matters at a future point.

The Court of Appeal now has an opportunity not only to deal with this specific case but to set a wider sentencing framework for this type of crime. Let it carry out that work, but let us be satisfied that what is put in place is what the people want. If we are not satisfied, let this place show that it is up to the challenge of creating legislation that introduces specific time frames that satisfy what I believe the public wants when it comes to the murder of a police officer.

I welcome the Minister's comments on the appointment of two lay members to the body that the Lord Chief Justice has established. It has been tasked with reviewing sentencing not only for murder but for a whole range of crimes and should be given the opportunity to do that work. We will await that body's response and production of a framework, and depending on whether we are satisfied with it, we can come back to it.

I thank everyone for their contribution. I will conclude by again commending Kate Carroll for the way in which she has led this campaign. I trust that the House will be unified. Hopefully, I have explained our position on the amendment. We have technical considerations rather than a fundamental difference in principle. Nevertheless, we do not feel that we can support it at this stage. I trust that the Assembly will, however, be able to come together to support the substantive motion.

Question, That the amendment be made, put and negatived.

Main Question put and agreed to.

Resolved:

That this Assembly, in light of the sentences handed down to those responsible for the murder of Constable Stephen Carroll, calls for a review of sentencing for the murder of PSNI officers.

Adjourned at 5.50 pm.

Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.

Environment

Publication of Planning Appeals Commission Reports on the Belfast Metropolitan Area Plan 2015 (BMAP) and Banbridge, Newry and Mourne Area Plan

Published on Thursday 7 June, 2012

Mr Attwood (The Minister of the Environment):

Development plans inform the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals that will be used to guide development decisions in their area. They provide a basis for rational and consistent decisions and provide a measure of certainty about which types of development will and will not be permitted.

The Belfast Metropolitan Area Plan 2015, commonly known as BMAP, is the largest plan ever published by my Department, covering an area which contains over 35% of the Northern Ireland population. It includes the City Council areas of Belfast and Lisburn, and the Borough Council areas of Carrickfergus, Castlereagh, Newtownabbey and North Down.

Work on BMAP commenced in 2001, over 11 years ago. The draft plan was published in November 2004, a plan amendment followed in February 2006, and the BMAP public inquiry began in April 2007 and finished in May 2008.

The Planning Appeals Commission (PAC) delivered their reports on the Inquiry to my Department over a period of time. The first report was received in January 2009, with the last report delivered three years later in January 2012. These reports contain the PAC's recommendations on the objections which were made to draft BMAP.

It is normal practice for my Department to consider the contents of the PAC Report on a

development plan, and then release the PAC recommendations at the same time as the Plan is adopted. This approach allows an adoption statement, which contains my Department's decision on each of the recommendations, to be published along with the PAC Report.

However, with regard to BMAP, some extracts of the BMAP PAC Reports have already been released to assist some specific Article 31 public inquiries. I have therefore decided to follow this limited precedent and depart from normal practice and, consequently I am releasing all the PAC Reports that relate to BMAP. My reasons are as follows:

First, I understand that in these difficult economic times, any measures that I can take to introduce further certainty about potential development opportunities in the Belfast Metropolitan Area will be welcomed in the interim period before BMAP is finally adopted. This is a radical change of approach by the Department and I believe it is the right thing to do in terms of openness and transparency.

In many cases, it will help to remove uncertainty for the local community, the development industry, the Councils and other elected representatives. To publish now – not wait any longer given the length of time since the plan process began – is right and necessary.

Second, I recognise that the forthcoming Reform of Public Administration and the resulting transfer of the majority of planning functions to fewer and larger Councils will impact on development plans such as BMAP, which do not easily fit into the new Council groupings. Indeed by 2015 Councils will have powers to prepare new style development plans for their area. In these circumstances, it is only fair to the Councils and an aid to good planning for the PAC reports to be published now.

I will now turn to the status of the reports. As I have already stated, these reports only contain the recommendations of the Planning Appeals Commission, on objections received and they do not give the final position with regard to the 3000 objections that were made to the draft Plan. My Department is in the course of preparing BMAP for adoption, and will be assessing the PAC recommendations before reaching final decisions, and these decisions will be known when the Plan is adopted next year.

One advantage that I envisage arising from my decision to publish the PAC Reports is that in instances where the PAC state that they 'recommend no change to the draft plan as a result of the objections', it is more likely - although I cannot guarantee it - that these recommendations will be accepted by my Department.

Consequently, if a planning application is submitted on a site where it is likely the proposals in the draft plan will not be changed as a result of PAC recommendations, the application will be decided on the basis of the plan, but also with regard to all other material considerations. However, in other cases, where the PAC recommendation will require further consideration by my Department, the public cannot make any assumptions as to the development status of sites until such times as the final report is issued and the Plan adopted.

My Department has also recently received the PAC Reports for the Banbridge, Newry and Mourne Area Plan, and I am taking the same approach for that plan. The PAC reports on the plans will be published on the planning website www.planningni.gov.uk today, Wednesday 6 June 2012.

To conclude, I must emphasise, this is not re-opening the debate about the issues in the two plans. Resources will be focused on the adoption of plans.

Consequently, to demonstrate that the content of the Plan is not up for grabs I and my officials will not be entering into any discussions relating to the recommendations contained in the PAC Reports for BMAP or the Banbridge Newry and Mourne Plans.

I believe this departure from the orthodoxy around plans is a very different way to go about local development plans. I am rightly told to be decisive, that planning must enable development, that good planning is 'Plan-led', that individuals and investors welcome certainty. I agree. That is why I am proceeding in this way.

Health, Social Services and Public Safety

Independent Review of Pseudomonas Aeruginosa Infection in Neonatal Units in Northern Ireland

Published on Thursday 31 May, 2012

Mr Poots (The Minister of Health, Social Services and Public Safety): I wish to make a statement to the Assembly about the publication of the Final Report of the Independent Review of Incidents of Pseudomonas aeruginosa Infection in Neonatal Units in Northern Ireland.

On 4 April I made a written statement to the Assembly to advise members of the publication of the Interim Report of the Review. Yesterday I received the Final Report from Professor Patricia Troop who chaired the Review.

The Final Report focuses on the third and fourth Terms of Reference. These are: (3) to review the effectiveness of the governance arrangements across all five Health and Social Care Trusts with regard to the arrangements for the prevention and control of infection and all other relevant issues in the respective neonatal units, and (4) to review the effectiveness of the communication between the DHSSPS, the HSCB, the PHA and the five Health and Social Care Trusts in respect of all relevant information and communications on the pseudomonas bacterium.

The Final Report is being published today, 31 May, on the RQIA's website: www.rqia.org.uk. The report is also being placed in the Assembly Library.

I am meeting the Committee for Health, Social Services and Public Safety today to discuss the Final Report. Professor Troop and three other members of the Review team are attending this meeting to present the report and to answer questions.

In commissioning this review my intention was to ensure that whatever lessons needed to be learned from these tragedies would be identified immediately, and to ensure that those lessons would be acted on as quickly as possible. I set a demanding timescale for the review. I asked for an interim report by the end of March and the final report by today, and Professor Troop and her team have achieved that.

They have had to work quickly and intensively since February, and they have done so with sensitivity to the families who have suffered, and without compromising the rigour of their investigation. I am grateful to Professor Troop and her team for the way in which they have approached and completed this work.

I accepted the 15 recommendations that were in the Interim Report and I have accepted all 17 recommendations that are in the Final Report. I set a demanding timetable for the implementation of the recommendations from the Interim Report, and I will ensure that these and the 17 new recommendations are delivered as speedily as possible.

In previous statements I have paid tribute to the staff who work in our neonatal units and I do so again today. They have been deeply affected by the deaths of these babies and by the grief and the worry of the families who have been touched by these incidents, and they will continue to do their utmost to minimise the risk of future infections.

Many families have suffered through the pseudomonas incidents. Four families lost their babies to this infection. Another baby died who had been infected with pseudomonas. Other families have had the distress of seeing their babies become infected or colonised. Many more families – those whose babies were in neonatal units and maternity units at that time, and families whose babies were due – have been through an anxious time.

A significant theme that has emerged in this phase of the Review is communications: communications between the organisations concerned, and communications with the parents.

Communications between organisations is a matter of improving systems and processes and we can ensure that these are tightened up.

The question of communicating effectively with the parents is not a new one and the first recommendation in the Final Report highlights the need for the Trusts to address these problems in a systematic and systemic way. Each Trust will have to produce a communications plan whereby clinical staff will have the support that they need in order to be able to focus on clinical matters, and other roles will be taken on by other staff.

I want to thank again the families who have contributed to the Review. That has taken courage on their part and we owe them a great debt. I have expressed my condolences to them in person and in public statements; I believe the most meaningful expression of sympathy is to take effective and swift action so that other families do not have to suffer as they have done.

Office of the First Minister and deputy First Minister

Historical Institutional Abuse Inquiry: Terms of Reference, Chair and Acknowledgement Forum Panel Members

*Published at 5.00 pm
on Thursday 31 May, 2012*

Mr P Robinson (The First Minister) and Mr M McGuinness (The deputy First Minister): On 29 September 2011 the Executive announced there would be an Investigation and Inquiry into historical institutional abuse. We attach the agreed Terms of Reference for the Inquiry and wish to advise the Assembly of the Chair of the Inquiry and the panel members for the Acknowledgement Forum.

Chair of the Inquiry

Sir Anthony Hart has agreed to chair and direct the Inquiry. Sir Anthony has enjoyed a distinguished career as a barrister and a judge.

Acknowledgement Forum Inquiry Panel Members

The Inquiry will include a confidential "Acknowledgement Forum" in which victims and survivors can recount their childhood experiences of living in institutions to members of the Inquiry Panel. The Acknowledgement Forum Panel Members are:

Beverley Clarke – Beverley has wide experience of social work and child care, working in England and Canada. She is an independent expert witness and has worked for the Ministry of Justice and the Home Office.

Norah Gibbons – Norah is Director of Advocacy in Barnardo's Ireland. She was also a Commissioner of the Ryan Inquiry into historical institutional abuse in Ireland.

Dave Marshall QPM – Dave is a consultant in the field of child safeguarding, investigation and management. For 9 years he was Detective Chief Inspector and Head of the Metropolitan Police' Child Abuse Investigation Command's Major Investigation Team.

Tom Shaw CBE – Tom was invited by Scottish Ministers to review the regulatory framework in Scotland designed to ensure the welfare needs and rights of Children in residential institutions from 1945-95. Subsequently he chaired "Time

to be Heard" – a pilot acknowledgement forum for those who had experienced abuse in residential children's institutions in Scotland.

Terms of Reference

The NI Executive's Inquiry and Investigation into historical institutional abuse will examine if there were systemic failings by institutions or the state in their duties towards those children in their care between the years of 1945-1995.

For the purposes of this Inquiry "child" means any person under 18 years of age;

"institution" means any body, society or organisation with responsibility for the care, health or welfare of children in Northern Ireland, other than a school (but including a training school or borstal) which, during the relevant period, provided residential accommodation and took decisions about and made provision for the day to day care of children; "relevant period" means the period between 1945 and 1995 (both years inclusive).

The Inquiry and Investigation will conclude within a 2 year 6 month period following the commencement of the legislation establishing its statutory powers.

The Inquiry and Investigation under the guidance of the Panel will make as many preparations as practicable prior to the passing of the relevant legislation, this will include the commencement of the research element. Commencement of the work of the Acknowledgement Forum is not dependent upon the commencement of legislation and will begin its work as soon as practicable.

The Chair of Investigation and Inquiry Panel will provide a report to the Executive within 6 months of the Inquiry conclusion. If additional time is required the Chairman will, with the agreement of the Panel, request an extension from the First Minister and deputy First Minister which will be granted provided it is not unreasonable.

The Inquiry and Investigation will take the form of

- an Acknowledgement Forum,
- a Research and Investigative team and
- an Inquiry and Investigation Panel with a statutory power which will submit a report to the First Minister and deputy First Minister.

The functions of each are as follows:

An Acknowledgment Forum

An Acknowledgment Forum will provide a place where victims and survivors can recount their experiences within institutions. A 4 person panel will be appointed by the First Minister and deputy First Minister to lead this forum. This Forum will provide an opportunity for victims and survivors to recount their experience on a confidential basis. A report will be brought forward by the panel outlining the experiences of the victims and survivors. All records will be destroyed after the Inquiry is concluded. The records will not be used for any other purpose than that for which they were intended. If necessary, the Forum will have the authority to hear accounts from individuals whose experiences fall outside the period 1945 – 1995. The Acknowledgment Forum will operate as a separate body within the Inquiry and Investigation accountable to and under the chairmanship of the Inquiry and Investigation Panel Chair.

A Research and Investigative team

A Research and Investigative team will report to and work under the direction of the Chair of the Inquiry and Investigation. The team will:

- Assemble and provide a report on all information and witness statements provided to the Acknowledgement Forum;
- Provide an analysis of the historical context that pertained at the time the abuse occurred; and
- Provide a report of their findings to the Acknowledgement Forum and to the Chair of the Inquiry and Investigation.

An Investigation and Inquiry Panel

An Inquiry and Investigation Panel will produce a final report taking into consideration the report from the Acknowledgement Forum, the report of the Research and Investigative team and any other evidence it considers necessary. The Panel will be led by a Chairperson supported by two other members, who will be appointed by the First Minister and deputy First Minister. The Chairperson of the Inquiry and Investigation will also be responsible for the work of the Acknowledgement Forum and for the Research and Investigative Team.

On consideration of all of the relevant evidence, the Chairperson of the Inquiry and Investigation will provide a report to the NI Executive within

6 months of the conclusion of their Inquiry and Investigation. This report will make recommendations and findings on the following matters:

- An apology - by whom and the nature of the apology;
- Findings of institutional or state failings in their duties towards the children in their care and if these failings were systemic;
- Recommendations as to an appropriate memorial or tribute to those who suffered abuse;
- The requirement or desirability for redress to be provided by the institution and/or the Executive to meet the particular needs of victims.

However, the nature or level of any potential redress (financial or the provision of services) is a matter that the Executive will discuss and agree following receipt of the Inquiry and Investigation report.

The Northern Ireland Executive will bring forward legislation at the beginning of this process to give a statutory power to the Inquiry and Investigation to compel the release of documents and require witnesses to give evidence to the Inquiry and Investigation. It is hoped that the legislative power will not be needed, however; the power will be available if required. As far as possible the Inquiry should be inquisitorial in nature rather than adversarial.

A Witness Support Service will be established by to support Victims and Survivors throughout their contact with the Inquiry process. The Office of the First Minister and deputy First Minister will establish a wider Victims Support Service to provide support and advice to victims before, during and after the inquiry.

Office of the First Minister and deputy First Minister

Child Poverty Act 2010: Annual Report 'Improving Children's Life Chances – the First Year'

Published on Wednesday 6 June, 2012

**Mr P Robinson (The First Minister) and
Mr M McGuinness (The deputy First Minister):**

We have today laid before the Assembly our first annual report as required by section 12(7) of the Child Poverty Act 2010 on the progress made by the Executive towards eradicating child poverty.

This Report represents a collective response on behalf of all Ministers in the Executive.

We are pleased with the progress that has been made during the first year and look forward to further progress during 2012/13 in line with our commitments in the Programme for Government.



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