

# Official Report (Hansard)

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# Northern Ireland Assembly

Tuesday 10 December 2013

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

*Members observed two minutes' silence.*

## Executive Committee Business

### Road Races (Amendment) Bill: Final Stage

**Mr Kennedy (The Minister for Regional Development):** I beg to move

*That the Road Races (Amendment) Bill [NIA 29/11-15] do now pass.*

**Mr Speaker:** I call Mr Spratt, Chair of the Committee for Regional Development.

**Mr Spratt (The Chairperson of the Committee for Regional Development):** Thank you, Mr Speaker —

**Mr Kennedy:** Sorry, Mr Speaker, if I could perhaps add —

**Mr Speaker:** Yes, Minister.

**Mr Kennedy:** Thank you very much indeed. I do not intend to address the content of the Bill to any great extent. As I have said before in this place, it is a single-clause Bill with a single aim, to amend the Road Races (Northern Ireland) Order 1986 to introduce flexibility into both two- and four-wheeled road racing arrangements in Northern Ireland. I addressed the Regional Development Committee on 9 October regarding the aims of the Bill and the need for it to progress via the accelerated passage procedure. I am grateful to the Chair and members of the Committee for their unanimous support for the Bill.

The Bill was introduced to the House on 18 November, and the accelerated passage and Second Stage debates took place on 26 November. I am grateful to Members for the contributions that they made to those debates and for their understanding and agreement regarding the use of accelerated passage.

Some considerable discussion took place during Consideration Stage on 2 December regarding the possibility of Sunday being used as a contingency day to allow motor racing. One amendment was carried to ensure that, should such a situation arise, my Department would have sufficient powers to satisfy itself that unique and reasonable arrangements for any road racing event will be put in place to minimise inconvenience to the local community. At Further Consideration Stage, two further amendments were tabled and a clear consensus emerged, which I am pleased about and welcome.

I am grateful to Members for the considerable interest that they have shown in a small but important Bill, and I look forward to any further contributions this morning.

**Mr Spratt:** First, I refer to a comment made by Mr McCallister during the debate yesterday, when he claimed that my Committee:

*“dropped the ball on this legislation.” —  
[Official Report, Vol 90, No3, p49, col 2].*

Frankly, that is a ridiculous accusation and further evidence that he and his party colleague have not understood the Bill, the Committee's role in bringing it to this stage or, indeed, the procedures of the House.

The Committee for Regional Development has been integral in bringing the Bill to this stage. A key facet of the Bill was the need to bring it through the accelerated passage process in order that it would progress through the Assembly and receive Royal Assent before 31 March 2014. That could not have happened without the support of the Committee, whose approval the Minister must seek under Standing Order 42, and the support of the House when the motion on accelerated passage was debated. The consequence of approving that motion was that Committee Stage was removed from the legislative process. That was, as I said, integral to the passing of the Bill because it saved significant time. That is not to say that the Committee stopped taking an interest. It did

not. Members will be aware that the Committee

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

**Mr Spratt:** I will not. I am sure that you will have plenty of time. I listened to enough nonsense yesterday, and I will just continue. I am sure that you will be able to pick up on any points.

Members will be aware that the Committee agreed with the Minister and his officials that responses to the departmental consultation on the Bill would be forwarded to the Committee weekly. I thank the Department and officials for their help in bringing those to the attention of the Committee. That enabled the Committee to be kept fully apprised of the support for and opposition to the Bill.

I note from the Official Report that neither Mr McCallister nor his party colleague contributed to the debate on accelerated passage. If my memory serves me correctly, they did not even attend that first debate. If they had bothered to do so, they would not have fumbled the ball so significantly during the debate yesterday, when their complete misunderstanding of the Bill and the legislative process was so expertly pointed out to the House.

The Official Report will show that the Committee contributions to date, whether represented by me as Chair of the Committee or by Mr Lynch as the Deputy Chair, have always been sympathetic to the objections to the Bill. The Committee did not want the blanket time restriction that was proposed during Consideration Stage as that impacted on all road races in Northern Ireland, some of which take place in the early morning or late in the evening of a Sunday. The Committee accepts that the specific amendment on the North West 200, which was made yesterday, is a sensible and sympathetic approach to the objections made by worshippers, objections that were almost exclusive to this race and that area. Again, that view is formed not because the Committee dropped the ball but because members of the Committee, in conjunction with the remainder of the House, participated in and listened to what was, on the whole, a very reasoned debate.

As a result of that reasoned debate, I believe that we now have a Bill with no negative aspects. We have a Bill that meets the requirements of, and is endorsed by, the promoters of road races in Northern Ireland; that provides them with flexibility, should it be required; that helps to secure much-needed

and significant sponsorship of road racing events; that will maintain and enhance tourism through the attendance of road racing enthusiasts; that will result in significant investment in the local and wider economy; and that is sensitive to the private and personal needs of residents in and around our race courses.

I do not think that the evidence given to the Committee was in any way suggesting that we dropped the ball in this instance; rather, I think that it was evidence to the House of grabbing the ball with both hands and running with it over the try line.

I want to place on record my thanks to the Committee Clerk, to the Committee staff, to the DRD staff, who made themselves available, through the Minister, at short notice on each occasion that that was necessary, and to the Minister, who also made himself available for consultations and discussions on the Bill on quite a number of occasions. Thank you, Minister. I also want to thank two other people who made very significant contributions to the Committee and, indeed, to the Department, and they are Mervyn Whyte, the organiser of the North West 200, and Mr Alan Drysdale, who is a spokesperson for the 2&4 Wheel organisation. They made very significant contributions throughout the entire process, and I think that we need to place on record our gratitude to them.

Finally, the Committee for Regional Development supports the Road Races (Amendment) Bill that is in front of the House today.

**Mr Dallat:** This is a good day for the Assembly. Participation in this project was a challenge for all Committee members in the first place, because, at any stage, and I do not want to use the term "hand grenade" but, somebody could have dropped a hand grenade. Thankfully, the attempts to do that came only in the latter stages. We were able to steer the Bill through with the guidance of the Chairman, Mr Jimmy Spratt, and an awful lot of support from the Minister, Mr Danny Kennedy.

If I were asked in the future about the success of the Assembly, I might well use this as exemplar material of how things can be done. Of course, it also included the other ingredients of the dangers that something good, positive and innocent could be derailed, but that did not happen. I think that the Chairman has said it all. Of course, we as politicians want to claim a little bit of credit for something. Sometimes when it gets to the media, it is not fully

understood, as I heard this morning, but the amendment that came here last week was totally different from what came yesterday. That is the reality.

I think that everyone, including Mr Allister, Basil and John, can take credit for participating democratically in an important decision-making process that will bring tremendous benefits and guarantees, particularly to the North West 200. Although I said some time ago that I am not a motorbike fanatic, I have lived for long enough in the Coleraine area to know just how important the event is, and not just for the racing, the 100,000-plus people it brings into the area and all the beds that it fills in not only the triangle but as far away as Belfast and Donegal but for the relationships and bonding that it has created among people from as far away as Stornoway and the continent of Europe.

#### 10.45 am

Mervyn Whyte and his 800 colleagues deserve this outcome. If the process had been derailed, they would not have deserved that. On this occasion, I am very happy to be a Member of the Assembly, because we have done something absolutely positive and constructive. We operated the Committee system in the way in which it should be operated. We received the support of the Minister, who exercised extreme wisdom in handling the Bill. I am very happy.

**Mr McCarthy:** I reiterate what our Chairman and Mr John Dallat have already said. I came late to the issue, but I totally respect everything that has been said. I hope that we have all shown — when I say “all”, I mean from the Minister down to the Chairman, members of the Committee and all Members of the Assembly — sympathy and respect for, and been cognisant of, people’s requirements on a very important and topical issue. Like John, I am proud to be part of what we have produced today. On behalf of the Alliance Party, I support the Final Stage of the Road Races (Amendment) Bill.

**Mr McCallister:** At the risk of intruding on this Assembly love-in, I want to point out a few things to colleagues. Mr Spratt quite rightly said that I did not take part in the accelerated passage debate, nor did I vote. Mr McCarthy was busy shouting “shame” at me. He might have enquired after where I was before he shouted that. I was at the funeral service of somebody relatively young who had died of cancer.

I reiterate the point and my belief that the Regional Development Committee, which is not exactly known as the most overworked Committee in the Building, dropped the ball with the legislation. It is quite obvious that it dropped the ball when you consider the fact that the only real scrutiny that the Bill came under ended up coming from these Benches, especially from Mr Allister. That was the only scrutiny that came to anything. The Bill would have gone through the House unamended otherwise.

On 6 December 2010 — almost three years ago to the day — the Planning Bill was introduced in the Assembly. That was only a few months before the end of the previous mandate. It went through Committee without getting accelerated passage. The Bill as amended had 255 clauses, 15 Parts and seven schedules. A total of 121 amendments were tabled at Consideration Stage and 24 amendments at Further Consideration Stage. That is Committee scrutiny. That is an example of a Committee doing its work and making the time to debate and —

**Mr Speaker:** Order. I appreciate that the Member is making his contribution, but let us get back to the Bill.

**Mr McCallister:** Contrast that with the Road Races (Amendment) Bill, which was given accelerated passage. It did not need to get accelerated passage. It could quite easily have undergone a standard six-week Committee Stage. Mr Spratt, as Chairman, dropped the ball. He said that there were no issues in the Bill and no controversy with it. He and his colleagues then had to bring an amendment to the Bill, which the Minister accepted more because he had to, not because he particularly wanted to. He was not particularly glowing about the amendment at Consideration Stage.

Mr Allister, quite rightly, highlighted the shortfall and the issues on protecting people’s human rights. He persisted with that until the whole House, quite rightly, accepted that amendment at Further Consideration Stage. Yet, Members got up and said that the Bill had nothing controversial about it and that it needed virtually no scrutiny.

When I contributed to debates on the Bill, I made it quite clear that I believe in the North West and in the economic driver that it creates. The very reason why I tabled the amendment yesterday was to add more flexibility. I was surprised that the Minister would not want that level of flexibility. Effectively, what we have

done is create a Bill that is entirely dependent on getting accurate weather forecasts.

Mr Wells was questioning whether I had ever been to the North West. Of course, I have been on many occasions. My previous career was quite weather dependent at times, so I know a little about and have experience of the inaccuracies in and difficulties with getting good weather forecasting. So, the Bill is now totally dependent on getting the weather forecast right.

It will be interesting to hear in the Minister's summation whether the meeting that was scheduled for 23 October with the Isle of Man representatives actually took place. I certainly get the sense that, instead of looking to one of our near neighbours with huge experience of running one of the biggest road racing events in the world, there was almost a hint in earlier debates of people saying, "What would the Isle of Man know? It does not have as big an impact". Pretty well a lap of the island is used, so everything comes to a standstill, because there is such a huge economic driver.

Did that meeting actually take place? Has there been any real contact with or advice from the Isle of Man on this matter? I think that, if so, we could have had a much better Bill. We have managed to rush this Bill. Yes, it gives a modicum of flexibility but not nearly the flexibility that we need or should have and that would be desirable to run the event, considering that there is an economic driver in the area of £4.45 million. We have all accepted that.

So, I think that the Minister has introduced a Bill whose broad principles we all supported. He has also managed to get the Committee to effectively abdicate its responsibilities and to just let the Bill go through with accelerated passage when there was no reason for it and no immediate timescale pressures. The Bill will go through with no departmental amendments and no Committee amendments, yet Mr Spratt still maintains that the Committee has not dropped the ball on it. I think that it is fair to say that all the evidence points to the contrary, so you will not have the flexibility that is needed.

I warn that I suspect that, at some point, a future Minister and a future Assembly will end up having to revisit this legislation and to look again at the 1986 order. They may end up having to make changes to this legislation. So, we are probably going to legislate in haste and repent at leisure. I think that this makes an important argument for the significance of having an opposition in this Assembly, whether that is a lone voice, two voices or three voices.

Without it, we would have had no scrutiny of the Bill.

Yesterday, the Minister said that he was glad that my colleague, Mr McCrea, and I were not organising the North West. To be fair, I am glad that the Minister is not organising the North West, given the issues with A5, the fact that the bus lanes are barely moving and all the issues with —

**Mr Speaker:** Order. I have given the Member quite a bit of latitude, but he is straying well outside what we are discussing this morning. I implore the Member to come back to the Bill.

**Mr McCallister:** I am grateful to the Speaker for his guidance, and I hope that will apply to all Members, including the Minister.

**Mr Speaker:** Order. The Member is coming very close to challenging the authority of the Chair. The Member will know that I give all Members and Ministers quite a bit of latitude. It is Final Stage, and, of course, Members have quite a bit of latitude, but not to stray totally and absolutely outside Final Stage.

**Mr McCallister:** Thank you, Mr Speaker. The Bill, as it is, will give very slight comfort to the North West 200 organisers regarding how they organise it, but it does not go nearly far enough in giving the flexibility that is required to run something so important. We still come back to that. I hope that I am wrong, but I confidently predict that we will revisit this legislation at some point in the future or that some future Assembly will have to look at it again, combined with the 1986 order and the number of days, if we are to truly build the North West 200 and create the flexibility that is needed to make a successful world-class event. To continue to build on that reputation, you will need more flexibility than the Minister is giving through this Bill.

I will leave it on that note, because the Assembly will not change the Bill. It has been offered opportunities to amend the Bill and make it better, but it has not gone for that. When we have to revisit this, perhaps others will take a different view.

**Mr B McCrea:** I will make just a few points. I was disappointed that, as we tried to exercise our democratic mandate, which is to put forward points of view that are not necessarily agreed with by the majority, people chose to make attacks on the person instead of engaging in the argument. I know, Mr Speaker,



that you are very strong in advising that that is not the appropriate way forward.

A number of things might be worth pointing out. The Chair of the Committee, although it was pointed out to me that he was speaking in a personal capacity at some stages, made some comments, and this is taken from the official record. He said:

*“Among the in excess of 860 responses to the departmental consultation on the Bill were a number of objectors, mainly the ministers and congregations of churches on the routes of race meetings.”*

He went on to opine:

*“The views of those congregations and parishes are important, and I take comfort from the assurances that we received from the Minister and race organisers that all efforts will be made to ensure that there is continued dialogue and that all arrangements are appropriate for residents, churches and businesses affected in the areas.”— [Official Report, Vol 89, No 8, p12, col 2].*

That raises this question: why were the amendments that took effect not tabled by his Committee, by him or, frankly, by the Minister rather than being left to others to propose? If he had such resolute reassurance that he did not need to table the amendments, why did he make that statement? So, there is a question when the Chairman takes issue. He should be bigger than that and should have confidence in his position, his party's strength and his Committee to take on a difference of opinion and deal with it appropriately.

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

During the debate — again, this is in the official record — I noticed that the Minister said that Kieran McCarthy and John Dallat, who spoke pretty highly of him, were part of a fairly interesting club: the Morris Minor club, I think it was. He need not have worried: loyally, they came to his aid, despite the slight and the audacity of challenging things. I am only reading from the official record.

#### 11.00 am

Later, I heard Mr Dallat say on the Bill, “I am honoured to serve under the chairmanship of Mr Jimmy Spratt”. It is just wonderful to see such a love-in, but I wonder where the scrutiny

comes in. I wonder when people ask, “Are you sure that you are right, Mr Chairman?”

I have not yet had clarity on this point, but no doubt the Minister will, with his usual aplomb, wit and, shall we say, occasionally derisive comments, take the opportunity to address it. The minutes of the Committee state that, when the Minister spoke before the Committee on, I think, 9 October, there was to be a further meeting on 23 October to get more information from the Isle of Man authorities. It is not clear whether such a meeting took place, whether there is a record of such a meeting or what impact it had on deliberations. Those are the proper things; proper scrutiny should take place. So, when it comes to this issue, I join my colleague Mr McCallister and — I do not know whether I can call him my colleague — my friend in this particular debate, who stood up and pointed out that this was not a simple, one-issue item.

**Mr Dallat:** On a point of order, Mr Principal Deputy Speaker. Have we just heard the announcement of a new love-in in the Assembly?

**Mr Principal Deputy Speaker:** The Member should know that that is not a point of order.

**Mr B McCrea:** It is surprising, Mr Principal Deputy Speaker, for someone in such an exalted office as Deputy Speaker not to know what is and is not a point of order.

**Mr Spratt:** It is on the record.

**Mr B McCrea:** It is on the record; you are quite right, Mr Spratt. No doubt a period of re-education will get Mr Dallat back properly on track and totally supportive of everything and everyone.

I come now to the point that it is not correct to talk down people in a democratic chamber who have an alternative viewpoint. It is absolutely the point of democracy that nobody has a monopoly on truth, nobody gets it right all the time, and there is always room for a counterproposition to be put forward. Yet there are those who say that, if we had all behaved, we would have got this through without any fuss.

That takes me to the point made by Mr Kinahan. He opposed amendment Nos 1 and 2 and supported amendment No 3 — I do not know whether I have got that the right way round — and, in the official record, said, “Surely the churches are not going to make much of a

fuss about this". Actually, they did, as I understand it. They came back in the consultation to say that they were concerned about this. I am happy to be corrected if I have misquoted the Member. I do not have the notes here, but that was the gist I took from his statement.

There was a point to Mr Allister's proposition the first time round, which is that, although we are supportive of the North West 200, all our citizens have rights. In particular, churchgoing people may well have felt that their rights were being dealt with in an inappropriate way. That is why we supported the original amendment and why we supported the further amendment yesterday. This is a pluralist democracy, where everybody's rights should be accommodated as far as possible. I think that, had he not stood up and made the point, we would have had a less good Bill than we have today. I say "less good", but I am not even sure that the Bill is particularly good. In his submissions, the Minister said that he wanted flexibility. I do not see flexibility in the Bill. We all join in that laudable aim, but I am not sure that the Bill will do what it sets out to do.

As I understand it — again, the Minister will no doubt take me to task if I have got this wrong — if you wish to defer Saturday racing because bad weather has been forecast and to move it to Sunday, Thursday is the last available date on which to do so. That means that you are looking some considerable time in advance for a weather forecast. It is even earlier, I suspect, if you wish to say that the weather will be really bad on Saturday but may be even worse on Sunday, and you are making the decision to substitute for a Friday. I am just not sure that our weather is sufficiently predictable for a 24-hour notice period to be practical and workable. That is why my colleague attempted yesterday to make an amendment that said that we needed more flexibility on this. The overriding concern is about whether we can marry the rights of the individuals who live in the area with the economic benefit that comes from such a prestigious event.

The issue is this: we did not do proper Committee scrutiny of the Bill. We had the time to do it. There was still time to do it. As I understand it, it had to be finalised by the end of March to make sure that we would have time for Royal Assent. There was plenty of time. One of the issues that I look at when people mention accelerated passage is what steps the Minister or the promoter of the Bill will take to make sure that we do not have to use accelerated passage in the future.

I place it on record that we do not support accelerated passage. Whether we have the votes to stop it or not is another matter. Mr Dallat said about the Bill that he would quote it as an example of what is good about the Assembly: I will quote it as an example of what is bad with the Assembly. If we do not need to go through accelerated passage, we should not do so. When you look at the 860 people who responded to our consultation on the Bill, which I am addressing fully —

**Mr Principal Deputy Speaker:** Order. There is a very thin line between moving to the point on which the debate should properly be taking account of the decisions of the House as we have processed the Bill, which included endorsing the approach of accelerated passage. Those votes and those decisions have been taken. There is also a very thin line between revisiting the discussion on individual amendments. We should not do that either, because decisions have been made by the House. We are finalising the Bill, we have had our discussion, we have made our decisions, and we are where we are. I ask the Member to stray on that side of the debate rather than revisiting decisions that have been made already by the House and with the authority of the House.

**Mr B McCrea:** I am grateful for the Principal Deputy Speaker's direction in the matter. What I was merely trying to express in the summation, in the final consideration of the Bill, is why we still have some doubts about its efficacy.

The issue is that the Bill set out to provide some flexibility and, I suspect, some succour to the organisers of the North West 200, not entirely but principally, and I do not believe that we have achieved that. Part of the reason why we have not been able to achieve that is that we have not had the full time to consider all the eventualities. However, I will not stray into any further issues on the matter of the Bill, save to say this: if your argument is strong enough, you can win the argument. It does no one any credit to belittle, deride or in some other way dismiss those who are trying to make an honest and heartfelt contribution to the debate. It may well be that some Members do not understand the point, in which case they are entitled to ask for clarification. When they do so, it is really disappointing that people will not take an intervention, particularly when a Bill is going through by accelerated passage.

I make the point that this is a democracy, and this is proper legislative scrutiny. It is our right to stand up and hold you to account. We were

honourable in our intentions, and we wanted the best for all the people of Northern Ireland. Frankly, for people to make personal attacks is beneath them, and they need not expect us to remain quiet if they do so again. This party will challenge any bad legislation that comes this way. It will take on any individuals who cannot stand by their argument but resort to personal attacks.

**Mr Allister:** The Bill, in its final form, is not all that I would have wished it to be. I would have wished, in particular, for its protections of Sunday to be stronger. However, by virtue of the amendments made, it undoubtedly emerges from the processes of the House as a better Bill than it was when it entered. I am grateful to have had the opportunity to make some contribution to that. I am equally grateful for the evolution of support that eventually made possible some of those changes, specifically for the North West. As I said, although the Bill at Final Stage is not all that I would have wished it to be, it is undoubtedly a better and more protective Bill than it started out. That has to be a gain, and for that I am grateful.

**Mr Kennedy:** I am grateful for the contributions that we have heard this morning. I will deal with those first before making some final remarks about the legislation. Mr Spratt, as Chairman of the Committee for Regional Development, explained the detailed process. I am very satisfied that the Committee afforded the Bill the necessary scrutiny and cooperated at all times, particularly on the difficult issue of accelerated passage.

In my role as Minister, it is never my first option to go for accelerated passage to carry through legislation. Mr McCallister and Mr McCrea questioned the need for accelerated passage and felt that it should not have been granted. I have tried consistently to bring Members' attention back to the nature and starting point of the Bill: to create contingency and flexibility, principally to deal with bad weather. Some people got carried away and simply did not understand — it appears that they still do not understand — the concept of the Bill. To ensure that the 2014 race programme would benefit from the flexibility of contingency days, I sought accelerated passage, and, happily, the Committee and the House, through debate and democratic process, agreed.

I understand that it is sometimes unavoidable that Members cannot be in their place to contribute to every debate, but it weakens the argument of those opposed to accelerated passage if they are not here. I understand from what Mr McCrea has just said that he is

opposed to accelerated passage on every occasion and that accelerated passage is a no-no for NI21. However, members of NI21 did not take the opportunity to oppose accelerated passage when the motion was before the House and could be debated and fully explained. In fact, the need for it was fully explained in contributions from me, the Committee Chair and others. I make that point.

Mr Spratt also paid tribute to race organisers, such as Mervyn Whyte and Alan Drysdale. I pay tribute to all those involved in the sport and in the various sports, but I want to particularly single out and add my tribute to those two individuals — Mervyn Whyte and Alan Drysdale — because they, very helpfully, offered advice and assistance to me and my officials.

#### 11.15 am

Mr Dallat said that this was a good day for the Assembly and that he would remember it for a very long time. I have tried to approach the matter sensibly and with sensitivity because I am aware of the sensitivities around some of the issues, and we have sought to address them. I believe that the 1986 order gives the necessary discretion to the Minister to act appropriately if faced with an application for emergency conditions to be applied, and I have no issue with the fact that the amendments now incorporated in the Bill will give comfort, particularly to members of congregations and churches on the course of the North West 200 and churchgoers in the general area. However, the debate got slightly lost in concentrating on one single event race — the North West 200. I remind the House that this legislation is designed to provide flexibility for all races that require consent under the Road Races (Northern Ireland) Order 1986. Therefore, it will apply to other events.

Mr McCarthy also welcomed the anticipated passing of the Bill, and I thank him for his contribution.

I will now turn to the contributions from Mr McCallister and Mr McCrea. We had an opportunity last night, during Further Consideration Stage, and I offered the advice that both Members should reflect on the contributions they made at Consideration Stage and those they were making at Further Consideration Stage. It appears that Mr McCrea has read Hansard, of a type, but he does not appear to have learnt from it. Fundamentally, I think that he and Mr McCallister — and I say this with as much charity as I can muster — have not properly

understood the *raison d'être* for the Bill or what it seeks to achieve, and I regret that very much.

Mr McCallister and Mr Crea referred to the Isle of Man. I thought that I had gone to some trouble to state, on several occasions, that the Isle of Man legislation is different. There is contingency for Sunday racing in the Isle of Man in the event that races are cancelled in the first week and the middle Sunday is used. So, it is not a direct comparator. I can confirm that my officials engaged with Isle of Man officials. They found that discussion useful, and it is one that they intend to carry forward into the future if there are lessons to be learned. Happily, we do not have the monopoly on that.

Mr McCallister and Mr McCrea found themselves in a hole, and it was a pity that they kept digging. It appears that they want to continue to dig even this morning. That is a matter for them. I am satisfied that the granting of accelerated passage was necessary. I am satisfied that the measure in the Bill is sensible and one that has been handled with some sensitivity. I do agree with Mr McCrea's comment that nobody gets it right all the time. The trouble for Mr McCrea on this issue is that he did not get it right at all. He went from Basil the defender of liberty to Basil the weatherman, neither of which showed that he or his colleague had appropriate understanding of what we have been seeking to achieve.

I welcome the fact that Mr Allister acknowledged in his contribution that improvements had been made. The Bill may not be ideal or to his absolute liking, but I think that he will at least recognise that his voice was heard and listened to.

The concept of contingency days for motor racing on roads, which the Bill introduces, will help to ensure the continuation and potentially the growth of our unique and popular national and international road racing events.

I pay tribute to my departmental officials, who have worked extremely hard throughout the process. I thank them for that. They should shortly be able to begin to work with the sport's governing body and race promoters to inform them about the identification and use of potential contingency days and to agree procedures to address them.

I believe that the Bill will add much to the rich and very proud motor racing heritage enjoyed in Northern Ireland. It remains for me to thank Members for their positive contribution, and for all their contributions, to the debates on the Bill throughout its Assembly passage.

I commend the Road Races (Amendment) Bill to the House.

**Mr Principal Deputy Speaker:** Before I put the Question, I have to say that I presided over a significant part of the Bill, and I commend the level of debate and interaction that there was. Although debate got tetchy at times, it was a very good example of the Assembly going about its business.

*Question put and agreed to.*

*Resolved:*

*That the Road Races (Amendment) Bill [NIA 29/11-15] do now pass.*

## Private Members' Business

### Special Education

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

**Mr Craig:** I beg to move

*That this Assembly recognises the importance of close collaboration between the health and the education sectors in addressing the needs of young people with special educational needs in a holistic manner; and calls on the Minister of Education and the Minister of Health, Social Services and Public Safety to ensure that the appropriate and effective mechanisms are in place for 0-6-year-olds to provide early identification of needs, that multidisciplinary approaches to addressing need are in place for all pupils with special needs, and that each child has a designated coordinator appointed as part of the statementing process to ensure that the delivery of these integrated services optimises the life chances of the pupils.*

I take great delight in moving the motion. Before I start, I will quote from the Programme for Government. The purpose of one of its priorities is to:

*“stimulate interventions that break the cycle of deprivation, educational underachievement, and to address health inequalities and poor health and wellbeing”.*

I want to outline some of the things that have been developed around special education in the past two years in my constituency, because it is one of the key issues that we need to tackle in the education system. Over those two years, the Resurgam Community Development Trust has led the development of a cross-sectional partnership project to create a greater understanding of the needs in the communities of Hillhall, Tonagh, Old Warren, Knockmore, the Lagan valley and Hilden, and there has been collective agreement on the way forward to address the underachievement needs there.

To start that project off, we asked Barnardo's to produce a report on the issues with underachievement in our constituency. One of the startling things that came out of that really good piece of work was the fact that, the earlier

that underachievement is tackled in a child's development, the better it is for the child in the long term. The thing that was really startling was that underachievement needs to be tackled almost at birth. I think that that surprised almost everybody on the project. Everybody was of the opinion that those things could be sorted out in either the preschool or primary school years of a child's development, particularly for children with special educational needs. However, it became very clear that that is not the case. There has to be intervention much earlier in the child's development for there to be any success come the child's school years. That was the clear evidence that was shown to us.

Thankfully, the group has now moved on. Basically, it consists of all the health, education, community and voluntary sector, council and political representatives coming together. One thing that we discovered is that, in health, for example, there are some very good initiatives out there to tackle special educational needs, even at the preschool stage. In education, for example, there is also some very good work being done on the matter. Even in the Department of Justice, there are some very good initiatives to tackle issues of underachievement and special educational needs.

**Mr P Ramsey:** Does the Member agree with me that, in going forward, arrangements need to be put in place to give greater confidence to the parents of children with special educational needs? Their views need to be respected and acknowledged, as they are the people who are under the main stress as the parents of a child with special needs.

**Mr Craig:** I thank the Member for his intervention. I totally agree with him. What I was coming to was that what really astonished all of us was the fact that Departments clearly do not talk to one another. There was a lot of cross-contamination in the work that was being done with a lot of the families. Many of them did not have buy-in to some of the work that Departments were potentially trying to do with them. We have tried to bring all that into a more coordinated approach to intervention. More importantly, the involvement of the local community is key in all that to try to get parental buy-in. If we do not get parental buy-in in the interventions, we find that there is a very high level of failure.

I should point out that that is our experience locally. We thought to ourselves, “Is that the case right across the board?” Unfortunately, it seems to be the case. I commend both the Department of Health and the Department of

Education. I went to the bother of looking up what they have done. The Health Department, in the past number of years, has invested £25 million in the Sure Start project, investing £15 million since 2006. Of that, £3 million has been spent on development programmes for two- to three-year-olds. Another issue that quite clearly came out of the research that we did was that Sure Start is targeted at the 20% areas of deprivation. Deprivation is the key target driver in that project. One thing that became very clear was that pockets of underachievement and deprivation were not being picked up.

### 11.30 am

The other thing that became abundantly clear to us all was that children with special educational needs do not fall into the deprivation factors at all. The one thing that we have seen over the past number of years is the rise in autism and other disability factors. It is no respecter of income, and a lot of interventions are not being targeted at the children who need them.

My colleague, who works with the Health Minister on the autism strategy, knows that there are other issues around autism. Why is it that we cannot identify that a child has autism until that child has reached the age of three? There are plenty of children whose condition can be identified earlier than that. However, as I said, a lot of good work is going on in that area, and I am not criticising the Health Department. I am not even criticising the Department of Education on this one. Between them, those Departments have invested over £210 million in early intervention, out of which Early Years, the organisation for young children, got £3.6 million, so money is being put into this area. What we are not seeing is a coordinated effort where everybody comes together.

I ask the Minister to take that on board because, in many respects, there is a lot of reinventing the wheel, especially when it comes to people with special educational needs. I will give an example of a young child who I know. Unfortunately for him, he has limited sight, which introduces severe difficulties. That aspect of his life was identified when he was one and a half years old. The doctors and others put interventions in place to help that child at that stage, but what did we find when it came to his education? In his preschool days, there was no intervention and he could not get any statement or intervention from the education system until the day he walked into his primary school. The difficulty with that is not only were the primary school and the education system

reinventing the wheel around that child's special educational needs, because they had to reassess him even though all the medical evidence was there to prove the issue that he had, but it took almost a year for that process to be completed. From what I am hearing, that is one of the faster processes, not one of the longer ones. For the first year of his education in primary school, that child was debilitated in having no help or support.

There is no joined-up thinking between the Health Department and the Department of Education when it comes to these things. We do not need to reinvent the wheel. A lot of good work is going on and there is a lot of investment in helping children who underachieve or have special educational needs. Let us get a joined-up approach. Let us take a look at what we are proposing in the motion, which is that there needs to be someone to coordinate the help for each child right through their educational career and even before it. I commend the motion to the House.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome and support the motion and agree with and support many of the points that Mr Craig made. Early years intervention and special educational needs are two of the most critical issues in any education system and, taken together, they present us with a hugely important subject and a worthy cause for uniting all parties in dealing with the issue.

Undoubtedly, the early years of a child's life are of critical importance to their future social and educational development. Indeed, where a child may be disadvantaged, early interventions are known to reduce such barriers to learning that would otherwise affect their chances of success throughout life.

One example of such valuable interventions is in dealing with speech and language difficulties. As was illustrated quite recently and vividly to us by the Royal College of Speech and Language Therapists, these communication difficulties are one of the most common problems in the early years at school and have a huge impact on accessing the curriculum and the learning process. Importantly, the college also identified huge issues relating to periods of transition within the education cycle, which represent potentially vulnerable periods for children with speech, language and communication needs at all ages. We know that the transition from primary to post-primary is demanding for many of our young people, so it is little surprise that those with special

educational needs may find that transition hugely difficult and an unsettling experience.

We recently considered the urgent and persistent need to deal with the crippling effects of poverty on our education system as a whole. We know that a child from a socially disadvantaged background is half as likely to achieve as their more affluent peers. Similarly, our young people with special educational needs (SEN) face a huge challenge in achieving all that they can in school and, ultimately, later in life. With that in mind, it is incumbent on the Health Minister and the Minister of Education to do all in their power to ensure that all children have access to the necessary services that will provide —

**Mr P Ramsey:** I agree with the Member's comments, but I would go further and put it to the House that there should be a statutory duty on the Health Department and the Education Department to ensure that there is a more integrated and personalised individual approach for every child. That would give the peace of mind to parents that I mentioned earlier.

**Mr Hazzard:** I thank the Member. Indeed, when talking to Mencap representatives, they put that point to us. Perhaps it is for the two Ministers to consider whether something like that would be valuable.

The ability of the system to identify, target and address the needs of children who require help is central. Both the Minister of Education and his health colleague deserve praise for the way in which they have improved the culture of cross-departmental and cross-agency practice in recent years. I have no doubt that the outworkings of the completed SEN review will help to build on those examples of good practice and, indeed, target and strengthen areas that need urgent attention. We must be conscious of the reality that, for every point of effective cooperation, there is a gap in collaboration that is equally damaging.

I recently attended a meeting of the all-party group on learning disability, where many brave and wonderful young people shared their experiences of the learning process. It is clear that, while we may get many things right when it comes to their needs, there is certainly room for improvement. A common thread running through all their experiences was the need for an urgent look at the existing collaboration between Departments, specifically Education, Health and DEL, and, indeed, an examination of where legislative arrangements could be strengthened.

One particular experience shared with the group was the perspective of a parent — a very passionate yet frustrated voice — who felt totally disconnected from the process. Her son is now in his early 20s. All his life, she has fought tirelessly for her child to receive the necessary help and support from government agencies. She was immensely proud of her son and what he was able to achieve as he grew older. With the right support and intervention, he was able to enjoy many aspects of life, including the learning process. But, as is all too often the case, as he approached adult life, the interventions, financial support, advice and life-altering services were removed because he was now considered an adult, and hence no longer suitable for the type of intervention that had been hard won as a child and an adolescent. The Department of Health, the Department of Education and, indeed, the Department for Employment and Learning all walked away from the table. That young man was left to fend for himself. His parent, having tirelessly campaigned for adequate provision for years, has now lost faith in the system and the hope that her son can continue to grow and develop.

We must surely move away from the prescriptive, minimalist approach to intervention. We must surely aim to provide whatever is necessary for as long as it is necessary, and, indeed, before primary school, as Mr Craig mentioned earlier. Lifelong learning and the right to education, adequate training and employment support should not cease just because you reach a certain physical age. Too many young adults have been cast aside in that fashion, their fortunes left to the capacity of voluntary and community organisations such as Mencap, which, despite Trojan levels of work and dedication, are simply not strong enough to fill all of the gaps.

The Minister and the Department should continue to build on the good work that has been done to date in collaboration with the Department of Health. In conjunction with the forthcoming SEN review, or perhaps as a distinct venture, the two Departments should seriously consider reviewing all current provision for early years intervention in an effort to bring forward effective and efficient proposals for the early diagnosis and screening of children who present with special educational needs. Bearing in mind the need to progress effective area planning throughout our school system, perhaps that could be done in partnership with the area planning group in an effort to amplify the extended schools programme so that those services may be targeted and sustained in areas of high socio-economic deprivation.

**Mr Rogers:** I welcome the opportunity to speak in this very important debate and I congratulate the Members opposite for tabling the motion. We must have a strategy in place for early identification of needs for children aged nought to six. We must adopt a multidisciplinary, holistic approach to addressing the complex needs of children with special educational needs.

It is essential that our special children have access to the various therapies that help to facilitate that learning.

As I listened recently to a therapist and the vice-principal of Knockevin Special School speak about the value of music therapy, I could see the emphasis on that holistic education for all children but especially for those with special educational needs. Education cannot be reduced to a mechanical process. To fully address the outstanding challenges of supporting children with special needs, we need to see an integrated and collaborative response between the Minister of Education and the Minister of Health. I welcome the fact that the Minister of Education is here today, but it would have been nice to see the Minister of Health here as well. I have long believed that adequate investment in a long-term early years strategy is essential if we are to create the building blocks for all our children's educational future. Current funding and investment arrangements favour education at secondary or third level rather than at the early stage of learning, yet I firmly believe that a child's development hinges on high-quality early childhood education.

The SDLP wants to see adequate investment in early years learning, namely from nought to six. The early years of a child's life are critical, and early interventions can help them to overcome significant challenges and reach their full potential. There is a pressing need to address those who have special needs to make sure that an early assessment is made of their educational requirements. Children and their families have a range of needs. Naturally, parents want to see the very best for their children, and they deserve the very best.

With regard to language acquisition, all children are born with the potential for learning language. Understanding how language develops in a young child can help to encourage effective learning, which, in turn, can make them more creative members of society. Speech and language difficulties are the most common problem in early years and have a huge impact on access to the curriculum. It is

essential to have speech and language therapists working with all school staff, if we are to get this right for our children. If there is a hiccup in a child's development and a special learning need is not identified or if it takes too long to get a diagnosis, many years can be lost in that child's development.

It really annoys me to hear of a child with autism who was not diagnosed until they were 11 years of age or of a child who, despite the best efforts of teacher and parents, was in P3 before a statement was complete and an individual education plan (IEP) in place. However, my frustrations are minuscule compared with those of the child and their parents. In the child's case, those frustrations may manifest themselves in other ways; for example, through behavioural issues or children withdrawing socially, which can lead to low self-esteem. Such children are at a greater risk of being bullied in school. These children are some of the most vulnerable in our society, and early intervention is imperative. By assigning a designated coordinator to each child, we could enhance and streamline the statementing process and target support when and where it is needed. We could give that support to parents — the primary educators.

If a child has a sight defect, it will be picked up on by a health visitor. The child will be assigned an optician and may get glasses, and, possibly, in a few years, the defect will be corrected. Why can we not have the same approach if a child has a special educational need? Are we really going to put our children first? *[Interruption.]*

**Mr Principal Deputy Speaker:** Order. Someone's telephone is interfering with the sound. Members should be aware of the restriction on the use of telephones in the Chamber.

**Mr Rogers:** Thank you, Mr Principal Deputy Speaker.

Are we really going to put our children first? If we are, it will cost money. We will need the dedicated help of all those professionals — occupational, speech or music therapists — working along with school staff. With all due respect to our teachers, they were not trained to be speech therapists. I go back to the conversation that I had yesterday with the music therapist who every day switches the lights on for children who have severe learning issues. Music therapists reach those pupils. Children with no language can, after a time, begin to babble. They can then work with speech and language therapists to develop the



basics of language. Minister, I cannot stress enough the importance of those professionals in addressing special needs. It is high time for the Department of Education, along with the Department of Health, to coordinate a strategic and integrated approach to supporting children with special educational needs, irrespective of which school they attend. That must be done at early years. Our young children cannot wait.

**11.45 am**

**Mr Kinahan:** We, too, welcome and support the motion, although we feel it could be much stronger. Before I say a few words as Deputy Chairperson of the Education Committee, Mr Principal Deputy Speaker, may I point out that we need to find a way forward whereby comments made on behalf of the Committee fit more into speeches and allow Chairs and Deputy Chairs to have a bit more time? Can we look at that in the future?

Before the summer, the Committee received numerous briefings on collaboration between the health and education sectors, a subject raised again today. In June, we heard from the College of Occupational Therapists and learned about the importance of intervention as early as possible — sometimes, at birth. We also heard how they work with 21% of primary-school children with special educational needs, some 4,500 of whom have formal special educational needs statements. This excellent college highlighted the importance of collaborative working through multidisciplinary teams.

The Committee awaits the possibility, in the form of a regional model, of interventions involving multidisciplinary teams. Occupational therapy can make a significant difference, often through simple measures that help a pupil to be ready to learn and, just as importantly, feel socially included in school. The Committee noted the ongoing work of the children and young people's strategic partnerships, which are designed to provide a framework for agencies to develop integrated services, especially for those with special educational needs or physical disabilities who are undergoing educational transitions.

The Education Committee recognises the need for simplification and easier access for parents of schoolchildren to health services. The Committee would, I believe, have no difficulty endorsing today's motion.

As the Ulster Unionist education spokesman, I welcome the motion, especially the call for collaboration between the education and health sectors. However, we should also include

welfare, OFMDFM and even the Finance Minister. As others have said, we need also to include the Department of Justice and DEL. We need to get everybody working together. However concerned we are, we need this show of agreement to make that happen, and Departments must try to ensure that all the gaps are filled.

Almost the first matter that I remember being discussed when I started on the Committee was early years. That is now 20 months ago, and we are still nowhere. We need a joined-up solution and a lead Department for those with special educational needs. I hope that today's motion means that the DUP and Sinn Féin have found a way forward. It is about time. I fear that it could be all about posturing, but I hope that I am proved wrong.

There seems, at times, to be a real reluctance by the two major parties to agree something with all of us and not just each other. Last week, we heard a call for agreement on school hours. We will wait to see whether that really happens or whether there will just be a deal. When the Committee was discussing ongoing funding, it also discussed agreement. Again, it seems that this will end up as a deal rather than including everyone so that we find a way forward. I sometimes think that the DUP and Sinn Féin have the Medusa touch: anything they look at turns to stone and goes nowhere. I hope that today's motion marks a change and shows a way forward. The UUP wants consensus, which means everybody working together and agreeing the way forward. If the spirit of the Belfast Agreement were followed, maybe we would be doing the right thing for Northern Ireland. I bang on about that because I really want this folly to stop and to see the Assembly find a way forward. Today's motion is about finding a way forward for children who need our help.

I go back to the motion. We need as flexible a system as possible so that parents, teachers and schools can rely on the gaps being filled and getting the service that they want. We want multiagency support integrated throughout all Departments. The Mencap brief called for multiagency support —

**Mr Principal Deputy Speaker:** The Member is now out of time.

**Mr Kinahan:** — and a robust system. We support the motion.

**Mr Principal Deputy Speaker:** Sorry, the Member is now out of time.

**Mr Kinahan:** Compliments of the season and “Happy Christmas” to everyone.

**Mr Principal Deputy Speaker:** Thank you.

**Mr Lunn:** At least Mr Kinahan finished on an optimistic note, which partially made up for what he said before. I will try to be a bit more optimistic.

I support the motion. The Committee has discussed the issue several times over the years, so we are on familiar ground in recognising that the need for close collaboration between Departments is vital for the development of our children. It was suggested more than once that a departmental reorganisation may reasonably include establishing a Department for children. Mr Kinahan mentioned a lead Department, but we need something to draw together the input from Health, Education, DEL, Social Development and possibly other Departments. That input is available but is not well-coordinated.

The motion is specific in demanding that the Health and Education Ministries jointly provide the mechanisms for pupils aged nought to six to identify needs early and provide the multidisciplinary approach that is so vital to give all children the best possible opportunities. Mr Hazzard referred to the Royal College of Speech and Language Therapists. The college has provided a useful brief today, which I do not think that all Members got. However, I commend it to Members and the Minister; I am sure that he got it. The college points out what it perceives as the inadequacy of the training of teachers at undergraduate and graduate level and for classroom assistants, specialist careers advisers and teachers in the wider school workforce. It advocates ongoing training and acknowledges a funding requirement and perhaps a problem. However, surely to advance the skills of everyone involved in the area would be a worthwhile investment.

The college also makes the point, with which we all agree, that the earliest intervention is the most effective. It then points out that the code of practice around diagnosis and support does not apply to non-statutory, voluntary or private preschool units. That is surely a damaging omission. All children should have access to the same level of expertise and screening. Although I admire and acknowledge the good work of the private nursery sector, generally that difference should be addressed.

It is now well established that speech and language difficulties add dramatically to the problems of behavioural withdrawal and isolation in children. They cause lack of confidence, problems with interaction and relationships and increase the risk of bullying by other pupils. Most basically, they inhibit a child’s ability to learn and progress.

The motion refers to statementing and the need for a designated coordinator for every child with a formal statement to ensure delivery of an integrated service. I totally agree with that proposal and with all the other principles suggested by the royal college. Here I perhaps agree with Mr Kinahan that it is time that we prioritised this area in more detail. Money spent in early interventions will surely pay dividends in later years and, most importantly, give all children equal development opportunity.

I note that 4.2% of Northern Ireland children are statemented. That is double the national average. I wonder why that is so. I wonder whether the problems that cause the need for statementing are different or more exaggerated here than in equivalent areas across the water. In inner city areas here, the figure rises dramatically: in one area of Belfast, 53% of children are statemented. I find that incredible. That is over 10 times our average and 20 times the national average. I wonder what that says to the community where it occurs, what encouragement it gives them or how it improves or diminishes their self-esteem or their ability to work with the children. We all know that so much of this relates to what happens at home. It would be interesting for the Department, at some point, to compare those figures with what happens in similar areas across the water and perhaps investigate, if it is a health issue, why it should be so.

In the 15 seconds that I have left, I want to endorse Mr Rogers’s comments about music therapy. It is well proven now that that works tremendously well in some cases. I know that there is a very active association here that tries to promote it. I wish it well, and I hope that music therapy is something that can be prioritised, because it has been proven to work many times.

**Mr Principal Deputy Speaker:** That is 25 seconds.

**Mr Newton:** I support the motion. I deeply regret Danny Kinahan’s remarks, his claims about posturing and the very negative approach that he took.

**Mr Craig:** I thank the Member for giving way. I listened to the naysayers and doomsayers. However, I recommend to the Member the autism strategy that the Minister of Health has put together. His is the lead Department for the strategy, but he is working closely with the Minister of Education. The strategy, which is coming out very shortly, is a prime example of how the health and education sectors can work together to help people with special educational needs. Therefore, a lot of good work is going on in the background, and, through the motion, we want to see that extended.

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

**Mr Newton:** Thank you, Mr Principal Deputy Speaker. I agree: that coordinated approach is what we are calling for. I have relatives who work in the sector, and I know about the care that they provide and the concerns that they have about those in their charge.

Children with special educational needs deserve all that we can do for them. We have a duty of care and a responsibility to them and their parents. The importance of education in the early years of a child's life cannot be overvalued, as has been said by everyone who has spoken. It is the early years of children's education that are the most important, because that is when they develop their physical, intellectual and emotional well-being and, indeed, their social contact and interaction with others. It is vital that we provide them with all the support that we can. The key to success — this has been said by other Members — is early diagnosis. It is about providing parents with information and support and taking that approach. It is somewhat encouraging that the education and library boards across Northern Ireland now recognise the importance of early identification.

I think that early recognition is an aspiration, an objective and an ambition, but parents who have come to me recently do not see its outworkings. They do not see the practical aspect of early identification. That prompted me to ask questions of the Minister recently, and I passed his response to the parents who had raised issues with me. I have to tell you, Minister, that they did not recognise what was on paper as being transferred into actions.

I have a list of 10 questions that were submitted to me by a parent, and I will raise a few of them. The parent asked, "Why was my request for extra help and an assessment denied for five years? Why was my child subjected to years of bullying, being called 'stupid' and 'thick', with

other little girls not letting her join in their play? Why was the special needs teacher allowed to teach the more capable children and hand my daughter paper and crayons and tell her to sit quietly at the back of the classroom and colour in? Why, after my daughter was tested in P5, was I assured that the extra help that was needed would be given?" It was given for six weeks and then stopped. When the parent contacted the school, it started again for a few weeks and then stopped again.

This parent also asked, "Why was my daughter's report not sent from the primary school to the secondary school, as requested? In fact, it disappeared, and I had to provide my copy to the secondary school". When you get parents speaking to you about such matters, it obviously raises concerns. There is the ambition and objective to deliver, but we are not actually seeing it as it rolls out to the parents and pupils.

I congratulate my colleagues on bringing the motion to the House. I know that the whole House shares those concerns. However, we do not need to just share them; we need to see them being transferred into action to support the parents and the pupils.

## 12.00 noon

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. The motion addresses the need for better collaboration between DE and the Health Department. It also deals with the need to address some of the shortcomings in the current SEN framework. Children with special educational needs make up almost 20% of our school population. The early identification of need is key to making progress in the early years of nought to six. Ensuring that assessment happens early in a child's development is critical for him or her to reach his or her individual potential. Many families do their best to cope with multiple complex needs in the learning disability spectrum. Health needs to complement Education in assisting them by having coordinated support plans in place for the child and family. Parents should not have to wait for months — in some cases, for years — to get an assessment or the much-needed specialist support that they deserve. The proposer of the motion gave a good example of that when discussing the young pupil with sight problems.

Some schools are delivering support to SEN children, but that is not always the case. In many of our ELBs, capacity and training in our schools needs to be increased to support

teachers, staff and, indeed, parents. Health and social care trusts, alongside education, should have in place multidisciplinary teams working in tandem to continue to explore options on how better outcomes can be achieved. As the motion states, a designated coordinator should be in place for the child. That would allow the process to follow the child throughout their early years, right through to the transition from primary to post-primary.

Equipping those involved with expertise, knowledge and skills is fundamental in delivering targets in the 0-6 early years strategy. I commend some of the good work that classroom assistants do in our schools. More and more classroom assistants find it difficult to gain employment in schools, because some of the schools state that they need previous experience. That is an issue for some of our well-trained classroom assistants. Obviously, they provide a good contribution to the classroom.

Bureaucracy needs to be reduced so that schools, staff and parents can understand exactly what is expected of them. However, funding for this by both Departments should not be a barrier to implementing the delivery of integrated services. Therefore, I welcome any commitment from both Ministers that the proper funding element to provide the integration of services will be in place to support and develop proposals.

The overall effective partnerships, with wrap-around services and additional support, need to be jointly planned and delivered strategically by Health and Education working in a coherent and holistic way. That should not be aspirational; it should be an integral part of a child's life. Parents should have confidence in the system. They should not have to continue to fight for the help that their child with special educational needs deserves. I am sure that many of my colleagues in the House will agree with me that a large part of our work in our constituency offices involves working with, assisting and communicating with parents, schools and library boards so that a child gets the support that they are entitled to through their statement of special educational needs.

I look forward to hearing the Minister's response, and I agree entirely with what has been said in the House. I totally agree, too, that another key aspect or element of this is transport. Transport is an equally important issue in addressing special educational needs. I support the motion.

**Mr Moutray:** At the outset, I commend my colleagues for bringing this important matter to the House. As a parent, I believe that there is little that is more important than seeing our children progress educationally and socially through their school years. Progress and success for children can and does happen at different rates. However, I genuinely believe that real life chances can only be achieved if children, on the basis of their specific needs, can obtain adequate educational support when they most need it. I have spoken with a number of educationalists, including Dr Peter Cunningham of the Ceara special care school in my constituency, who tell us that early detection is one of the most important factors in ensuring that educational provision is tailored and suited to the needs of the children.

Unfortunately, in years gone by, the existence of SEN often went unnoticed. With more information available, more training for teachers and more parental awareness of it, improvements have been made, but there is always scope for more improvement. There is still a gap, and, certainly, the Minister of Education has recognised this in his most recent publication, 'Every School a Good School: The Way Forward for Special Educational Needs and Inclusion' in January 2012. The gap that is clearly evident in early detection still causes our children and young people to miss out on an educational experience that helps them to realise their full potential in life. Therefore, the crux of the DUP motion is for further health professional intervention. This is something where joined-up government can really make a difference in the lives of children and young people with special needs and disabilities.

Children's needs cannot be put into boxes. They cannot simply fall into a broad category that entitles them to a static set of resources. Indeed, in a modern society that prides itself on caring for and assisting the most vulnerable, it is time that a holistic approach was used to tackle this problem. It is time that the Department of Education worked hand in glove with the Department of Health, Social Services and Public Safety to ensure that there is early diagnosis and identification of needs and, subsequently, the implementation of multidisciplinary approaches to address the needs of each child. In addition to the identification and implementation of a strategy for addressing the needs of children and young people with special needs, our motion goes that extra mile for those children in that it proposes that each child should be appointed a designated coordinator as part of their

statementing process to ensure that each child reaches their potential in life.

We only have to think of the high-profile case in the news yesterday of the world-famous singer Susan Boyle, who, in her mid-50s, has been diagnosed with Asperger's syndrome. Speaking on the matter, she said:

*"It is a relief to finally receive a diagnosis".*

She went on to say that she has always had an unfair label put on her and that it is a condition that she has had to live with and work through. She now feels more relaxed about herself because people will have a greater understanding of who she is and the things that she does. Unfortunately, in Susan's case, it was very much a case of a misdiagnosis. In earlier life, she was identified as having had a shortage of oxygen to her brain at birth. We can see clearly that Susan Boyle has reached great heights and has gone on to be a world-famous singer, but, had this been detected early in life and the appropriate tailored help afforded by the statutory authorities, Susan Boyle, in herself, would have been a much more confident person and, quite possibly, would have been able to handle her climb to fame in a completely different way.

It is well recognised that the early years of a child's life are paramount to him or her achieving life's potential. Indeed, we all know more than ever about the importance of positive and supportive environments and their impact on brain development and the way in which the first years of a child's life can shape the rest of their life. Over 20% of our school population is made up of children with SEN or disabilities, and it is paramount that the needs of this large number of children are not forgotten. To this end, I support the motion.

**Mr Principal Deputy Speaker:** I inform the House that it will be possible to conclude the debate and take the vote before the lunchtime recess.

**Mr McKinney:** I support the motion. The requirements of young people with special educational needs must continue to be a priority for the Department of Education and the Department of Health. That area demands considerable focus given that, we understand, 20% of our children in schools have a special need of one type or another.

The early identification of needs is of the utmost importance, so that difficulties can be addressed promptly, reducing the need for

long-term intervention and, indeed, allowing for accelerated development paths and sustained progress for children. My party colleague Sean Rogers has spoken of concerns about the processes of diagnosis and subsequent treatment, and the length of time between both is crucial to a child's development. However, it holds true that we must address the role that early intervention, multidisciplinary approaches and the effective delivery of integrated services play in determining the prospects and life qualities of children with special educational needs. The link between those two factors reinforces the fact that joined-up government is required to properly and thoroughly help children with special educational needs to develop and to address the wider social inequality spectrum in healthcare.

We have seen, for example through the Allen report among others, that it is imperative that children are given the best start in life to break the cycle of disadvantage that can lead to poor life outcomes, and the best start cannot be provided through one medium of care. A child will not wholly thrive through positive intellectual development only, nor will they thrive just by means of positive social and emotional reinforcement. It takes an amalgamation of both. It is for that reason that joined-up government, particularly between the health and education sectors, is of the utmost importance to the development of any child with a special educational need. So, while we support and welcome the collaboration aspect of the motion, we ask for it to go much further. We need a cross-departmental and cross-ministerial approach.

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

**Mr McKinney:** Yes.

**Mr Storey:** The key issue that we wanted to include in the motion was that a designated coordinator is appointed as part of the statementing process, because that is key to the delivery of the service. I would take it even further than the statementing process and say that a coordinator should be in place for the entire identification of the needs of our children.

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

**Mr McKinney:** Thank you, Mr Principal Deputy Speaker. That would send a positive and powerful signal to the children and the parents, but it would send an even more powerful signal to the wider public and parents in general if two Ministers sat down together and agreed potentially to incorporate some sort of a

statutory instrument to make it work together and make sure that we addressed the needs that we have all been addressing.

The independent report on early intervention from 2011 provides other evidence and argues that early intervention, combined with support within the remits of health and education policy, can reduce the effects of poverty and deprivation, not just now but generation on generation. That is another important consideration. Let us look at further evidence. The Fit and Well strategic framework says, among other things:

*“facilitate whole-government synergy to address the range of key socio-economic factors which influence health and wellbeing”.*

Once again, a common theme expressed by that document is the need for a joined-up, close partnership between Health and Education to ensure positive intellectual, emotional and social development.

While we commend today’s motion, we express significant concern about the absence of that statutory instrument that I am talking about for both the Department of Health and the Department of Education to work together on issues such as those that we are addressing. Others are already following that route. I note the significant efforts of the Scottish Government to ensure that their education and health services are more fully integrated. We have seen that a collaborative response from both Departments will be necessary to address the requirements of young people with special educational needs. However, there remains no duty to ensure that engagement. The SDLP supports today’s motion calling for that closer collaboration plus a joined-up government approach, which is essential if we are to provide children with better life prospects and, in a broader sense, begin to address the health inequality problems in Northern Ireland.

I refer the House to statistics that Members will have been reading over the past while. If you live in one of our most socially deprived areas, there is a real chance that you will live nine years less than somebody who lives in one of our more advantaged areas. We have to address that. The SDLP urges the Education and Health Ministers to explore the creation of a statutory duty to provide joined-up services for those who are, after all, the most vulnerable.

## 12.15 pm

**Mrs Dobson:** I welcome the opportunity to speak on the motion and thank those who tabled it. The motion brings to the House something that touches the lives of so many vulnerable young people, young adults and their parents across Northern Ireland. It is timely because, surely, if anything emanates from it, the Minister would have time to bring in changes ahead of next September.

Those who teach and work in special schools have my admiration and deserve the admiration of every Member. I include teachers and staff who work with children with special needs in all local schools. Their dedication and service to the young children in their care is nothing short of amazing. However, children with special needs and requirements are being failed by a system that has not evolved with time and is not capable of dealing with the modern problems and challenges that the parents of so many young children have to face almost daily. It is not acceptable for parents to leave their children at the school gate and then spend the day worrying about the care being provided to them. It is not the fault of the teachers, principals or staff in the school; the fault lies squarely with the bureaucratic machine in the boards and the Department.

I would like to use the short time that I have to speak to focus on provision for children with diabetes. The Minister will be aware that I wrote to him on behalf of parents of children with type 1 diabetes who had contacted me. I also wrote to the Health Minister on the issue. The Minister of Education, in his response, confirmed that the number of primary-school children with diabetes has been steadily rising and currently stands at 142. I will give one example. I have been helping a young mother who, despite calling at the school during the summer months to explain her son’s needs, has yet to receive adequate support. Her son, who is in primary 1, requires regular syringe-driven injections, but no help or support was put in place. This young mother was left to worry about her son when she left him to school. She told me that it appeared as though her son was expected to know how to operate the insulin pump and when he was required to do so. No one was available to help her son with his injections, meaning that she was not able to leave the local area for fear of receiving a telephone call. Sadly, she is not alone.

When I wrote to the board on behalf of parents, it referred to the April 2008 guidance, ‘Supporting Pupils with Medication Needs’. This was sent by the Department to all schools.

Maybe the Minister can confirm whether it has been updated in the five years since. Updated policies are of little use if they sit on a shelf in the Department.

Special needs come on many levels, but meeting the basic needs and requirements of a child who has a medical problem should surely mean that he or she receives better treatment than is currently available. The motion rightly identifies that, by getting it right in the early years, we can ensure that the education experience of young children with special needs, far from hampering them, enables them to reach their full potential. I therefore support the motion and the urgent review of the current arrangements.

**Mr Agnew:** I thank the Members opposite for bringing the motion to the House. It is a very important issue and one that is close to my heart.

The importance of the early years from nought to six cannot be overstated. They are integral to the outcomes for our children in later life. Investing in early years provision will improve outcomes for children and save us money in the long term. Other Members have outlined some of the evidence to back that up. Cooperation and integration, which the motion also calls for, is equally essential. We must have joined-up services between Departments and government agencies.

The motion rightly calls on the Ministers of Health and Education to work together on the issue. We have to recognise that the Minister and Department of Education's remit starts, at the earliest, at age three, where there is Sure Start provision. However, for most other children, it will not be until age four. That is why in 2010, as a researcher for an MLA, I sat on the all-party group for children and young people and was presented with the draft early years strategy by a DE official. When I asked what collaboration there had been with the Department of Health on the strategy, I was told that it was a Department of Education strategy. This was the 0-6 early years strategy, and, as it was a Department of Education strategy, it started at age three. It was going to miss out three years of the development of our children's lives. That should be an embarrassment to any of those involved in the production of the strategy, and the fact that it was presented shows the intransigence in our current system about cooperation between Departments. Action needs to be taken on that. I am not convinced that what followed it — the Learning to Learn framework — has resolved that problem; it has simply removed from the paper

the fact that early years strategy should cover ages nought to six, not three to six.

I believe that we need a statutory duty for Departments to cooperate. That is why, as soon as I was elected, the first thing I did was to initiate a private Member's Bill to put a statutory duty on Departments to cooperate in the devising of strategies, such as the early years strategy, that have a direct impact on children's lives. The silo mentality that exists between our Departments at times cannot continue and must be tackled.

**Mr McCarthy:** I am grateful to the Member for giving way. Does he agree that the omens are not good for joined-up government? A few years ago, the I CAN Centre in Ballynahinch Primary School, a fantastic facility for youngsters with speech and learning difficulties, was allowed by the Departments of Education and Health to disappear. There was a 70% success rate in that school, but both Departments walked away from it. The omens are not good for what you suggest.

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

**Mr Agnew:** I thank the Member for the intervention, because it highlights my point exactly. Indeed, if we look at the justice system, we see that around 50% of people in prison, I think, have speech and language difficulties. It shows that, had those issues been tackled, we could have saved money in our criminal justice system as well as having better outcomes for those individuals and better outcomes for our society.

The call for a statutory duty to cooperate has been a strong one. It is something that Children in Northern Ireland (CiNI), an umbrella organisation for over 150 children's organisations, has been campaigning for. Indeed, it has supported me in the development of my Bill. The Northern Ireland Commissioner for Children and Young People (NICCY) has produced a report in conjunction with Queen's University that calls for a statutory duty to cooperate, and Members will have received a briefing from Mencap today that calls for the same thing. I will also quote from the Children's Law Centre, which said:

*"the lack of a statutory duty to cooperate is having an increasingly negative impact upon the manner in which inter-departmental resources are prioritized ... This in turn is having a significant adverse impact upon equality and inclusion."*

I know that equality and inclusion are two things that the Minister puts at the top of his agenda. I call on him today to give a commitment to support, in principle, my Bill to make cooperation a statutory duty. I am happy to work with the Minister and his Department, as well as with the Health Minister, to get the Bill right. I think that its principles are sound, and I hope to bring it forward in the new year.

I have seen the problems with a lack of joined-up working on special educational needs in my own constituency. At one point in the South Eastern Education and Library Board area, the average time between referral to an educational psychologist and the first appointment at stage 3 of the code of practice was 309 days. That is an unacceptable waiting time. On a personal level, I have also seen some good practice at Bangor Central Nursery School and, indeed, at Bangor Central Integrated Primary School.

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

**Mr Agnew:** We have to ensure that that good practice becomes common practice. I believe that we need legislation to make that happen.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Fáiltim roimh an deis na ceisteanna seo a phlé inniu agus dearcadh mo chomhghleacaithe Tionóil a chloisteáil. I welcome the chance to debate these issues and to hear my Assembly colleagues' views.

I am committed to ensuring that we meet the needs of the most vulnerable pupils in our society and acknowledge the importance of close collaboration between the education and health sectors to meet those pupils' special educational needs. Minister Poots also recognises and supports the need for close cooperation between our two Departments and their associated agencies, particularly in addressing services and support for children with SEN. It will be worthwhile for some Members to be aware that Minister Poots and I and our officials meet on a regular basis to discuss a wide range of issues, including SEN.

I am pleased to report that there are already good examples of cooperation and engagement between the education and health sectors at departmental level in initiatives such as the autism strategy, which some Members referred to, and the Bamford action plan. My officials are also involved in the Public Health Agency's

review of allied health professional support for children with statements of SEN.

As regards legislation, the 1995 Children Order provides that health and social services authorities shall assist any education and library board (ELB) with the provision of services for any child with SEN in the authority's area. The 1996 Education Order provides that an ELB may request the help of health and social services authorities for children with SEN. Clearly, therefore, statutory frameworks are in place to support collaborative working.

As regards practice on the ground, the code of practice on the identification and assessment of SEN recognises that effective action on behalf of children with SEN will often depend on close cooperation between education and health and social services.

A number of the examples that Members referred to do not need a change in legislation. Rather, it needs to be ensured that the legislation that is in place is being enacted in schools. Mr Newton posed questions on behalf of a parent. Although I cannot validate the authenticity of the circumstances that were referred to in those questions, I can say that you do not need a change in legislation to protect that child's rights. The school in question is failing that child under current legislation. That school needs to be challenged through both its board of governors and principal on how it treated that child in the past and how the movement between primary school and post-primary school was handled. You do not need a change in legislation to protect that child's rights. Rather, the legislation that is currently in place needs to be enacted.

**Mr Newton:** I thank the Minister for giving way. I concentrated my efforts only on those children in mainstream education who have special educational needs. However, a constituent of mine presented to the Minister a report — he referred to it as the Emma report — based on his child's educational experience at primary school. The recent questions came from another parent at the same school. The Emma report dealt with a child's previous experience. It should have raised questions in the Department that a parent felt sufficiently strongly to spend a considerable amount of time putting together a fairly detailed report.

**Mr O'Dowd:** Although I am not dismissing his claim, I assure the Member that, if he speaks to me privately and identifies the school that he claims is allowing a child to be bullied in the playground and excluded from education, with a teacher feeling that it is appropriate to exclude



that child and set a piece of paper and a colouring pen in front of them, I will deal with that personally, because it is unacceptable.

The point that I am making is that we, as Assembly Members, can introduce legislation. That legislation has to be implemented on the ground. Current legislation excludes the practices that are being delivered in that school and, when we, as elected representatives, become aware of such a case, we have a duty to ensure that that legislation is brought to bear on any school that is failing children. That is the point that I am trying to make.

### 12.30 pm

Mrs Dobson made points about medical interventions for children. The guidance was updated last year. Again, I am not shirking my responsibility, but, during Mrs Dobson's speech, she said that she did not blame the teachers or principals of the schools, and 99.9% of the time, she is absolutely correct. However, in the instance that she referred to, again, it is the school's responsibility. The school or a teacher in the school is refusing to administer insulin to that child. They have the guidance, they have the legislative protection and they have the training available, so I suggest that you go back to the parent or challenge the school on that matter. That does not require a change to the legislation. I have to say that the vast majority of schools will cooperate in medical incidents, but a number of schools or teachers refuse to. I have not been shown any legislative or insurance reason why schools should not. That is my view on that.

Regarding early intervention, my Department's 'Learning to Learn' policy framework, which was published in October, seeks to ensure that all children have equal opportunities to achieve their potential through high-quality early years education and learning experiences. A key policy objective is to identify and help to address barriers to learning and reduce the risk and impact of social exclusion and the need for later interventions.

Mr Craig referred to a case where a child moved from early years into primary school and was left behind because of a lack of intervention, but, as part of the SEN capacity-building programme, SEN early years pilots link with the Learning to Learn strategy and involve multidisciplinary, transdisciplinary and dual agency work, and those are under way. The pilots aim to improve the capacity of early years settings to be able to identify, assess and meet the needs of children with SEN. Where those needs cannot be met by the setting alone,

multidisciplinary support can be requested. Education Training Inspectorate evaluation of the pilots will take place in 2014 and will be used to inform a future model of SEN best practice for early identification, assessment and provision across early years settings.

Another key aspect of early intervention is the Sure Start service, which is delivered to the top 20 most disadvantaged wards, moving to the top 25 most disadvantaged wards and super output areas. Sure Start works with parents and children aged nought to four to promote the physical, intellectual, social and emotional development of preschool children to ensure that they can flourish at home and when they get to school. Sure Start is delivered through close cooperation with the Health Department, the Health and Social Care Board, the childcare partnerships and the local health and social care trusts. Sure Start's integrated approach to service delivery is a prime example of education and health working collaboratively and is fundamental to the service's effective operation.

Statements of SEN will include details of any relevant non-educational needs of, and provision for, the child, as agreed between the health service, social services or other agencies and ELBs. It is important to note that the statutory assessment process is multidisciplinary in nature. Professional advice is sought from parents and from education and health services.

It is also important to note that not all pupils with SEN, including those with statements, will require multidisciplinary interventions. The ELBs have, for many years, worked closely with their counterparts in health to bring about good educational and health outcomes for children. Multidisciplinary teams run by the health and social care trusts work in close collaboration with their respective ELBs. Initiatives such as the multiagency support teams (MASTs) in schools provide a holistic service to meet the needs of children with SEN. Services provided under MASTs have proven to be valuable sources of universal, targeted and specific support to parents, education, staff and pupils. This initiative, involving health trusts and ELBs, is one good example of effective transdisciplinary working across two agencies.

I accept that the experiences of parents coming into our constituency offices regarding supporting their children through the statement process or getting their children through the statement process is not always universally good. We have to continually ensure that our services, as I said in response to Mr Newton,

the legislation, practices, policies and all the multidisciplinary teams that we have on the ground mean something to parents and that they are making a positive change to young people's lives on the ground.

We have reviewed the SEN legislation. We are proposing to bring forward a paper to the Executive. That is most likely to be after the Christmas break, and we hope to receive agreement from the Executive to move towards publishing legislation in February. That will then go through the necessary Committee and legislative procedures. The discussions thus far with the Committee on the matter have been positive. I hope and expect that that positive engagement will continue. I believe that there may be differences on emphasis, and we may have different points of view on many matters across the House, but I hope that we can reach cross-party agreement on the next steps for SEN legislation.

I am relaxed about a legislative imposition on cooperation between the Departments — other Departments will speak for themselves — but I am not in favour of legislation for the sake of legislation. I believe that the Department of Health and the Department of Education are working very well together in supporting our young people with special educational needs. Of course, we can improve the services on the ground. When there are failings, they need to be highlighted, and they need to be corrected. New legislation will not always be the way forward, as I have pointed out in a number of examples. If it is the will of the House, as we are processing the SEN legislation, to place a cooperation clause in the legislation, and it is there for the benefit of young people, I can assure Members that they will not face any resistance from me.

**Mr Storey:** I thank all those who have taken part in the debate. I will try to sum up in an appropriate manner the comments that have been made and the reasons why I believe that it is important that we brought the motion to the House today.

As we approach the Christmas season, it is right and proper that we remember the birth of a child — a child who would change the hearts and lives of many, for centuries to come. It is, therefore, appropriate that, on the final day of the House's deliberations before the Christmas recess, again, the focus of our attention is on the needs of children. As parents, we value the children who are at the centre of our lives. As someone who became a very young grandfather, a few weeks ago, I can assure you

that the birth of a child brings great joy into a home and into a family.

I believe that, yesterday, in the House, we saw what encouragement and hope can be given to children and parents who face very challenging circumstances when a Minister listens and is not prepared to accept the status quo, and when a determined effort is made to find a resolution. I refer to the statement that was made in the House yesterday by my colleague the Health Minister.

This time of the year is about the season of goodwill and peace on earth; maybe that extends into the Chamber. There are always those who take the opportunity to cry, and, unfortunately, we had an example of that. I will come to that in a minute or two. There are, however, good examples within the system, and references have been made to them by my colleague who proposed the motion and by others in the House. So, let us not undervalue the huge amount of work that is done by many within the educational system, in Health and in other Departments, who endeavour, every day of the week, to ensure that they make an invaluable contribution to the lives of our young people.

I think of those in Castle Tower School in my constituency. The Minister and I had the opportunity to visit that school; in fact, it was the most enjoyable day that I have ever had with the Minister. I was not responsible for this, but a pupil decided that the Minister's tie needed to be straightened and gave it a good, tight pull. Maybe many's the time that I wished that I could do that. In Castle Tower, we saw things that were challenging and circumstances that were very difficult for parents and for young people, but we saw dedication beyond the call of duty.

I also think of the day that I visited Fleming Fulton School. I do not think that I will ever be able to get out of my head or mind the huge challenges faced by those who work in such an environment. However, we saw everybody — the health trust, the education and library board and the Department — working together to ensure that the needs of those children were met.

Despite all of that, we had a contribution from the Ulster Unionist Party. I suppose that all that I can say about Mr Kinahan's comments is that every Christmas needs a Scrooge, and he fulfilled that role. He should apply to the Grand Opera House, and perhaps next year he will be in the pantomime — that is about as much as his comments deserve.

I commend Mr Craig and other colleagues for the way in which they presented the motion to the House. Mr Craig referred in his opening comments to the Programme for Government, his experience of the work of the Resurgam Trust and Sure Start. It was vital that we did not produce the motion in isolation. The help that we received was encouraging. I commend those who helped us with the motion, some of whom are in the Public Gallery. I welcome the support from organisations such as Mencap, the Royal College of Speech and Language Therapists, the Royal National Institute of Blind People in Northern Ireland, Children in Northern Ireland and others who contacted us and made correspondence available to us, as they have done for other Members. They also met us, and their sharing of experiences and examples of the frustrations and issues has benefited those whom they represent.

Mr Hazzard made a very valid point about “access to the necessary service”. We need to progress that in the weeks and months that lie before us. Another point — I think that it was made by my colleague Mr Moutray — was about appropriate and correct diagnosis. In the past few days, we have heard examples of late diagnoses, such as in yesterday’s very high-profile case to which Mr Moutray referred. We have also heard of young people who have not been appropriately assessed, which has led to huge frustration for their parents and others associated with the family.

Mr Rogers’s comment that young people cannot wait is true. A situation in which a child or young person waits five years for an assessment of their need is just not acceptable. Through the debate, we can ensure that there is collaboration. From comments made by the Minister in the House, the Health Minister and others, I believe that there is already a will to ensure that there is collaboration and that an approach is taken which is constructed in such a way that it is, ultimately, to the benefit of all the young people involved.

I welcome the fact that Trevor Lunn agreed with the appointment of a coordinator. When putting the motion together, we wanted there to be something of substance. It is very easy — we all do it — to come to the House with a motion, and, if it is not dealt with by a Minister who happens to come from your party, it is easier to say that it is his or her responsibility. However, with this motion, we are asking the Health Minister, who is our party colleague, to buy into the process of the appointment of a coordinator. So it is not a case of our saying that it is up to

others and sitting on the outside waiting to gripe and complain if it is not right, as others do.

I remind Members that we have a five-party mandatory coalition, so when it comes to discussing the Budget, roads, health, education and other issues, there should be a collaborative approach. I am glad that Minister Kennedy is more often in the company of my colleagues when he prepares to go to the Executive table than he is in the company of Mr Kinahan.

#### 12.45 pm

However, I do not want the motion to become a negative. It must be a positive that sends a message out to parents, schools and organisations that spend weeks, months and years lobbying with passion on behalf of the young people whom they serve, that this Assembly can put in place something that is meaningful and tangible. I take the point that the Minister made about legislation. Let us not just make legislation for the sake of it. As a result of the motion, we should, perhaps, suggest that a working group should be set up with those who have an interest to work with the all-party working group on children and young people and all the organisations that currently have an interest in this particular issue, along with the Health Minister, the Minister of Education and others to ensure that we have a strategic way forward.

Mr Newton mentioned the case of a parent whose request for an assessment was denied for five years. I welcome the fact that, in his response to the debate, the Minister of Education agreed to look at the specifics of that particular case.

Let me conclude with a comment by Mencap about today’s motion:

*“Mencap particularly welcomes the recognition given to the need for appropriate mechanisms to provide for early indication of needs of children from birth to six years old and the importance of a multi-disciplinary approach and the appointment of a designated co-ordinator as a part of the statementing process to ensure the delivery of services which are holistic and integrated.”*

That sums up the motion. I trust that, as a result, the Assembly can put in place something that is meaningful for our children, whom we love and for whom we have a duty to provide.

Question put and agreed to.

Resolved:

*That this Assembly recognises the importance of close collaboration between the health and the education sectors in addressing the needs of young people with special educational needs in a holistic manner; and calls on the Minister of Education and the Minister of Health, Social Services and Public Safety to ensure that the appropriate and effective mechanisms are in place for 0-6-year-olds to provide early identification of needs, that multidisciplinary approaches to addressing need are in place for all pupils with special needs, and that each child has a designated coordinator appointed as part of the statementing process to ensure that the delivery of these integrated services optimises the life chances of the pupils.*

**Mr Principal Deputy Speaker:** Question Time will be at 2.00 pm. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm.

*The sitting was suspended at 12.47 pm.*

*On resuming (Mr Speaker in the Chair) —*

**2.00 pm**

## **Oral Answers to Questions**

### **Regional Development**

**Mr Speaker:** Question 10 has been withdrawn.

#### **Transport: Integrated Projects**

1. **Mr McCarthy** asked the Minister for Regional Development what potential he has identified for saving money through organising a public sector-wide programme to share transport resources. (AQO 5220/11-15)

4. **Mr Milne** asked the Minister for Regional Development to outline his plans to develop integrated transport projects, such as the pilot scheme carried out in the Dungannon area. (AQO 5223/11-15)

**Mr Kennedy (The Minister for Regional Development):** With your permission, Mr Speaker, I will answer questions 1 and 4 together, because they are related to the same subject. I will give a joint response to both Members, so I ask your indulgence. My Department is coordinating a cross-departmental pilot project to test the concept of improved integration of publicly funded transport services in the Dungannon area. One of the project's key aims is to improve passenger services and to identify the potential for making operational efficiencies through the better use of vehicles, drivers and technology. Members will be aware from previous discussions that that work is quite complex. I believe that the Committee for Regional Development also recently heard from the various stakeholders about how complex the issue is. As a result, the project is taking a measured approach to testing various opportunities for integration during the pilot period, which is similar to the approach that has been adopted in other jurisdictions.

The areas that will be examined include better integration of Translink and Southern Education and Library Board school transport services; Translink services and the rural community transport partnerships' demand-responsive services; rural community transport partnerships and school transport services; Southern Health and Social Care Trust and Southern Education and Library Board services for pupils and adults with special needs;

Southern Health and Social Care Trust and rural community transport partnership services; and the overall demand for public transport services for people with similar needs to ensure the better overall use of resources.

As changes and improvements are introduced to services during the pilot, there will be ongoing evaluation of the new arrangements and an evaluation report will be produced by late 2014. In addition to identifying the processes and arrangements that have worked well for operational efficiency and in improvements to services for passengers, the evaluation will also consider the areas that have been more difficult to resolve and will make proposals on how those can be addressed in the long term.

Alongside the work on the evaluation report, it is envisaged that the Departments that are involved will undertake an economic appraisal to examine the options for the wider implementation of the concepts that are tested during the Dungannon pilot. That would include the costs, benefits and proposals on the preferred delivery options for public transport in the future.

Recognising that user requirements can vary considerably across different geographical areas, it will be important for the economic appraisal to make an assessment of how the approach in Dungannon could be implemented on a wider scale across other areas. That may result in a number of other pilot projects being developed across a number of other council areas in the future.

Account will also need to be taken of how any constraints, such as legislation, funding and current delivery arrangements, can be addressed to provide for a more effective and joined-up approach to the delivery of public transport services. The economic appraisal will also be completed by late 2014.

**Mr Speaker:** Before I call Kieran McCarthy, I inform Members that the Minister has come to the Table to ask for more time on a particular question. Under Standing Orders, Ministers can ask for more time, and they are granted more time. The Minister had two minutes, but he now has three. I just clarified that to the House, because I saw some Members looking at the clock, but the Minister came to the Table to ask for more time. I keep saying to the House that, sometimes, the nature of a question means that Ministers need more time.

**Mr McCarthy:** Thank you very much for that very important information, because I was one

of those who was looking at the clock. I was just wondering when I was going to get a space to put a supplementary question to the Minister. He mentioned rural community transport on a number of occasions, and that is my concern. He mentioned Dungannon, which is a bit away from Strangford. Nevertheless, will he make a commitment to use any savings that he makes in the process to bolster community and rural transport throughout Northern Ireland?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Let me say to him that this is not simply about saving money; it is about providing better services as we move into the future. I think that that is a very important consideration. Obviously, the evaluations and the detailed analysis will need to take place over the next few months. We are looking particularly at the Dungannon pilot as an opportunity for other places. However, let us see how that goes.

I am not sure about the main thrust of his question, which implies that we are simply doing this to save money. It is not purely or exclusively for that reason, nor should it be, but it is to offer better and, hopefully, improved services to the rural area.

**Mr Speaker:** Ian Milne, whose question is grouped, is not in his place. I call Dominic Bradley.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Ba mhaith liom ceist a chur air: an raibh aon teagmháil aige leis an Aire Oideachais ar an cheist seo? Considering the fact that the Minister of Education is conducting a review of school transport, has the Minister of Education been in contact with the Minister about how that review might feed into the current issue?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. As I think I indicated in my answer, certainly, at a local level, health trust level and education board level, significant cooperation is taking place between my departmental responsibilities, including Translink and others. That is a good thing, and I think that it is very necessary. I understand the point that the Member makes, but that is at a more high-level engagement, which is probably not immediately necessary until we begin to see the evaluation and the results of the roll-out about how progress is being made.

## Narrow Water Bridge: EU Funding

2. **Mr Elliott** asked the Minister for Regional Development, given the recent developments regarding Narrow Water bridge, whether his Department is able to assist the Executive in preventing the loss of the additional EU funding. (AQO 5221/11-15)

**Mr Kennedy:** The failure to secure the necessary additional funding for the Narrow Water bridge project, despite extensions being granted to do so, presents the Executive with a stark reality in EU funding terms. That reality is, quite simply, use it or lose it. The latter option must not be allowed to happen. My Department is ready to assist the Executive to avoid the loss of that funding. In that respect, my Department has a proven track record in drawing down and effectively spending out European funds.

My Department has recently been approached by the Special EU Programmes Body (SEUPB), which is now urgently seeking to divert the unspent Narrow Water bridge funds to contingency projects and plug the funding gap. The SEUPB is seeking projects that meet the specific requirements of the INTERREG IV funding programme in as much as they can demonstrate clear cross-border benefits and that could be delivered within the EU prescribed timescales. One such project relates to the upgrading of the Enterprise train running between Belfast and Dublin. Last week, officials from my Department had discussions with the SEUPB, DFP, Translink and the Department of Transport, Tourism and Sport with the intention of preparing a project application.

There are, of course, still several hurdles to overcome before any project can be formally funded, including securing the obligatory SEUPB and INTERREG steering committee approvals and a letter of offer. With that in mind, I intend to discuss those procedural issues with the SEUPB in the next few days to facilitate progress.

The Enterprise project is well positioned: the economic appraisal has been approved; the project is mature; and Translink has great experience in delivering those types of project. I can, therefore, answer my colleague with a definitive yes to the question about whether my Department can assist, and I will, in the expectation of cooperation and collaboration from everyone, make sure that those funds are not lost to the people of Northern Ireland.

**Mr Elliott:** I thank the Minister for that. He highlighted one scheme that the money could be redirected to. Would that utilise all that money, or are there any other projects that he may be able to put the money into, including the southern bypass in Enniskillen?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. At the end of the day, all politics is local. The work to the Enterprise would be the most significant project that is potentially available to us. I am, however, aware of others. I believe that a scheme is being brought forward by the authorities in the Republic of Ireland for the maintenance of the Boyne viaduct. Of course, the Boyne will always have special significance to those of us here. The late lamented comedian, James Young, used to say, "We won the battle but they got the river". At least they are looking after it, I suppose.

So, other projects are available. The work on the Enterprise service seems to be the one that we, as a Department, are most interested in moving forward. The Member mentioned the A4 road scheme around Enniskillen. It is not currently a candidate for this funding, but he constantly reminds me of the pressing need for it on a constituency basis, and I have not forgotten about it.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Does the Minister agree with me that the bridge provides an enormous opportunity for the Down, Newry, Armagh and Louth area? Will he join me in encouraging all parties in the Executive — our party is willing to provide funding for the bridge joining with all parties in the Executive to ensure that the European money is used for the bridge?

**Mr Kennedy:** I am grateful to the Member for her supplementary question. I understand her position, but I have to say that the situation has now moved on. SEUPB has withdrawn its letter of offer, and, as such, the bridge project is no longer on the table. What is essential, in my view — I hope that it is a view shared by my Executive colleagues — is that we proceed to ensure that European money, which can be expended on projects in Northern Ireland and in a joint nature with the Irish Republic, is fully utilised. I have to say respectfully to the Member that we must concentrate on proceeding, on that basis, to ensure that that European money or its benefits are not lost to the people of Northern Ireland.

**Mr Rogers:** Minister, as regards our disappointments about the A5 road scheme and

the Narrow Water bridge project, what discussions have you had with your counterpart in Dublin? What are your plans for developing the cross-border infrastructure? You have talked about the Enterprise, but what about the southern relief road in Newry?

**Mr Kennedy:** I am grateful to the Member for his supplementary question, and, indeed, I have had discussions with my counterpart in the Irish Republic about both projects. The Member knows that the status of the A5 project remains as a delayed project, rather than an abandoned one. The issues around the Narrow Water bridge project are now well documented and should be fully understood. I know that the Member, though disappointed, will now have an understanding of the situation that we find ourselves in. I am attempting, in cooperation and consultation with both Translink and Irish Rail, to bring forward the Enterprise project. I believe that significant benefits could be accrued by moving forward with that project, and I hope and expect that we will have the full cooperation of the Irish Administration.

### Transport: DARD Cooperation

3. **Mr McKay** asked the Minister for Regional Development what level of cooperation his Department has with the Department of Agriculture and Rural Development in the provision of community transport. (AQO 5222/11-15)

**Mr Kennedy:** My Department and the Department of Agriculture and Rural Development cooperate in the provision of community transport in rural areas by funding and administering the assisted rural travel scheme, which allows members of rural community transport partnerships who hold a concessionary fare pass to receive free transport when using Dial-a-Lift services provided by the partnerships. The scheme allows free use of community transport for those over 60 years of age in areas where public transport is limited.

The scheme aims to assist with meeting Programme for Government targets by making a positive contribution to tackling poverty and social isolation. It is consistent with the regional transportation strategy and with DARD's tackling rural poverty and social isolation framework. Last year, the scheme provided nearly 200,000 journeys. DARD funds the subsidised fare element of the scheme. My Department funds the operational costs incurred by the rural transport partnerships (RTPs).

My Department, the Public Health Agency, the Department of Agriculture and Rural Development and other agencies cooperate in a special initiative; a project to maximise access to and uptake of services, grants and benefits in rural areas. The project contains five strands, including rural transport, with an objective to deliver and develop a range of actions to address rural poverty and social exclusion. That links with the primary objective of my Department's rural transport fund, to reduce social exclusion by improving and providing transport opportunities for people with reduced mobility in rural areas.

### 2.15 pm

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. My party's position and mine is that this service needs to be protected. Will the Minister give the House a concrete assurance that he will not only maintain but increase the £3.2 million per annum that is provided to RTPs, which is minute in comparison with the amount given to Translink every year?

**Mr Kennedy:** I thank the Member for his supplementary question. I assure him that we will continue to evaluate the services that are provided. I am encouraged by the numbers using the service and its quality. I need no convincing of its importance to rural communities. I very much hope that we will have ongoing support for it, particularly at Executive level.

**Mr Dallat:** Does the Minister agree that in many rural areas a Translink bus that is not linked with community transport is about as useful as an ashtray on a motorbike at the North West 200? Is he satisfied with the cooperation that he is getting from the Department of Agriculture to make the integration more complete?

**Mr Kennedy:** I am grateful to the Member for his supplementary. I understand entirely the point that he makes about better cooperation, collaboration and integration of services. The rural community can in many ways be isolated, and it is important that we make strenuous efforts to improve that and ensure that our public transport systems are not based only in urban centres, particularly Belfast. I am keenly aware of the need to work with others, including the Department of Agriculture and Rural Development, and my officials seek to do so on an ongoing basis.

**Mr Storey:** What discussions is the Minister having with Translink to ensure that access to

public transport is a priority and also that there is a joined-up approach? In my constituency of North Antrim, people who live in rural areas and have poor access to public transport find it difficult to connect with the rail service from Ballymoney or Ballymena. What discussions are being had so that Translink, rather than depending on RTPs or other public —

**Mr Speaker:** I encourage the Member to finish.

**Mr Storey:** — sector bodies, plays its key role in rural transport?

**Mr Kennedy:** I thank the Member for his supplementary question. I understand absolutely the need for a coordinated approach and for Translink to be the leading proponent of that coordination. The Member will know that we have sought to improve park-and-ride facilities at various locations for bus and train users. We will continue to try to roll out and improve that campaign. We are aware of the need for coordination and cooperation. That is very much the remit of Translink, my remit as Minister and the remit of my departmental officials.

**Mr Speaker:** Question 4 has been answered.

## **South Antrim: Road Maintenance**

5. **Mr Girvan** asked the Minister for Regional Development how much has been spent on road maintenance in the past 12 months in South Antrim. (AQO 5224/11-15)

**Mr Kennedy:** My Department does not maintain records or analysis of maintenance spend on a constituency basis. However, I can advise the Member that maintenance responsibilities for the South Antrim constituency are shared between the eastern and northern divisions of Roads Service.

In 2012-13, expenditure on structural maintenance, which includes resurfacing, surface dressing, patching and structural drainage, was approximately £23 million in the eastern division and approximately £25 million in the northern division, elements of which will have been directed to South Antrim. In the past 12 months, for example, my Department completed approximately 20 kilometres of carriageway resurfacing at locations in the South Antrim constituency at a cost of approximately £2.6 million. They include the A57 Antrim Road, Antrim; Station Road, Whiteabbey; Monkstown Avenue and Beverley

Road, Newtownabbey; and the A6 Belfast Road, Islandbawn.

**Mr Girvan:** I thank the Minister for his answer. A major road project that is under way is the dualling of the A8, and, as a consequence of that, a lot of traffic is being diverted on to small, minor B roads, and the increased traffic — probably of the wrong type — on those roads has had a major impact on their condition. Is there any plan to resurface those roads after the completion of the total project?

**Mr Kennedy:** I am grateful to the Member for his point. Of course, the A8 scheme is very valuable and important to that particular region. It will have the capacity to open up and improve access to places such as the port of Larne. I suppose that there is a consequence. You cannot make an omelette without breaking eggs. There will obviously be a consequence to some travelling habits.

The current budget for overall structural maintenance to date amounts to some £104 million. We very much hope — I say this optimistically, in case the Minister of Finance is listening — that we can perhaps take more in January monitoring to help us with that, because current calculations are that we need £129 million a year simply to maintain the roads that we have. That is not to build new roads such as the A8 or the A2 or, as we move forward, the Magherafelt bypass or, indeed, the A26 at Frosses. So, as well as the impressive list of projects that we intend to bring forward, there is the job of maintaining the structure of roads. Of course, increased traffic on the more minor roads will perhaps create worrying conditions. So, we will seek to get more money and to use that wisely.

**Mr Kinahan:** I thank the Minister's staff for their work in south Antrim. We have a lot of great things going on for us, and I know that he will do more for us, particularly on the A8. Can the Minister detail what the out-turn has been for structural maintenance in 2011-12 and 2012-13?

**Mr Kennedy:** I thank the Member for his encouragement and comments, particularly to my staff. The structural maintenance expenditure was £120 million in 2011-12 and £109 million in 2012-13. After a less than successful October monitoring, this year will depend on the outcome of January monitoring. I suppose that the downside of that is that it leaves less time at the end of the year to undertake work. It is an issue that I continue to



raise with Executive colleagues, particularly the Finance Minister.

Whilst we are a Department that is willing and able to spend money relatively quickly, it would make more sense if we were allowed more time to better plan that expenditure. That would certainly help those on the ground — the many contractors, and those in the road construction industry — who now face the prospect of a late surge in contracts having to be carried out by the end of the financial year. So the Member's point is well made.

## Cycling: Budget

6. **Mr Lyttle** asked the Minister for Regional Development how the budget for cycling in Northern Ireland compares to the budget for cycling in other regions in Europe. (AQO 5225/11-15)

**Mr Kennedy:** I do not hold information on the budget allocated for cycling in other sub-member-state regions and, therefore, cannot compare that with the funding allocated in Northern Ireland.

In the current Budget period, over £4 million is earmarked to fund active travel demonstration projects in Belfast, Londonderry, Craigavon and Strabane. In addition, £50,000 has been committed to undertake a feasibility study into a cycle/pedestrian footbridge over the River Lagan, close to the Gasworks site, to Ormeau Park.

While those investments in promoting sustainable transport are important and welcome, I believe that they are not enough. I want to encourage walking and cycling as feasible, reasonable and safe modes of travel, and to invest more in cycling as a key element of transport strategy and delivery. As the Member will know, I have therefore established a new cycling unit in my Department to promote that and to deliver the effective coordination and management of a range of cycling initiatives.

Officials in my Department are currently exploring budget and resource requirements to ensure that the necessary funding is secured to deliver the Department's objectives. Given that the unit has been set up in-year, the annual budget is estimated at around £800,000 for staffing and promotional costs. Discussions are under way to identify what additional resource budget is required and the capital funding necessary for infrastructure measures.

**Mr Lyttle:** I thank the Minister for his answer. I find it startling that he has made no attempt whatsoever to benchmark public investment in cycling in Northern Ireland against any other region in Europe. I am not sure how he is going to encourage cycling and walking if he does not know whether the investment he is making in both is adequate.

Does he accept that significant, bold and courageous public investment was required for the successful development of cycling as an active and sustainable mode of transport in places such as Amsterdam and Copenhagen? How exactly is he going to deliver that here in Northern Ireland?

**Mr Kennedy:** I thank the Member for his supplementary question. I am sorry that he has been something of a wet blanket about the news that we have established a cycling unit. As I understand it, the Member is the chair of the all-party group on cycling. I would have thought that it was incumbent on him to further encourage me and speak with his Executive colleagues so that we can get the maximum money available to us.

I am in favour of a cycling revolution. I want to see more people cycling. We have an ideal opportunity next year with the start of the Giro d'Italia being hosted in Northern Ireland. We can promote that as an event, but we can also promote cycling as a legacy project for the Giro d'Italia. I am enthusiastic. I do not want to be a weeping Jeremiah by saying that we cannot do that. We want to move forward, and I am keen to see progress. The chair of the all-party group on cycling needs to give it a good shove, too.

**Mr Spratt:** I congratulate the Minister; he has got on his bike a few times in the past. He will know about the Committee's interest in the matter. It has brought great economic benefits, and it is a cross-cutting issue for health and other areas of government. Has the Minister had any discussions with other Departments about increasing cycling and its economic benefits to the economy in Northern Ireland?

**Mr Kennedy:** I am grateful to the Chair of the Regional Development Committee for his encouragement and positive attitude. There are huge benefits for the environment, health and sport. I have been engaging and attempting to engage with other Departments about those benefits. The Health Minister is interested in seeing how cycling can improve healthier lifestyles, particularly for young people.

However, the bottom line is that we have to invest in that, which means more money. That means that I have to win that argument around the Executive table. If the joined-up approach that we are adopting and the potential improvements to health, the environment and sport, as well as to transport and sustainable transport in the future, can be argued successfully, it will mean that additional resources on a par with other places can be expended. The best example that we can look to is London. Mayor Boris Johnson's cycling revolution has transformed public transport and sustainable modes of transport in our nation's capital. I look forward to doing that over here.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. The Minister will be aware that there is a very progressive cycle scheme in Dublin. I ask him for a progress update on the proposals for a similar bike scheme in Belfast. Does he have any concerns about the scheme?

**2.30 pm**

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Indeed, I have had the opportunity to see at first hand the experience in Dublin. We have, in part, funded Belfast City Council to introduce a scheme of that nature in Belfast, and my officials are working with council officials to make it happen as quickly as possible. It will have benefits for commuters who are, hopefully, already using public transport and the quality service that is now available to them on buses and, indeed, trains. As they arrive in Belfast, they will be able to hop on their bike and cycle round to their office or their place of work. That is the joined-up logic of this. It works in other places, and there is no reason why it will not work in Belfast and other parts of Northern Ireland.

**Mr Speaker:** Order. That concludes oral questions to the Minister for Regional Development. We will now move to topical questions to the Minister.

### **Nelson Mandela: Funeral**

1. **Mr Elliott** asked the Minister for Regional Development whether he or a representative of the Executive will be in attendance at the funeral of the former president of South Africa, Nelson Mandela. (AQT 501/11-15)

**Mr Kennedy:** I am grateful to the Member for his topical question. There has been no Executive guidance on the arrangements for

Nelson Mandela's funeral. I am able to confirm that no discussion has taken place at Executive level, whether through written correspondence or whatever else, on the funeral arrangements and Executive representation.

**Mr Elliott:** I thank the Minister for that. I noted in press reports that the deputy First Minister was going to officially represent the Executive. Can he give us some information on that report?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Initially, it was my understanding that Martin McGuinness was to attend the funeral in a personal capacity. Of course, the Member will know that, yesterday in the Assembly, the House had the opportunity to pay due tribute on the passing of Mr Mandela. I am not aware of what approach is being taken on the funding of his attendance, nor am I aware of the position that either the Scottish or Welsh First Ministers are adopting. My understanding is that the former Prime Ministers, the current Prime Minister and the Prince of Wales are to attend and are to represent the United Kingdom as a whole.

I think that many people across Northern Ireland will, understandably, feel that it is not appropriate for the deputy First Minister to attend alone, purporting to represent Northern Ireland. I certainly find myself sympathetic to that position. That we have also learned that Mr Gerry Adams will attend some events does not improve that situation. I am also unaware of whether the First Minister declined an invitation to attend, and I am unaware whether he was content with and agreed to the deputy First Minister representing the Executive and the people of Northern Ireland.

**Mr Speaker:** Let me say to the whole House that Members should read Standing Orders on topical questions. Topical questions need to relate to the Minister's responsibility in the Department, and I do not know how the funeral of Nelson Mandela fits in to the responsibility of the Regional Development Minister. So, I just warn the whole House that topical questions need to be on the responsibility that the Minister has in his Department.

### **TEN-T: Criteria**

2. **Mr F McCann** asked the Minister for Regional Development whether, given the TEN-T open day on 13 December, the European Commission has released any details of the preferred criteria. (AQT 502/11-15)

**Mr Kennedy:** I am grateful to the Member for his question. The Member will know that I have engaged substantially with my counterparts in the European Union, including Vice-President Kallas and other senior representatives. The chair of the Transport Committee, Brian Simpson, has been particularly helpful on all these issues as, indeed, have the Northern Ireland MEPs. I am pleased with the progress that we have been able to make on the TEN-T proposals. We did not win every battle, but, substantially, I share the view of my counterpart in the Irish Republic that, given the challenges that faced us with TEN-T, we have come through it pretty well.

**Mr F McCann:** The Minister is aware that several members of the Committee will travel to the event. Does his Department have any suitable projects lined up to maximise the potential drawdown of funds?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. On an ongoing basis, my officials seek to identify suitable projects whereby we can attain grant aid. With grant aid for the projects themselves, opportunities appear to be a little more limited, but the funding of studies and consultation exercises and the preparatory work for a lot of important schemes can get EU funding, and we will seek to do that not only as a consequence of next week but as we move into 2014.

## Door-2-Door

3. **Mr Milne** asked the Minister for Regional Development about the long-term plans for the Door-2-Door transport scheme that ended on 31 March 2013, given that Disability Action is providing an interim service. (AQT 503/11-15)

**Mr Kennedy:** I am grateful to the Member for coming to topical questions. He was, unfortunately, absent for the detailed answer that I had for questions for oral answer, but anyway.

Disability Action continues to provide transport services with grant support from the Department. It is an interim scheme until such times as the Department considers how best to address the transport needs of people with disabilities. Of course, the Member will know that there has been no reduction in the budget for the Door-2-Door service since it ceased on 31 March 2013.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. Thank you, Minister, for your answer thus far. Could you give us a time

frame for when the service might be restored? If Disability Action is now doing the interim service, surely it needs to know whether there will be extra funding available or whatever.

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I hope that I have been able to allay his concerns about any reduction in funding. There has not been a reduction in funding. We continue to assess how best we can provide the service. It is being provided by Disability Action, and we are looking at whether, into the longer term, we should continue in that way and, if not, how we tweak it and improve it. It is not a question of cutting it, and the important thing is that its budget spend has not been reduced. We are satisfied with the way it is being handled at the moment, but we need to give ongoing consideration to these things.

## Senior SmartPass

4. **Mr McCarthy** asked the Minister for Regional Development whether, given the worries of senior citizens as reported on Radio Ulster today, he will support the Hands Off campaign and give a categorical guarantee that the Senior SmartPass will remain come hell or high water. (AQT 504/11-15)

**Mr Kennedy:** I am very grateful to the Member for his question. I note that he did not indicate a personal interest.

I am aware of the huge benefits of the concessionary travel system that we have. It is greatly used and allows many people to travel. It improves social interchange, and there is huge benefit to the local economy as people make journeys. Let me be absolutely clear that, on my watch, I do not intend to fundamentally overhaul the concessionary scheme that we have. I hope that that will give considerable comfort to the campaigners out there, whose concerns I understand. Not on my watch, not under an Ulster Unionist, will there be a cutting or a withdrawal of the services that are available under the current concessionary transport system.

**Mr McCarthy:** I am delighted that the Minister has given a commitment that, on his watch, the Senior SmartPass will remain. That is very welcome. Along with the Minister, I applaud the Assembly for instigating —

**Mr Speaker:** Is there a question?

**Mr Lunn:** There is, Mr Speaker.

We all take credit for the instigation of a SmartPass for our senior citizens in Northern Ireland. Does the Minister agree that, without the SmartPass, a lot of senior citizens would be housebound, out of sequence and a drain on our health service?

**Mr Kennedy:** I am grateful to the Member for his comments. I agree: the concessionary fare scheme and the SmartPass have afforded people the opportunity to reach out and remain active in the wider community. Whilst success has many fathers, all of us can take pride in the fact that we treat our senior citizens, in particular, in this fashion. One would always want to do more and to seek to improve it, as undoubtedly we will. We are mindful of the costs involved, but, nevertheless, it is a scheme that is working and is popular, and I have no plans to overhaul it.

**Mr Speaker:** Steven Agnew is not in his place to ask topical question 5.

## Sandbags

6. **Mr Hilditch** asked the Minister for Regional Development for his assessment of sandbag provision in Roads Service and NI Water, given that some difficulties were experienced during recent storms. (AQT 506/11-15)

**Mr Kennedy:** I am grateful to the Member for his topical question. Obviously, we are into winter. We are mindful that, whilst the conditions at the moment appear to be very mild, we can take nothing for granted. That is certainly the case as we go forward. The Member will know that the issue of sandbags is one that, with the cooperation of councils, my Department has been working to achieve progress on. I am always interested to hear if there are difficulties in a particular area, but, generally, I welcome the increasingly coordinated approach between my Department, its agencies and local government on that.

As this is the last opportunity we know of that the House will meet formally and perhaps my last opportunity to say so in the House, I want to say how much we appreciate the efforts of those who will provide the winter services, who will be watching the clock and the weather forecast, perhaps not able to enjoy fully the Christmas hospitality with their family. I pay tribute in advance to the efforts of everyone concerned, to the more than 300 staff, plus the private operators, who will seek to provide a public service to the people of Northern Ireland by keeping the roads open and keeping people safe.

**Mr Hilditch:** I welcome the Minister's words on the Department's arrangements with councils. Will the Minister assure us that all sections of the Department are on message, particularly in eastern division, as we approach that time?

**Mr Kennedy:** I am happy to give that assurance. I know that the staff in my Department and its agencies are geared up and adopt a very professional attitude. I am pleased that increasingly good relationships now exist with councils. I hope very much that, as we approach the heavy winter, we can work together successfully.

2.45 pm

## Social Development

### Housing Executive: Overpayments

1. **Mr Nesbitt** asked the Minister for Social Development whether he has apologised or plans to apologise to any of the four contractors who, he publicly claimed, had overcharged the Executive by an estimated £18 million in a ministerial statement on 10 June 2013. (AQO 5235/11-15)

**Mr McCausland (The Minister for Social Development):** The figure quoted in my statement to the Assembly in June this year was the figure provided to me by the chairman of the Housing Executive. The latest investigation by Campbell Tickell, the report on which was released on 21 November, reports that there are overpayments estimated to be in the region of £9 million to £13 million. That is still a substantial overpayment. As far as I am concerned and as I have said before, it would not matter whether it was £5 million, £10 million, £15 million or £20 million — it is too much. Let us not forget that this is taxpayers' money that could have been used to build much-needed social homes. Therefore, in answer to the question, no, I have not apologised nor do I have any plans to apologise.

**Mr Speaker:** Question 5 has been withdrawn.

**Mr Nesbitt:** I acknowledge the Minister's answer to the question of whether he had apologised or had planned to apologise to the four contractors who, he said, had overcharged by an estimated £18 million. If the Minister will not apologise, will he give an assessment of the damage, financial and reputational, to the four companies from his quoting a figure on 10 June that he now realises was wrong?

**Mr McCausland:** I am not sure whether the Member was listening to what I said. Therefore, perhaps it is necessary to repeat for his information that the figure that was quoted initially was that provided by the chair of the Housing Executive. The second figure was the figure quoted in the report by Campbell Tickell. There is a piece of work that is still ongoing in which the contractors and the Housing Executive together need to come to a final figure for the level of repayments that will be required.

**Mr Nesbitt:** That was not the question.

**Mr McCausland:** I find this difficult to deal with because the Member does not seem to be able to listen. There is nothing to apologise for, therefore there will be no apology. Work is ongoing because there are a lot of lessons to be learned from the Campbell Tickell report. There is also work to be done in coming to a final conclusion and agreement on the amount that will have to be repaid. It is clear that I am saying that there will have to be repayments.

**Mr Weir:** In light of the fact that failures have been identified and it seems beyond doubt that, whatever the disagreement over the amount, mistakes were clearly made, will the Minister confirm what action will be taken by the board of the Northern Ireland Housing Executive?

**Mr McCausland:** I thank the Member for the question, which gets to the heart of a core issue here. The Campbell Tickell report was commissioned by the Housing Executive. The board of the Northern Ireland Housing Executive accepts the findings of the Campbell Tickell report and regrets the failure to resolve the issues raised at the time when they were first discovered. The Housing Executive board has also agreed that the failing to recover overpayments over the period 2009-2012 was unacceptable and that it needs to be confident that adequate controls are now in place to prevent overpayments in future contracts.

It is clear that there are significant issues to be addressed in the Housing Executive's management of contracts. I welcome the chairman's decisive action to establish a dedicated team to deal with these issues and his proposals to create a new department focusing solely on maintenance contract management. I have assured the chairman that he and the board have my full support in dealing with this regrettable situation and taking forward the wide-ranging programme of change and transformation that is required.

I already meet the chairman regularly and will continue to keep this item on the agenda. I welcome the fact that the Housing Executive board is behaving in such a responsible way. Its attitude is unlike that of others, who seem to have a cavalier attitude to millions of pounds being overpaid.

**Mr Eastwood:** I doubt very much that anyone has a cavalier attitude to millions of pounds being overspent, but, given that we have heard today that the difference in the figures is between £5 million and £9 million, how can the House have any confidence that the Minister's figures are correct?

**Mr McCausland:** The key point is the Member's use of the term "the Minister's figures". I repeat: the figure that I reported to the House initially was that provided by the chairman of the Housing Executive. The second estimate was that produced by the company Campbell Tickell. The final figure of overpayments to be repaid will be finalised only when the process has been concluded between the Housing Executive and the companies that were the contractors involved in this regrettable situation.

**Mr Allister:** Not only is the £18 million figure now discredited, but we now know from the Campbell Tickell report that it came with a very severe caveat. That report confirms that the £18 million figure was given as a broad-brush estimate in need of refinement as more evidence was generated. Why did the Minister give no mention of that in his rush to headline the £18 million figure in the House? Does he not think that he had a duty of care to the four contractors, before naming them, to at least enter the caveat that was presented with the figure?

**Mr McCausland:** Again, it is important to recall exactly what was said. The word that was used at the time was "estimate". It was an estimate that was provided to me by the chair of the Housing Executive on the basis of figures that had been given to him. I made it clear at the time that this was only an estimate. However, the fact is — I have said this already this afternoon — that it does not matter whether it is £5 million, £10 million, £15 million, £18 million or whatever: when millions of pounds have been overpaid to contractors by the Housing Executive, any responsible person will recognise that that is a serious issue. Any sensible person will appreciate that the Minister in the relevant Department has a responsibility to make it known to the Members of the

Assembly. There would have been cries from all quarters if there had not been a report of such a serious situation. I did the responsible thing and the right thing by making that information available to the House.

## Fuel Poverty

2. **Ms Brown** asked the Minister for Social Development for his assessment of the levels of fuel poverty for people aged 60 and over. (AQO 5236/11-15)

**Mr McCausland:** The 2011 house condition survey shows that fuel poverty affects 42% of households — about 295,000 households — in Northern Ireland. The survey recorded that there were 135,170 households in fuel poverty where the householder was aged 60 or over, and that represents 46% of all fuel-poor households. Some 83,190 — 52% — of the householders aged between 60 and 74 are in fuel poverty. Some 51,980 people — 60% of householders aged 75 and over — are in fuel poverty. It is quite clear that, as folk get older, there is a higher level of fuel poverty. I welcome the fact that the Member has raised the issue.

**Ms Brown:** I thank the Minister for his answer. Can he tell us what measures are in place to provide assistance to vulnerable older people in south Antrim?

**Mr McCausland:** For many years, our flagship scheme has been the warm homes scheme, which has helped over 117,000 households in Northern Ireland to improve the energy efficiency of their home. We also have the boiler replacement scheme, which provides a grant of up to £1,000 to help householders to replace older, less efficient boilers. Those schemes operate right across Northern Ireland, including the south Antrim area.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. The Minister is aware that, every week, a large sum of pension credit is unclaimed by people aged 60 and over. Can the Minister give us some idea of what he is doing to address that issue?

**Mr McCausland:** The Member raises the issue of income. Fuel poverty is impacted mainly by three factors, one of which is income. That brings us to the area of benefit uptake, which we have made a priority in the Department over the past two years, with the result that we have gotten to a much better situation than previously. In fact, in one year, we trebled the

income brought into Northern Ireland through benefit uptake over the previous year, which was a considerable achievement. It was done through more targeted interventions in raising awareness of the benefits that people should be claiming. There was clear evidence that there was not necessarily the level of awareness among older people that there should be, and they were one of the sectors that we felt needed a particular intervention. So, work has been done in working with organisations that deal with older folk. However, there is a whole series of targeted interventions, looking at particular areas such as folk living with cancer, elderly folk and young families. That sort of more-targeted intervention is the best way forward. There will be general awareness raising, but there is also the targeted approach.

**Mr Kinahan:** I thank the Minister for his answer and congratulate the staff in Antrim and Newtownabbey councils for the work they do in this field. Does the Minister accept that the rates of fuel poverty, as previously measured, have fallen only 2% in recent years, from 44% to 42%? Does he believe that this is indicative of his Department's failure to address the issue effectively?

**Mr McCausland:** The point is more indicative of the Member's failure to understand the nature of fuel poverty, which is not the responsibility of one particular Department but of a number of Departments. For example, in large parts of Northern Ireland, in the west of the Province, people do not have access to gas. That is an area that Arlene Foster, my colleague in Enterprise, Trade and Investment, is taking forward to ensure that gas pipelines move to the west of the Province. One of the key factors in the higher level of fuel poverty in Northern Ireland is that we are so heavily reliant on oil, whereas, in GB, there is a much greater reliance on gas. Therefore, that impacts on the west of the Province. It is one of the biggest problems we face.

We have also worked extensively to deal with the energy efficiency of homes, with energy inefficiency being the problem. For example, last week, I had the opportunity to visit some building sites in Stuttgart, Germany, to see the work that they are doing to make their houses much more energy efficient.

So, it is about raising income, and our benefit uptake programmes are quite effective in that regard. The cost of fuel is not within the remit of my Department, but spreading the gas network will help. It is also about the energy efficiency of homes, and the more we can do in that regard, the better. That is why a pilot is

being done in Springfarm in south Antrim on the best way to retrofit homes. All that will contribute to reducing the level of fuel poverty.

**Mr Rogers:** Will the Minister advise the House whether he has any plans to help those with long-term sickness or cancer with their fuel poverty concerns?

**Mr McCausland:** I have already mentioned that with respect to our benefit uptake campaign. I also mentioned that income is an issue in reducing fuel poverty. As regards people who are suffering from cancer, we have made that a focus for the targeted benefit uptake campaign, and that was one of the more successful interventions. So, we can do something there, but, in respect of a specific intervention for people suffering from cancer, our other programmes are entirely open to people who have that unfortunate condition. The boiler replacement scheme and the warm homes scheme are generally available. That is the one thing that is particularly relevant and most helpful to people with that particular problem.

### **Campbell Tickell: Procurement Process**

3. **Mr F McCann** asked the Minister for Social Development what methodology was used for the procurement of the Campbell Tickell report. (AQO 5237/11-15)

**Mr McCausland:** The chairman of the Housing Executive, in his press release dated 10 June 2013, stated that the board of the Housing Executive had commissioned an independent review into how the organisation has been dealing with planned maintenance contracts over the past five years following evidence of substantial overcharging. The initial processes of appointing the consultant at that time were managed by the chairman.

### **3.00 pm**

The Member may wish to note my answer to a question for written answer — AQW 24342/11-15 — in which I explained the procurement process followed in the appointment of Campbell Tickell. However, for the benefit of the Member today, I can advise again that the procurement process followed was in line with the appropriate procurement guidance for the direct award of contracts, also known as single tender action, and the use of consultants.

**Mr F McCann:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer

up until now, but it is my understanding that the process that the chair of the Housing Executive followed was done over a short period — a matter of days — and did not follow the tendering procedures that were set down for awarding contracts.

**Mr McCausland:** The Member's first point relates to the nature of the process. I was not party to that process, but I have already stated that I am reliably assured that the appropriate procurement guidance was followed, that there is guidance for the direct award of contracts, or single tender action, and the use of consultants, and that that was followed.

On the timescale involved, it is important to bear in mind that this was something that needed to be done quickly. We are talking about very substantial amounts of money. It was important that the Housing Executive moved quickly to show its concern about the situation and that it got information to clarify how the situation had arisen. In answer to an earlier question, I spoke about the course of action now being taken by the Housing Executive in the light of that report. I think that it is that outworking of the report that proves that the chairman and the Housing Executive took the right approach by moving forward on this as a matter of urgency.

**Mr Dallat:** I listened very carefully to the Minister's response, but surely he must understand that at this stage the Tickell report is so discredited that the only honourable thing for the Minister to do is to put his hands up and say, "Look, it's rubbish".

**Mr McCausland:** Campbell Tickell, the company concerned, has previous experience in this field. It has reported on a wide range of matters, including fraud, mismanagement, financial malpractice, complex financial issues, and governance and management issues, and it previously conducted a statutory inquiry for the then Housing Corporation that looked into mismanagement in a specialist housing association. So, this is a field in which it has some experience, and I suspect that it probably has more experience of it than Mr Dallat has.

**Mr Cree:** I thank the Minister for his response. In my opinion, the Campbell Tickell report simply did not come close to the forensic investigation, for example, that was carried out by ASM Horwath into Red Sky. The Minister may be aware that, in addition to the Campbell Tickell report, one was produced in conjunction with the contractors. It led to four sets of individual accounts by two independent cost

consultants, one of whom was appointed by the Executive and the other by the contractors. Will the Minister try to bridge the apparent massive contradiction between that report —

**Mr Speaker:** I urge the Member to finish.

**Mr Cree:** — and the one produced by Campbell Tickell?

**Mr McCausland:** Let me assure the Member that there are not two reports. There is only one report. Whatever may have appeared in a press statement from somebody or other, there is no second report. A process of work is being taken forward by the contractors and the Housing Executive, but the only report — the one that was commissioned by the Housing Executive board, the one that has been endorsed and accepted by the Housing Executive board and the one that was presented to the Social Development Committee — is the Campbell Tickell report. It is a report that people would be very foolish to dismiss out of hand in the way in which some people want to.

Earlier, I used the word “cavalier”, and there seems to be an almost cavalier approach to some of this. The issues that have been identified in the Campbell Tickell report are very serious, substantial and substantive. They need to be addressed, because they get to the bottom of why the situation arose. They get to the bottom of how it was that there were such serious shortcomings in the Housing Executive and why, in that context, it was possible for such substantial overpayments to be made.

## Housing: Armagh

4. **Mr Irwin** asked the Minister for Social Development to outline his plans for the housing stock in the Armagh district. (AQO 5238/11-15)

**Mr McCausland:** A range of improvement schemes are programmed in the Housing Executive Armagh district office area for 2014-15. They include kitchen replacements at 48 dwellings at Woodford and Caramoyle; external cyclical maintenance at 291 properties at Armagh town and Charlemont; double glazing at 144 dwellings at Tandragee, Armagh town and Poyntzpass; and heating replacements at 73 dwellings at various locations in Armagh town and rural areas.

A total of 18 Housing Executive properties are also included in the proposed stock transfer programme in the Armagh district area: six at

Hillside Avenue and Hamiltonsbawn, and 12 at Drumhillery Park, Middletown. That transfer process will begin in mid-2014.

In addition, a number of newbuild schemes are programmed to be delivered in the Armagh City and District Council area during 2013-14 to 2015-16. Those include 28 units of supported housing and 36 units of general-needs housing. The Housing Executive is in the process of formulating a new social housing development programme for the three year-period from 2014-15 to 2016-17. Subject to my approval, the programme will be published on the Housing Executive website in January 2014.

**Mr Irwin:** I thank the Minister for his comprehensive response. Can he tell us whether there are any winter checks on older properties that do not have proper insulation?

**Mr McCausland:** The Housing Executive is carrying out an ongoing programme on the energy efficiency of all of its property stock. I referred to that earlier. It is part of a wider piece of work, first, to identify the value of the stock. If the value of the stock is to be established, its condition needs to be known. Secondly, the Housing Executive wants to identify areas where there are particular problems of energy inefficiency that might be addressed through the work that is being taken forward in Springfarm Heights. Quite a number of rural properties have old stone walls and a low level of thermal insulation. The question is how best to address that. The work that is being carried out in Springfarm Heights will, hopefully, help to determine the best way to address that to the benefit of tenants.

**Mr Speaker:** Order. Before I call Mr Beggs, I am sure that he is conscious that this is a specific question that relates to a specific constituency area, namely Armagh district. I have no doubt that he has no intention of widening out the question. It is important that I say that before I call him, but let us not prejudge the Member. *[Laughter.]*

**Mr Beggs:** The Minister has indicated that some 36 new general-needs housing units will be built in the Armagh area. Can he advise the House how he ensures that that plan adequately reflects the changes and requirements that may result from the Welfare Reform Bill?

**Mr McCausland:** One issue that I have raised in the past couple of years with the Housing Executive when it brings forward its social housing development programme is, indeed,



the potential impact of welfare reform and the need, therefore, for a number of smaller properties that are suitable for one or two people. The first time I raised it, I did so because, when I challenged the Housing Executive about that, officials actually admitted that they had not taken any account of welfare reform in designing the programme. They were sent back to redo the job and came back with a revised programme. That now features in their programme; there are more smaller properties to address potential need in the longer term and difficulties that might arise from what is commonly referred to as the bedroom tax.

### **Lurgan Town Football Club: Grant**

6. **Mr Moutray** asked the Minister for Social Development for his assessment of how the funds that have been awarded to Lurgan Town Arena Football Club for new facilities will benefit the Lurgan area. (AQO 5240/11-15)

**Mr McCausland:** The grant of £461,000 that was awarded to Lurgan Town Football Club will allow the club to provide a new and larger clubhouse; a half-size 3G pitch, which will be available for use by local schools; replacement floodlights; and associated site works. Not only will that help the club to increase the number of young people who participate in sport, but it will allow it to engage further in the local community by running education, health and social awareness programmes.

I had the opportunity of visiting the ground in Lurgan some time ago. It is a club with 380 members, many of whom come from neighbourhood renewal areas. The club has 40 volunteers, which very much ties in with our Department's commitment to support volunteering. I am pleased to say that the club's 3G pitch is already oversubscribed. So, it is an excellent example of a local football club playing a role in the wider community context.

I encourage neighbourhood renewal areas to consider always the inclusion of sport and sporting facilities and programmes in their overall programmes. Sometimes, neighbourhood renewal partnerships may overlook sport, but it has an important role to play in health and in addressing young people's needs.

**Mr Moutray:** I thank the Minister for that very positive news. I will perhaps push him further and ask him to indicate when the Mourneview and Grey estates' multi-use games area, which is also in Lurgan, will be completed.

**Mr McCausland:** I am pleased to assure the Member that the Mourneview multi-use games area is being constructed by Craigavon Borough Council with funding of £145,000 from the neighbourhood renewal investment fund. I am aware of the many delays that the scheme has experienced, first, in finding a suitable site and, more recently, in finalising the legal arrangements with the Southern Education and Library Board and completing the tendering exercise. I understand that the contractor is due to go on site after Christmas, and it is hoped that, weather permitting, the project will be completed by the end of March 2014. That will be good news for people in the Mourneview area.

### **North Belfast: Social Housing**

7. **Ms P Bradley** asked the Minister for Social Development for his assessment of the number of people on the social housing waiting list, including those in housing stress, in North Belfast. (AQO 5241/11-15)

**Mr McCausland:** As at 1 December 2013, a total of 3,884 applicants were registered on the waiting list for the North Belfast constituency area. Of those, 2,255 were deemed to be in housing stress with 30 points or more.

**Ms P Bradley:** I thank the Minister for his answer. He will be aware that there is a narrative amongst some members of the media and amongst politicians that the housing need in the North Belfast constituency is overwhelmingly nationalist. Will he confirm whether that is, indeed, true?

**Mr McCausland:** I thank the Member for her question. I will take the opportunity to explain that that narrative is totally false, unfounded and erroneous. When people register for housing, they can self-identify as Protestant or Roman Catholic, or, indeed, they can choose from a range of other options including none, refused, unknown, mixed or other religious group.

The figures for those in North Belfast who self-identify as either Protestant or Roman Catholic are, in many ways, quite similar. For example, there are 1,479 people from the Protestant community and 1,489 people from the Roman Catholic community on the waiting list in North Belfast as of 1 December. So, there is a difference of less than 1%. Therefore, the housing waiting lists for Protestants and Roman Catholics in North Belfast are roughly equal. You will find that, over time, there will be slight fluctuations and the figure may go 1% one way

or the other over a period of months as people come on and off the waiting list. However, the figures refute very much the damaging and what I would describe as almost corrosive narrative that suggests that there is an overwhelming demand in one community and virtually no demand in the other community. The housing waiting lists in the two communities are virtually the same.

Sometimes, people argue that we should deal with people who refuse to identify or whose religious identity is unknown. However, that takes away people's right not to self-identify. Even when you look at that, however, and you attempt to allocate people to a particular group on the basis of where they have chosen to live, you see that if someone from Ardoyne, for example, has put down Ardoyne as their choice of area, they are probably not from the Protestant/unionist community.

Likewise, if somebody puts down for mid-Shankill, they are probably not from the Catholic/nationalist community.

**3.15 pm**

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

**Mr McCausland:** Even if you do that, it makes virtually no difference. The needs in the two communities are almost exactly equal.

**Mr Speaker:** That concludes questions for oral answer to the Minister for Social Development. We will now move to topical questions.

### **Pledge of Office**

**Mr Lunn:** The Minister was severely critical last week of the sentence handed down by the courts to Thomas Beresford, the loyalist bandsman. How does he reconcile that criticism with —

**Mr Speaker:** Order. I warned the House that topical questions should be questions on the responsibility of the Minister within his Department. I am prepared to let the Member finish, because sometimes questions and supplementary questions grow legs.

1. **Mr Lunn** asked the Minister for Social Development how he reconciles his severe criticism last week of the sentence handed down by the courts to Thomas Beresford, the loyalist bandsman, with his obligation under the Pledge of Office to support the police and the

courts and to uphold the rule of law. (AQT 511/11-15)

**Mr McCausland:** I am sure that there will be some reflection afterwards about whether questions of this nature are appropriate. I am sure that the Speaker will want to consider that in due course. However, I will just make two points to the Member. First, on that occasion, I very clearly spoke as a local representative, representing the interests of people from the community. Secondly, I said in the statement — if the Member had read it all, he would have known — that there should be respect for the law. That was clearly stated. My comment was purely on the extent of the punishment that was handed out to the individual in the context of that being the very first instance of someone being brought before the courts and then sent to prison for months for playing a piece of music.

**Mr Lunn:** I thank the Minister for his answer. He was critical of the court's decision, and he can hardly divorce himself from being the Minister when it suits him in such situations. Given his intention to crack down on benefit fraud, how does he expect to be taken seriously, when he can be so selective in his support for court decisions and his adherence to the Pledge of Office?

**Mr McCausland:** The Department for Social Development deals with a lot of complex and difficult issues that matter a lot to people, such as housing, welfare, community regeneration, addressing dereliction and addressing town centre regeneration. I am disappointed that the Member was unable to find anything within that broad remit about which to ask a question. I would take his question more seriously if I had seen a pattern from him of challenging some Ministers from the other side of the Chamber about some of the things that they have done, but I have never heard him do it yet.

### **Public Realm Works: Investment**

2. **Mr Moutray** asked the Minister for Social Development to outline the investment by his Department, since he became Minister, in town and city centre public realm works. (AQT 512/11-15)

**Mr McCausland:** I thank the Member for the question, which is on one of the very central areas of work that my Department undertakes and one that is highly valued by local communities, councils, traders and residents. Improving the public realm in a town or city is a fundamental part of any regeneration

programme. During my time in office, I have approved funding of £66 million for 177 public realm schemes across Northern Ireland. For example, some schemes have been completed in Belfast city centre phase 1, costing £28 million; Station Square in Portrush, £1.3 million; Lurgan town centre, £1.8 million; and Queen's Quay in Londonderry, £688,000. Those schemes have involved making improvements to pavements, roadways, street lighting, furniture and public art. All the schemes have been widely welcomed by the local community, residents, visitors to the towns and cities and local traders, because they have had a positive social and economic impact on those areas.

**Mr Moutray:** I thank the Minister for his response. Does he agree that the financial investment that he makes in our town and city centres — not least the difference it has made in my town centre in Lurgan — is beneficial to the communities and makes them a more attractive place for people to come to shop?

**Mr McCausland:** The Member has focused the issue very much on traders. It is true that, over the past five years, traders right across the Province and, indeed, right across the United Kingdom and further afield have faced difficult trading conditions. However, the investment that the Department has made to transform town and city centres has helped to support businesses and improve the vibrancy and the footfall in towns and cities. Creating attractive, open and shared places is one of the best ways to encourage families to return to them and spend more time in our high streets. Other things, such as internet shopping or out-of-town centres, are drawing people away from town centres, but this work helps to draw people back in and to sustain town centres.

Portadown and Lurgan have seen, on average, a 34% increase in footfall; Belfast experienced a 55% increase; and Newcastle experienced a phenomenal increase of nearly 300%. That increase in footfall has also led to an improvement in business confidence; for example, the Belfast Streets Ahead scheme resulted in private sector investment in 20 refurbishments of premises and 64 new businesses opening in the area. Work to progress new schemes in partnership with councils in towns such as Ballymena, Bangor and Newtownards and in Belfast's Bank Square are well advanced, as everyone has seen that investing in our public realm really helps to make our towns much more family-friendly and, thereby, supports the town centre and the traders therein.

**Mr Speaker:** Seán Lynch.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. During Question Time, the Minister mentioned that he had been in Stuttgart last week to look at —

**Mr Speaker:** Order. I apologise to the Member. I have jumped to his question far too soon.

**Mr Lynch:** You caught me on the hop.

### **Welfare Reform Bill: Financial Penalties**

3. **Mr Hilditch** asked the Minister for Social Development whether he believes that any progress will be made on the Welfare Reform Bill before the end of 2013, given that the Westminster Government have said that the Executive will face a penalty of £5 million a month if the new year deadline is not met. (AQT 513/11-15)

**Mr McCausland:** I thank the Member for his question, because it is appropriate that, at this final Question Time of 2013, we have this item on the agenda. The Member will be well aware, as, indeed, are other Members, that I have been working extensively with Executive colleagues to progress the Welfare Reform Bill through the Assembly and to achieve the best possible outcome for the citizens of Northern Ireland.

At the last meeting of the Executive, it was agreed to reconvene the Executive subcommittee on welfare reform, and a meeting of that subcommittee has been scheduled for next Monday, 16 December. It really is a one-item agenda. I do not know what else there will be on the agenda other than one item, and that is how we move this forward. I had certainly hoped that we would have made swifter progress. I hope that we can make progress after the meeting next Monday. Given the Christmas recess, the earliest that any Bill can be brought back to the Executive for decision would be 16 January. If we meet that deadline, I could expect the Bill to receive Royal Assent by the end of March or early April. However, as you have rightly pointed out, the clear message from Westminster, the Department for Work and Pensions, the Secretary of State and the Treasury has been that, if we miss the January deadline, penalties of approximately £5 million a month will kick in.

**Mr Hilditch:** I welcome the Minister's answer. Perhaps he will give us another message: dare

I ask him whether he feels that that is a good use of the limited block grant that we receive?

**Mr McCausland:** The one-word answer to that would be no. It is not a good use of our limited block grant. The Chief Secretary to the Treasury has written to the Finance Minister highlighting his concerns about the delay in the Welfare Reform Bill for Northern Ireland and indicating that the UK Government can make adjustments to the Northern Ireland block grant for the additional costs to the Exchequer of annually managed expenditure (AME) spending controls that are not achieved. The Treasury has estimated the cost to be around £5 million a month since April 2013; £50 million to £60 million by January 2014; and well over £200 million a year by 2017-18. The Chief Secretary has stated clearly and categorically that it will be necessary to begin to make departmental expenditure limit (DEL) adjustments unless the reforms are implemented by January 2014.

The fact of the matter is this: when you start to take £5 million, then £60 million and up to £200 million pounds a year off the block grant, it cuts into the money that other Departments have to spend. It will not come off my budget; every Department here will be affected. That means that there will be an impact on classrooms, teachers, schools, hospitals, nurses, social services and operations. Whatever it is across the realm of health and education, there will be a significant impact. People should get that clear in their mind. This is not out there floating about in the ether; it is a reality. It is important that people grasp the nettle and we deal with the issue as a matter of urgency. We have a very good package of measures that I have been able with Westminster and through discussions with OFMDFM. We need to put those measures out for open discussion, which is what the wider community wants, as the voluntary and community sector has acknowledged. The Northern Ireland Council for Voluntary Action (NICVA) made that very clear, and others have also said that to us.

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

**Mr McCausland:** We need to be in a position to move forward on this.

## Housing: Insulation

4. **Mr Lynch** asked the Minister for Social Development what he learned on his recent visit to Stuttgart to see what is done with houses with poor or no insulation, in particular houses with concrete skin or no-cavity walls,

and whether the lessons would be useful in our circumstances. (AQT 514/11-15)

**Mr McCausland:** I found it very informative to see the difference that it made to the energy efficiency of the properties that we visited. They were retrofitting properties built in the 1960s and early 1970s, so they were about 40 years old. The properties were being substantially retrofitted with a high level of insulation. There are other things that follow on. If you insulate, you must do other things to make sure that the house functions properly. There were good practical examples of what can be done.

I have already mentioned the pilot work at Springfarm in Antrim, which will benefit not only Northern Ireland but the whole of the United Kingdom. This issue should have been addressed some years ago because this work has been ongoing in GB for some time. It has certainly been under way for quite a long time on the continent, where people deal with much colder conditions than we have in Northern Ireland. The extent of the installation was very significant. There are lessons to be learned from the way in which they build properties. I was pleased that we had with us people from the Construction Industry Training Board, the Federation of Master Builders and the Housing Executive. Connections are being developed between experts in Northern Ireland and experts in Germany, and we can learn from each other. They can gain in some ways from us, and we can gain from them. We want this to be done. It should have been done a long time ago because it is not right that people are left languishing in properties that are cold and damp.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his fairly elaborate and comprehensive answer. He is aware that there are homes in this part of the country that have poor insulation. What measures will he put in place to deal with this, particularly as it also affects relatively new social houses, such as those at Mount Eagles in Poleglass, which have deteriorated recently as a result?

**Mr McCausland:** I suppose that there are three elements to this. The first is the technology, and I have spoken about that. We have a clear idea of how that should be taken forward. Previously, work was done to retrofit houses by, for example, putting an inner skin on walls, but that did not work. The effect lasted for maybe a year or two and was not long-lasting. So we

need to get the right technology. Secondly, there is the issue of social housing, and the third is private ownership. In respect of social housing, we have made this a target for the Housing Executive, and that is why it is involved in all these schemes. It is measuring the energy efficiency of its properties, which I referred to earlier, so that it knows the type of properties that need work. Some are fine, some have old solid stone walls and there are even some Orlit properties and old corrugated bungalows. We need to get the issue of social housing dealt with. There is also the more complex issue of private owners and what can be done to support them. That will have to be taken through, not just the technology but how that may be supported in some way and what sort of business case might be constructed around that.

### 3.30 pm

**Lord Morrow:** On a point of order, Mr Speaker. It seems that, at every Question Time, in particular during topical questions, issues are raised on the Floor of the House that are totally irrelevant to the question. Ministers are often questioned about the ministerial code of conduct. Ministers have responsibilities for a constituency and for their constituents. Is it right that we continually hear some Members trying to trip up a Minister or ask questions about some statement that he has made that had nothing to do with his Department but was made when he was acting as a constituency MLA? Is it right that those questions should be allowed?

**Mr Speaker:** That is an important point of order. On two occasions during Question Time this afternoon I cautioned Members who were asking topical questions that had nothing to do with the Minister's Department. I will be looking at this, and, if Members persist, I will not call some of those Members at Question Time. Members know exactly. They should go away and read the Standing Order on topical questions, and they will see clearly that the topical question must relate to the responsibility of the Minister who is running his or her Department. That could not be any clearer.

Yes, we have some Members who want to trip up Ministers. We have to be careful. *[Interruption.]* Order. Yes, the House has a responsibility to hold Ministers to account, but it is account within the Department that they are responsible for; that is where it ends. All Members need to be careful, especially when it comes to topical questions. That is a point of order, and I thank Lord Morrow for raising it.

However, Members can be warned only so many times, and then they have to be dealt with.

**Mr Milne:** On a point of order, Mr Speaker. I apologise to you and the House for not being in my place for my question. I was unaware that the two questions were grouped, so I apologise.

**Mr Speaker:** I thank the Member for coming to the House and making the apology. I keep saying to the whole House that Members who come to the House to apologise can certainly set an example for the House and other Members.

**Mr Agnew:** On a point of order, Mr Speaker. In the same vein, I apologise for being absent for topical questions. *[Interruption.]*

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

**Mr Agnew:** I appreciate the House's good humour on it, but it is certainly not the standard that I expect of myself.

**Mr Speaker:** I thank the Member — *[Interruption.]* Order. I thank the Member for coming to the House and apologising. I often say to the whole House that I am happy to receive confessions in here or in my office. Once again, I thank the Member. I ask the House to take its ease as we move into the next business.

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

## Private Members' Business

### Sexual Orientation Strategy

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

**Ms Lo:** I beg to move

*That this Assembly notes that a sexual orientation strategy was subject to consultation in 2006; further notes that public commitments to publish a document by the end of 2013 were made by the Office of the First Minister and deputy First Minister in *Together: Building a United Community*; expresses its deep concern that this document does not appear to have progressed to date; and calls on the First Minister and deputy First Minister to publish a cross-departmental sexual orientation strategy as a matter of priority.*

On behalf of the Alliance Party, I propose the motion calling for the publication of a sexual orientation strategy, a commitment made by the Office of the First Minister and deputy First Minister (OFMDFM) that, we are concerned, is now grossly overdue. I am very disappointed that no Minister from OFMDFM will be here to respond to Members' speeches.

Northern Ireland does many things well, but, when it comes to equality issues, we so often fall short. A consultation took place in 2006, and a strategic action plan was drafted to identify and tackle human rights issues relating to sexual orientation. This was shelved in 2007, following devolution, along with the shared future and racial equality strategies. It is not unreasonable for OFMDFM to want to take ownership of the strategies under devolution, but seven years is too long to produce our own version. Let me explain.

In 2010, the cohesion, sharing and integration strategy consultation indicated that Ministers were fully committed to publishing a sexual orientation strategy. At the end of that year, it was confirmed by junior Minister Newton that a strategy would be published. In 2011, junior Minister Bell told the Assembly that the final consultation process would take place in early

2012, with a view to publishing a strategy before the end of 2012. In October 2012, the Department outlined that a draft public consultation document was under consideration and would be published in the near future. In February 2013, Minister Bell outlined to the Assembly that the Department remained committed to publishing the strategy and that it was currently under consideration. The announcement of the *Together: Building a United Community* strategy committed OFMDFM to publishing a sexual orientation strategy once the consultation process had been completed. If that sounds like a history lesson, I apologise, but it is important to stress the length of time that we have been waiting for a strategy.

I wonder just how many consultation processes the Department intends to conduct before we see a strategy. No doubt we will get reassurances that the delay has been to ensure that the strategy is comprehensive. However, the fact that there is apparently no policy reason for the delay suggests that this is a political issue. I hope that I will be forgiven for cynically enquiring whether the delay is a result of our two main parties failing to reach agreement on the strategy.

We tabled the motion for two reasons. One was to highlight the worrying delay from OFMDFM. It is very concerning that, seven years on, the strategy is yet to materialise. However, our primary motive for tabling the motion is to stress why we need the strategy. In many ways, the past decade has witnessed great changes in Northern Ireland, changes that we should be proud of. Yet, we still have some distance to go. Equality is about the absence of discrimination. It is about ensuring that people are treated the same, regardless of difference. From homophobic bullying in schools to tragic incidents of hate crime and suicide, far too many lesbian, gay, bisexual or transgendered (LGBT) people are being subjected to discrimination because of their sexual orientation or gender identity.

That is as outdated as it is wrong, and it needs to be addressed. OFMDFM is in the position to make a strong statement that the Assembly is genuinely committed to promoting equality for LGBT people in Northern Ireland.

We need to increase our understanding of the issues affecting some of the most vulnerable people in our society. The benefit of the strategy is that it provides a mechanism through which Departments can coordinate their actions to address the issues and promote equality of opportunity for LGBT people in a joined-up

manner. The lack of a holistic approach from Departments has created a vacuum in which no action plan has been established to address homophobic crime, bullying, harassment, suicide, stigma and provision of services. Piecemeal protections are not sufficient on a strategic level. There needs to be a joined-up action plan. How do we monitor progress and assess the gaps if we have no targets?

Stigma is a large part of the problem. We live in a society in which, for example, the story of a young Olympic diver announcing that he is in a relationship with another man makes the front pages of the newspapers. Why should someone's sexual orientation be deemed newsworthy? We need to change attitudes so that it becomes normalised.

What do we want to see in the strategy? The structure of the strategy is important. I have already stressed the need for an action plan, but there is also a need for resources to be built into the process alongside mechanisms for delivery to ensure that the strategy is effective. Additionally, the Rainbow Project recommends a time frame of three to five years, which is considered to be an adequate target to achieve the actions outlined. Through consultations with the wider LGBT sector, it is suggested that, although key themes and proposed actions have been identified, the strategy must be seen as a living document that will regularly need to be reviewed and updated.

Although key legislation is in place to protect and support LGBT people, such as section 75 of the Northern Ireland Act 1998, which includes sexual orientation, many are unaware of their rights. It is therefore important that the strategy seek to develop a campaign for raising awareness of those rights. Violence against people who identify as lesbian, gay or bisexual is often invisible or under-represented in available data. There is a need for relevant Departments and bodies to ensure through training and awareness that staff better understand how and why the violence occurs.

One of the biggest threats facing LGBT youth is homophobic bullying. Schools should refer to homophobia by name in all anti-bullying policies. They must educate pupils and staff in how to recognise and tackle that bullying. There is also a gap in providing relationship and safer-sex education to young LGBT people. That must be addressed.

A 2006 Rainbow Project report indicated that there was greater misuse of drugs and alcohol in the LGBT community, particularly as a coping mechanism. Health bodies should work in

partnership with the sector to develop targeted campaigns and necessary services. There are also issues with mental health. Appropriate training is needed, and increasing the capacity for community-based provision needs to improve. There are other key themes, such as access to services, same-sex parenting, older LGBT people, rural LGBT people and attitudes in sport and leisure, that need to be referenced.

From my own experience, I know that people are generally far more accepting of diversity now than they were two decades ago. Thanks to the excellent work of the Minister for Employment and Learning, we have seen the development of the LGBT awareness programme for workplaces. That is being conducted by the Rainbow Project so that people who identify as lesbian, gay and bisexual are protected and supported in their jobs.

**3.45 pm**

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

**Ms Lo:** Northern Ireland's recognition of same-sex —

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

**Ms Lo:** — relationships through civil partnerships is another good example of how far we have come. I urge the House to support our motion.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I welcome the opportunity to speak on this matter and, perhaps, to put it in the context of what I believe is a universally held frustration among members of the Committee for the Office of the First Minister and deputy First Minister at the number of strategies and initiatives that are not coming forward in as timely a manner as we want. I put on record my gratitude to the members of the Committee who have helped me in trying to push the Department to open up that blocked pipeline.

We have a list of outstanding issues at the Committee, which are matters that were raised with the Department and not answered in a timely manner. On that list of outstanding issues is a letter complaining about the lack of response to outstanding issues. This Saturday, 14 December, is the anniversary of the issue that is at the top of that list, because the Committee asked a question regarding the

implications for OFMDFM of the Department of Education's common funding scheme that should have been answered on 14 December 2012. So, as I say, we are a few days away from an unwelcome anniversary.

Ms Lo mentioned the fact that a consultation was conducted seven years ago, in 2006. I took the opportunity to revisit that consultation and its questions. I think it is useful to remind the House of what those questions were. First, consultees were asked whether they agreed with issues noted as the main issues facing the LGB community. Those issues included health, employment, crime and justice, partnership, and housing issues. They also included the issue of inequality of access to goods and services; on economics, access to employment and job protection; and, on violence, the need to support victims of domestic and homophobic violence and the need to prevent such violence in future. Surely, there is nothing there that we could disagree with. There is nothing major missing from that list, and there is nothing on that list that anybody would want to remove.

Next, consultees were asked:

*"Is the vision stated on page 16 a strong vision?"*

It is a vision:

*"To have a society in which the diversity, equality of opportunity and human rights of all lesbian, gay and bisexual people and their families are safeguarded, and enabled."*

That was published seven years ago. What is the problem? Can we not all put our hand up in agreement with that statement? Seven years ago, consultees were asked whether they had any comments on the guiding principles. Those guiding principles are: a positive and proactive approach; ensuring that stereotypes do not influence policy development and decision-making adversely; and recognising the multiple identities of LGB people. They are LGB, but they may also be mothers, fathers, sisters, brothers, carers and people with disabilities. The final guiding principle is promoting a partnership approach in developing effective and inclusive policies and service delivery. Again, it is seven years, and we cannot sign off on something so practical and demonstrably sensible.

The document also included in its strategic objectives:

*"To encourage the increased participation and visibility of LGB people in society"*

and

*"To promote an environment free from harassment and bullying and to tackle homophobia".*

I put the same question to the House: what is there on which we cannot agree that has led to a seven-year delay in introducing the strategy?

I note that, as Ms Lo said, then junior Minister Newton in 2010 suggested to the House that the strategy was imminent. On 18 June last, his successor as junior Minister, Jonathan Bell, made clear that it was the intention to publish a revised sexual orientation strategy by the end of last year.

Interestingly, he went on to say:

*"The strategy is not a list of rights; it is an accumulation of best practice ... In the 21 years that I professionally practised as a social worker, [we used] the values of anti-oppressive practice ... We want to tackle real distress that has been caused by discrimination. Everybody, regardless of their sexual orientation, the colour of their skin or their gender, should have the right to live their life free from intimidation and fear. The proposed public consultation will allow anyone with an interest to make their views known and will, therefore, test opinion on those issues." — [Official Report, Bound Volume 75, p320, col 1].*

I put it to the House that —

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

**Mr Nesbitt:** — we do not need to test opinions on those issues. Those issues are copper-fastened by section 75.

**Mr Lyttle:** I thank the Chair of the Committee for giving way. Given that he set out the context of delayed response to Committee enquiries, how additionally frustrating is it that it appears that the Assembly will not be afforded a response from any of the OFMDFM Ministers today?

**Mr Deputy Speaker:** The Member has an additional minute.

**Mr Nesbitt:** I thank the Deputy Chair of the Committee for the Office of the First Minister and deputy First Minister for his intervention.



The point is well made. I would simply add that it is far from the first time that an issue falling under the purview of the Department has been debated in the House without any of the four relevant Ministers making themselves available to respond.

I will finish by emphasising the point that there seemed to be a commitment to test opinion on issues about the right to live a life that is free of intimidation and fear. I do not believe, given the protections of section 75 —

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

**Mr Nesbitt:** — of the Northern Ireland Act, that we need to test those opinions. Let us get on and publish the strategy. I support the motion.

**Mr Moutray:** A vision based on equality of opportunity, the desirability of good relations and reconciliation was adopted and embraced by the House in the form of the 'Together: Building a United Community' (T:BUC) document at the start of this mandate. The House will be aware that T:BUC provides the framework for government actions in tackling sectarianism, racism and other forms of intolerance while seeking to address division, hate and separation.

At the outset of my remarks, I will make it clear that I want to see a society that is free from sectarianism, racism or intolerance of any nature. I am utterly opposed to violence, hate crime, intolerance, bigotry or intimidation of any kind. Indeed, I would like to think that everyone in the House would take the same approach. No one is above the law, and, to that end, the T:BUC document contains a commitment to publish a sexual orientation strategy that is aimed at ensuring that the people of the LGBT community are not subjected to such crimes.

The House should be acquainted with the stage that we are at in this process, and I refer everyone to a question that junior Minister Jonathan Bell answered in Question Time on 14 October 2013. He said:

*"A consultation document that will inform public consultation on the strategy is under consideration in the Department. That strategy will be published once the consultation process has been completed."*  
— [Official Report, Vol 88, No 5, p29, col 2].

It is simple: consultation must take place before the strategy can be brought forward. The House has been given a commitment, and,

if the Alliance Party cared to speak with the sector, it would ascertain that that sector is broadly content with the way in which the Assembly is dealing with the matter. Indeed, from discussions with the junior Minister, I believe that not only has a commitment been given but positive and meaningful engagement has taken place between them and the sectors.

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

**Mr Moutray:** No.

Therefore, I would go as far as to say that it is concerning that the Alliance Party is bringing this before the House today and, in using it as a political point-scoring exercise is, in fact, doing a disservice to the work that has already been completed.

I, personally, am not in the business of having a strategy for the sake of a strategy. I believe that it must be cognisant of all views in society, whether one sector appreciates the views or not. Although the strategy is not yet in place, I think that it is important to major on the role that statutory authorities are playing to ensure that no one, irrespective of race, religion, gender, sexual orientation, disability, religion or political affiliation, is discriminated against or subjected to hate crimes. Indeed, I believe that our Police Service is key in ensuring that that does not happen, and I commend it for its United Against Hate campaign, which has revealed figures that demonstrate that reported incidences of homophobic crime have, in fact, reduced. That is to be welcomed. So, although the strategy has not been published, significant work has been done to ensure that there is tolerance and a reduction in hate crime against members of the LGBT community.

The motion before us calls for the publication of the sexual orientation strategy to be made a priority. To my mind, OFMDFM faces weighty issues, like those of victims, historical institutional abuse and older people. This issue is no more a priority in ranking than any of those. To that end, I oppose the motion.

**Ms Fearon:** Go raibh maith agat, a LeasCheann Comhairle. I am delighted to be able to speak on this motion. We support the motion, and I thank the Alliance Party for bringing it forward. As the motion states, it has been seven years since consultation on the sexual orientation strategy first began. To be here, seven years later, still discussing this and still calling for its publication, is nothing short of ridiculous.

The motion notes that commitments were made regarding the strategy — Anna Lo outlined other commitments in her remarks — that still have not been delivered. Issues around homophobia, hate crime and access to services are still problems in our society that have not effectively been dealt with. I note that Ms Lo asked the following question: is this a failure of two parties to agree? Effectively, it is. I think that it is perfectly obvious where Sinn Féin stands on issues of LGBT equality. I think that it does need to be pointed out, however, that it could ring hollow to some that this is being brought forward by the Alliance Party, which, in my time here, has failed to have a unified vote on issues such as marriage equality. Some Members have even failed to show up to vote.

Sinn Féin has always been highly supportive of the LGBT community, and it is perfectly obvious where the blockage is on this issue within OFMDFM. I know from speaking to our Ministers that there is no hold-up at our end. If you are looking for a blockage, look no further than the DUP, whose record on LGBT rights is nothing short of abysmal. This year alone, we have seen the disgraceful squandering of public money in the pursuit of a personal agenda against unmarried and same-sex couples.

People face discrimination every day of their lives due to their sexual orientation. That is just plain wrong. For example, they face discrimination around family or adoption rights. The right for civil partners to adopt does not exist here. However, if a person in a same-sex relationship chooses to apply to adopt as an individual and completes the process, they have every right to do that and to then enter into a civil partnership post-adoption. It is a farcical situation.

The old narrative that a child needs a man and a woman to be raised properly is totally incorrect. I understand that people hold very sincere religious beliefs. Those beliefs are very important to some people, but they should not be foisted on everyone. In reality, all a child needs is a loving home and environment to grow up in. It is actually insulting to single-parent families everywhere to say that a child needs both a mother and a father to be raised in a wholesome way.

There are lingering and unaddressed inequalities facing those who have undergone gender reassignment. Someone who is married must have a divorce to undergo gender reassignment or have their civil partnership dissolved before they can get a gender reassignment certificate.

We need to think very carefully about the message that we are sending out of this place to young people. The reality is that there are people out there who would rather not be here than openly be who they are, out of fear for the discrimination or intimidation that they would face. Rates of suicide among young gay people have soared. It does not make things any easier when certain public representatives go into schools to say that homosexuality is an abomination. The discrimination that people face comes in enough forms without reinforcing negative societal attitudes —

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

**Ms Fearon:** — whether it is on marriage rights, adoption rights or even the simple life-saving act of giving blood.

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

**Ms Fearon:** No thanks.

Ms Lo made some points about schools. I am very proud of the fact that a school in my area, St Joseph's in Crossmaglen, has been awarded the 2013 NITC award for outstanding work in LGBT equality.

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

**Ms Fearon:** Yes. *[Interruption.]*

**Mr Deputy Speaker:** Order. I have to remind people again that making remarks across the Chamber from a sedentary position is not acceptable.

**Mr B McCrea:** Thank you, Deputy Speaker.

Will the Member shed some light on why she thinks that there has been a delay in a sexual orientation strategy coming forward? Who does she think is at fault?

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

**Ms Fearon:** Thank you.

I openly said that there is absolutely no blockage at our end. We approved it with our Ministers; I know that from speaking to them. Sinn Féin's track record on LGBT equality issues is obvious. Look at the DUP; I think that it is plain to see where the hold-up is.

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

**Ms Fearon:** No. *[Laughter.]*

**Mr Wells:** It must be my aftershave.

**Ms Fearon:** You will have your time to speak.

**Mr Deputy Speaker:** Order. The Speaker has made it perfectly clear that, where a Member demonstrates that they are not prepared to give way, another Member should not persist. I remind Members of what I said two minutes ago: remarks from a sedentary position across the Chamber will not be tolerated.

**4.00 pm**

**Ms Fearon:** We can talk about this in here all day, but what it comes down to is real people in real relationships and their personal struggles. To quote a great man who is certainly in my thoughts today, Nelson Mandela:

*"There is no such thing as part freedom."*

Well, there is no such thing as part equality. It does not work like that. It is an all-or-nothing concept. It is not a concept that we should be striving for; equality is a necessity.

The battle for LGBT rights has been coined as the equivalent to the civil rights movement for my generation. I think that it is time that this Assembly got its act together, caught up and moved into the 21st century.

**Mr Eastwood:** There are a couple of things about this debate that are quite shocking: first, the fact that it had to be brought. I commend the Alliance Party for bringing the motion. The fact that they had to bring a motion calling for OFMDFM to do what it already said that it was going to do is shocking, to say the least. However, as anybody who has spent any time on the Committee for OFMDFM will know, it is not a rare occurrence to have to badger, berate, plead and beg sometimes for responses from that Department.

It is also very unfortunate that there is no Minister here to answer what I imagine to be an easy question, which is this: why have you not done what you agreed to do? Why have you not published your own proposal or your own policy? For some reason, of the four of them, not one of them is here, and I do not think that that shows this House much respect. I do not think that it bodes well for those of us who would like to see the sexual orientation strategy eventually published.

For some unknown reason, the DUP seems to be opposing the motion. We have heard already, and I will read it into the record in a minute, how many times DUP Ministers have said that they support the notion of a sexual orientation strategy and have said when it is going to happen and all that, but, of course, it has not happened. We have to be mindful of what this is all about. This is not just about people who believe in equality or people who are slightly, fully or very far on the left wanting some notional strategy just to say that they got it. This is about delivering for those people in our society who have been left behind, because far too often, this House tells them that they are not a full member of our community, that they do not have a right to play their full part in our society, and it is about time that we started sending them a different message.

The Rainbow Project and Stonewall UK gathered some evidence around education and the educational experiences of young people from the LGBT community. I will read some of the findings, because I think that it is important that we remind ourselves what this is all about. Ninety-eight per cent of LGB young people hear derogatory and homophobic language in school, and half of all teachers fail to respond to homophobic language when they hear it. Sixty-five per cent of young people have experienced negative behaviour in school because of their sexual orientation. Let us listen to this figure, as I think that it is important for people to hear it: 85% of LGB young people have considered suicide, and 35% of them have attempted it. If we cannot answer that, we should not be here. I do not understand why the House cannot unite behind this motion. It is a perfectly reasonable motion. All it is doing is calling for OFMDFM to do what it said it would do.

A consultation took place in 2006, and a consultation document on cohesion, sharing and integration was published on Tuesday 27 July 2010, which indicated that Ministers were fully committed to publishing a sexual orientation strategy. On 27 September 2010, Minister Newton, another DUP Minister, reaffirmed to the Assembly OFMDFM's commitment to publishing the report. I could go right through this. On 26 May 2011, Minister Bell outlined to the Assembly that the final consultation process would take place during early 2012 and would be published later that year; again, on 17 September, the same thing. On 4 October 2012, the Department outlined that the draft public consultation document was under consideration; right through to 14 October 2013, when Minister Bell gave an update on the sexual orientation strategy, telling us again that it would be published and that a

consultation document would inform public consultation on the strategy. Where is it?

I will give way to Mr Wells, if he wants to stand up and tell me where the sexual orientation strategy is.

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

**Mr Eastwood:** Go ahead.

**Mr Wells:** The honourable Member for Newry and Armagh clearly does not like my aftershave. She was quite happy to step aside and let Mr McCrea speak, but not me. My power with young women has long since disappeared. The reason why I was trying to intervene is that she alleged that a member of the DUP had gone into a school and said that homosexuality was repugnant. He did not: he said that homosexual marriage was repugnant. It is important to place that on the record. He was not referring to homosexuals per se; he was referring to gay marriage.

**Mr Eastwood:** I do not know who said what, but I do not think that it is repugnant that people who love each other, whatever their sex and sexuality, should be entitled to legitimise and legalise their loving relationship. That is a very fair point, and I hope that the Assembly will get to that point some day.

I offered Mr Wells the opportunity to tell us where the sexual orientation strategy was. Unfortunately, he did not take it. I wish there were a Minister here to tell us, but, unfortunately, there is not. We can listen out on the airwaves later. Maybe on 'Evening Extra' or somewhere else, an OFMDFM Minister will come forward and tell us when the gay community will finally receive the news that the sexual orientation strategy, which it has been waiting for since 2006, will be published. However, I think that we will have to wait a wee bit longer.

**Mr G Robinson:** I am somewhat surprised that the debate is taking place. There is haste to produce a poor document that would be unfit for purpose. If that happened, those who tabled the motion would no doubt be the first to complain that it was inappropriate and a poor outcome. To my mind, we need to produce a workable strategy, not a timescale for producing one. I want to make it clear that I deplore any acts of hate crime and, for that matter, any acts of crime or violence against fellow human beings.

The motion is from a party that is supposed to represent all sections of the community and wants to promote integration, cohesion and sharing. However, that party also voted to remove the flag of our country from Belfast City Hall and, therefore, created great division and hurt. I do not think that the motion is anything other than a cynical attempt at publicity with little or no care for the outcome. Personally, I want a strategy that is fit for purpose. Despite my deep reservations about the lifestyles to which the strategy relates, I am prepared to be patient and wait for the best strategy to be produced for the benefit of those whom it covers rather than for short-term publicity.

There is, I understand, a commitment to a workable strategy. That points to the understanding that there is with those involved with this sector and to the fact that things are progressing, although not at the pace that everyone would like. Patience should prevail. The achievement of a workable sexual orientation strategy does not require haste; it requires patience and agreement. I hope that those who tabled the motion will see the benefit of supporting the current work in progress to achieve the workable solution that I see as critical to a successful outcome. Clarity, not haste, is the essential factor in producing a workable strategy. It is for those reasons that I cannot support the motion.

**Ms McGahan:** Go raibh maith agat. I support the motion. I urge OFMDFM to publish the strategy as soon as possible. OFMDFM is a joint office, and Sinn Féin, for our part, supports the conclusion of the review as soon as possible. Sinn Féin is a party committed to the equality agenda. We believe that all citizens, regardless of race, religion or sexuality, should be treated as equals in the eyes of the law. As a party, Sinn Féin advocates the rights to social, economic, gender and cultural equality. That encompasses equality for all, irrespective of race, age, sexual orientation, physical or mental capacity, ethnicity, social origin, political or religious affiliation or membership of the Travelling community.

The rights of the LGBT community and human rights are not separate; they are one and the same. Barriers are being broken down step by step, but there is more to be done. You cannot support equality and be a racist. You cannot support equality and perpetuate sexual discrimination. You cannot support equality and be homophobic. Homophobia remains the biggest barrier to the full participation of the gay and lesbian community. MLAs, regardless of their religious belief, represent every section of the community, including LGBT members. The

motion is about ensuring equality for everyone, regardless of their sexual orientation. The Assembly and all its institutions have to ensure that gender, sexuality, ethnicity and disability are not barriers to full and equal participation. While there are no official statistics on the gay, lesbian and bisexual population in the North, it is estimated that there are between 90,000 and 125,000 lesbians, gays and bisexuals in the North.

The PSNI, for example, has made clear commitments to ensuring equality in the delivery of its service to all lesbian, gay, bisexual and transgender people. The Criminal Justice (No. 2) Order 2004 makes provision for sentences to be increased where offences for which a person is convicted were aggravated by hostility based on grounds of race, religion, sexual orientation or disability. The judicial system recognises that sexual orientation discrimination is incompatible with national and international human rights standards. The Equality Act (Sexual Orientation) Regulations 2006 and sex discrimination regulations state that it is unlawful for service providers to discriminate against a person because of his or her sexual orientation in the provision of services and public functions. From that evidence and the failure to publish the sexual orientation strategy, could it be suggested that we are not complementing existing law and policy?

Surveys have shown that negative perceptions about lesbian, gay and bisexual people are getting progressively worse in the North. A report on mental health has shown that a quarter of young gay or bisexual men in the North of Ireland have attempted suicide, and many people from the LGBT community have been forced to suppress who they are to protect themselves.

There is no doubt that lesbian, gay and bisexual people are valued in society and seen as participating members of society, but there remains prejudice and barriers to accessing equal opportunities. The Assembly, by supporting the motion, can today give a strong message that prejudice, discrimination and intolerance must be rejected.

**Mr Spratt:** At the outset, I will say that it is simply not true to say that the strategy is not being progressed. It is still a commitment in the Programme for Government, and I have not heard that that commitment has been removed. I agree with the Chair about the delay in some matters. However, sometimes, it is not Ministers; it is departmental officials, and he has to accept that. I will also say to the Chair

that he should not consider that he speaks for every member of the Committee, because I know that this is a regular, weekly soapbox that he gets onto when he makes these complaints. You do not speak for everybody in the Committee. Sometimes I agree, and sometimes I have issues with it, so do not portray that you speak for everybody about some of these issues.

There is already a lot of primary legislation that provides protection on grounds of sexual orientation. As has already been stated, section 75 of the Northern Ireland Act 1998 requires public authorities to be aware of the need to promote equality of opportunity on the grounds of sexual orientation. Secondly, the Human Rights Act 1998 outlines rights and freedoms as contained in the European Convention on Human Rights. Those rights include those pertaining also to sexual orientation.

In a UK context, if individuals feel that their rights have been breached, they can take their case to the courts, and they have a right to do so. The Civil Partnership Act 2004 gave a new legal status to adults in a same-sex relationship. The Equality Act (Sexual Orientation) Regulations (Northern Ireland) 2006 afford protection from discrimination in the provision of goods and services in relation to sexual orientation. There is also secondary legislation that provides protection in respect of adoptive parental leave, flexible working, employment equality, criminal justice — and the list goes on.

In addition to the legislation, the gender equality unit of OFMDFM has been working in partnership with the voluntary and community sector group, which represents lesbian, gay and bisexual people. Following on from that, a forum has been set up that facilitates consultation and, I believe, includes 11 organisations. So, it is clear that much has been done and continues to be done to protect the rights of and give a voice to the LGBT community. In addition to that, I understand that there have been effective discussions with junior Ministers and that the sector is content that the issue is progressing.

#### 4.15 pm

Although the Department has a responsibility to publish the strategy, it is important that it gets the strategy right. Indeed, it is more important to get it right than to simply rush through a paper to meet a calendar date. There are many issues to consider and many people to consult, and it is vital to get it right. I have worked at

constituency level with many people from various communities. I turn no one away, whatever community they come from. I am also sure that I speak for everyone in the House when I say that we must take a stand against hate crime, no matter who or what the target is. Violent attacks, intimidation and verbal and physical abuse are always wrong. As a society, we do not need to have a sexual orientation strategy to enshrine that. It is the responsibility of the Police Service of Northern Ireland to deal with such attacks, and I have supported it. Sadly, there have been many such attacks in my constituency. I have condemned them, and I will continue to work for the people in that constituency, which is a very diverse constituency, on whatever issue they come to my door with. I turn no one away, no matter what their class, creed, orientation or anything else is.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I rise, briefly, to underscore the comments by my party colleagues Bronwyn McGahan and Megan Fearon, who rose earlier to support the motion. I add my thanks to the Alliance Party for tabling the motion.

It is clear that the delay in producing the sexual orientation strategy is completely unacceptable. As we have heard and as we are all aware, the strategy was initially consulted on in 2006. A few months ago, we had a public commitment from the First Minister and deputy First Minister that the strategy would be published before the end of 2013. This is the last plenary session of the Assembly in 2013, and, sadly, we still do not have the publication of the sexual orientation strategy.

I think that most Members have referred to various aspects of a strategy and what it might reflect. Certainly, we have section 75, and some good work is being done by such agencies as the PSNI, for example, which is trying to make sure that people from the LGBT community are protected when they come under attack. Clearly, a strategy would be designed to deal with that. It would also be designed to deal with education and public awareness, which would make sure that the bottom line is that people in our society, regardless of who they are, their religious belief or creed or their sexual orientation, would be subject to equal rights and responsibilities. As Megan Fearon pointed out, you cannot be a little bit equal; you have to be equal. That is an important concept that has to be enshrined, and it would be very ably assisted by the publication of a strategy.

On behalf of Sinn Féin, I want to make it clear that Sinn Féin is not in any way responsible for the delay in the publication of such a strategy. We have made our view very clear in the Department. Our Ministers will confirm that. All other Members who have spoken have asked why no Ministers are here. All Members are well aware that it is a joint office and that, unless there is agreement between the First Minister and deputy First Minister's office, no Minister, be they Minister or junior Minister, can speak on behalf of the First Minister or deputy First Minister. All Members are aware of that, but let us make it clear that our party does not stand in the way of the publication of such a strategy. In fact, we have completed our work on it.

It would be worthwhile for all parties to publish their views on the issue, because I suspect that a number of them would be challenged. Today, Members have spoken up, I think, very well, about the rights of this community, but, if you look at the voting pattern in the House in the past number of months on a wide range of issues, you will find that a number of parties would find themselves challenged. They have opted out of taking formal decisions on the basis of a conscience clause, which, in other words, allows Members to unshoulder the burden of legislative responsibility on issues of importance. For one Member to tell me or anybody else that their conscience is more important than that of another MLA is something that I just do not accept. We are the legislators. We have the collective responsibility to legislate. Therefore, when Members say that their conscience will not allow them to do A, B or C, that is a cop-out. People can make their own judgements about that. People will take their own counsel on that.

It is very important that the House send out a clear message as we reach the end of 2013 and the deadline that was provided jointly by the First Minister and the deputy First Minister, publicly and personally. As we reach the end of 2013 and that particular time frame, it is essential that such a strategy be produced and agreed very soon so that all of us can have our say on and input into it and work to deliver it. More importantly, it will take us a step further towards a time when all in our society will live as equals. That is all that I have to say.

**Mr Cree:** I have to say that, since joining the Committee, I have found it very difficult to hold the Office of the First Minister and deputy First Minister to account because of inordinate delays in most of the work that is that Department's responsibility. OFMDFM is unique in that there are long delays in most

areas of its work and little evidence of any urgency to resolve the matter.

As the proposer of the motion stated, the sexual orientation strategy has been under consideration for the past seven years. During that time, many deadlines were set for its publication. None of them has been met. Why is there such delay? The Committee has raised the issue on many occasions but has not received acceptable reasons for the continuing delay. It is also worth noting that other areas of work have also failed to be resolved. I will mention just a few: the racial equality strategy; the childcare strategy; the older people strategy; and even the social investment fund. It was therefore amusing to hear from a Department that cannot cope with what is in its existing remit of recent movements towards an additional power grab for planning.

Taking evidence from the Department's officials can be frustrating because of the lack of positive progress, but I have some sympathy for the staff who find themselves in such a culture. The office is dysfunctional and needs to be sorted out as a matter of urgency. It is therefore more in hope than in confidence that I lend my support and that of the Ulster Unionist Party to the motion.

**Mr B McCrea:** We are blessed with short speeches today. The previous one was one minute and 30 seconds long. I have to say that I am sorry, but I am going to break the mould. There are a few things that I want to say.

I am really surprised by the lack of numbers on the DUP Benches opposite. However, I am pleased to see that Mr Moutray has returned, because he failed to take an intervention when I asked. He said in his contribution that the sector was content. I want to know which sector he is talking about. I would like him to provide some details, and I am prepared to give way. He also referred, if he wants to deal with it, to Unite Against Hate. It is my understanding, although I stand to be corrected, that that organisation stopped functioning a year ago and is not functioning at present. Perhaps the Member knows better. In three minutes and 31 seconds, Mr Moutray, on behalf of the DUP, read a prepared statement that was lacking in grace, lacking in generosity and lacking in humanity. It was simply a snarling, nasty delivery. When you come to Mr George Robinson, who has left the Chamber —

**Mr Spratt:** On a point of order, Mr Deputy Speaker. We heard this nonsense from the Member this morning. He is actually being nasty towards other Members. He talks about

people being nasty to him. There is nobody more nasty than the Member for Lagan Valley. It is about time that the Chair told him to wind his neck in.

**Mr Deputy Speaker:** I remind the Member that he does not instruct the Chair or question the decisions of the Chair.

**Mr Moutray:** On a point of order, Mr Deputy Speaker —

**Mr Deputy Speaker:** I am sorry; I will deal with this first. I remind all Members, particularly in the run-up to Christmas and the season of goodwill, to be nice to each other.

**Mr Moutray:** On a point of order, Mr Deputy Speaker. Will you rule on the remark that Mr McCrea made, which was that I snarled? Since I was elected here, I have never snarled at anyone. Maybe he needs to look in the mirror.

**Mr Deputy Speaker:** I think that my link with Christmas resonated across the Chamber. Perhaps we can put any of those nasties that happened in the past behind us. There is a serious subject before the House, and, until now, all Members have behaved reasonably. Perhaps, on this occasion, a little warning from the Chair will be sufficient, and we can restore peace and goodwill.

**Mr B McCrea:** Mr Deputy Speaker, I am, of course, sir, mindful of your direction, but I would like to say that this is a serious debate on a matter that I feel passionate about. Just because we are approaching the season of goodwill, it does not mean that I cannot say certain things that, I realise, may not meet with agreement from all Members. I do not wish to cross your instructions in any way, but it is important to say that this is not the right way to deal with this issue. If I have said something wrong, I apologise.

**Mr Deputy Speaker:** Members are constantly reminded to be courteous and to show respect to each other.

**Mr B McCrea:** Mr Deputy Speaker, sir, I am trying my very best to follow your instructions, but I found the contribution from Members opposite disgraceful. I am sorry if that is not in the spirit of Christmas, but I will say that I find the DUP's attitude on this matter to be xenophobic, homophobic and claustrophobic. As a party, you are not answering the requirements of our entire community. I do not say that on a personal basis —

**Mr Spratt:** On a point of order, Mr Deputy Speaker. Is it right for the Member to make the allegations and assertions that he has just made against Members? I deeply resent what he has said. I have never been homophobic to anyone, and I want you or the Speaker to rule on that, Mr Deputy Speaker. It is totally out of order in my book. I have never been homophobic to anyone.

**Mr Deputy Speaker:** The Member has his remarks on the record. I also remind Members that other Members are allowed to be critical.

**Mr B McCrea:** Thank you, Mr Deputy Speaker.

I want to refer to an article about an Assembly outreach programme in Enniskillen at which I was present. The article refers to DUP MLA Tom Buchanan and is headlined "Local politician tells school kids homosexuality is 'an abomination'". The issue is that the party opposite intends to vote against the motion. I cannot understand how it can vote against a motion that is just saying that we should bring forward a strategy that says that we all agree on a way forward and we should consult.

I accept the argument that the Office of the First Minister and deputy First Minister has to speak jointly. I suspect that the reason why we have had no response at this stage is that they cannot get agreement. That is outrageous. Today is Human Rights Day throughout the world. I have here a statement about an event that is hosted by the Speaker of the Assembly, which talks about human rights issues and deals with a number of issues that are incumbent on the sexual orientation strategy. There is one party that is stopping it from coming forward, and it is the DUP.

There are other Members present who I know care passionately about the issue. The Alliance Party, which proposed the motion, had it in its manifesto, and I think that this was part of its discussions before it took on the Justice Ministry and what have you. It is outrageous that this has taken six years.

#### 4.30 pm

The Chair of the OFMDFM Committee talked about how we cannot make progress, because people will not respond. Even the Member for Foyle said that it was not unusual for these matters to be held back. The question that I have to ask you all is this: what you are all doing in the Executive with these people? If you want a voluntary coalition, it should be a voluntary coalition without the DUP, not

everybody else but. That is the challenge for this place, because you cannot represent the people —

**Mr Moutray:** Two Members.

**Mr Spratt:** You know. We have the numbers, and we have the votes.

**Mr B McCrea:** Mr Deputy Speaker, I am trying to make a point.

**Mr Deputy Speaker:** Order, please. Just when we have resolved one problem, another arises. Members, you know fine well that you cannot make remarks from a sedentary position and you certainly cannot make them directly to a Member who is trying to make his point.

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

**Mr Deputy Speaker:** The Member's time is —

**Mr B McCrea:** I will indeed.

**Mr Lyttle:** I thank the Member for giving way. I recognise the remarks that he made about the Executive, but will he acknowledge that some Executive Ministers have done good work? For example, Alliance Minister Stephen Farry has done good work on equal rights in the workplace.

**Mr B McCrea:** I acknowledge the good work done by many people who have tried to bring the strategy to fruition. However, the strategy has been blocked time and time again by people who think that using some sort of words will actually skim over the fact that they are fundamentally opposed to this approach. All the weasel words in the world will not change your attitude. People say, "My door is open to anybody in my constituency", but what homosexual or person from a same-sex marriage in their right mind would actually go to such a door, knowing the treatment that they would get? This is not the right way forward.

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

**Mr B McCrea:** We need a strategy, and it is a shame that the DUP is stopping it.

**Mr Allister:** It is disingenuous and, indeed, insulting to our intelligence for anyone to suggest that the self-evident procrastination on this matter is due to some deep-seated desire to study the issues and get the right answers. It is patently obvious that there is fundamental



disagreement and blockage on the matter. That does not unduly unsettle me, but I certainly think that it is disingenuous to pretend otherwise.

The problem, as I see it, is that DUP Members, in particular, want to ride two horses on the matter. They want to tick boxes in the Programme for Government by saying, "Oh yes, we are committed to whatever it takes", and then, when it comes to the delivery of a sexual orientation strategy, maybe for very good reasons, they drag their feet to the point where nothing happens and we have repeat promises that are broken just as frequently as they are made. It is clear that there is that fundamental difference. I just wish they would do a full-frontal U-turn, such as they have found possible in other matters, so that we could reach finality on the issue.

I have to ask the House this question again: why do we need a sexual orientation strategy? Those of varying sexual orientations, as it is expressed, are not subject to a lesser standard of law than anyone else. They are subject to the same protections as other interests under section 75, under the Human Rights Act, in employment law, in the provision of services, and so it goes on.

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

**Mr Allister:** Yes, giving way is part of my orientation, so certainly. *[Laughter.]*

**Mr Agnew:** I thank the Member. He certainly is orientated in such a way. He outlined legislation as a reason not to have a strategy. We have legislation to protect businesses, but we still have an economic strategy. A strategy is about improving outcomes for people in the LGBT community. Surely that is worthwhile. Legislation on its own is not enough.

**Mr Allister:** So, the Member is really saying that we need to give some special status to the LGBT community and that we need to feed its perpetuating self-pity because it needs some extra special protection. Well, I am sorry; I disagree. It is entitled to the same legal protections as anyone else: the same Human Rights Act; the same section 75; the same employment law; the same services Act; and the same provisions relating to hate crime. In our criminal courts, it is an aggravating factor when it comes to sentence if homophobia is a contributor to the commission of the crime.

I just do not get why one particular section of the community is somehow to be elevated to

this special status, this privileged position where it is to be given, for itself, some specific strategy that does not apply to anyone else. That is inequality; that is not the pursuit of equality. I hear many people in the House wed themselves to the notion of equality. Well, let us have equality and do away with the idea that there should be some sort of special status, some sort of special strategy for those of a particular orientation. This thing really has run away with itself in that regard.

We need to keep ourselves focused on one law for all and all equally subject to the law. Once we depart from that fundamental principle, we create these special interest groups with insatiable demands where inequality is the outworking. It seems to me that those who advocate a sexual orientation strategy are on the road to demanding inequality of treatment for everyone else: special status only for those of that particular orientation. I think that that offends the fundamental principle of all being equal to the law and all being equally subject to the law.

**Mr Agnew:** To respond further to Mr Allister: he said that there should be no special treatment for this particular section of society. Earlier, however, we discussed children with special educational needs. Why do we feel the need to be specific about that group? It is because its outcomes were poor and we wanted to ensure equality of opportunity. The same should be said for those of a particular sexual orientation: the outcomes are poor. Bullying is higher —

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

**Mr Agnew:** Certainly.

**Mr Allister:** I think that that is a surprising and dangerous comparison to make in taking what he would call the gay community and saying that, in some way, because we make special provision for kids who have special educational needs, we should make special provision for the gay community. We make special educational needs provision for children who are in that position because of an element of special needs touching on their mental capacity. It is right that society does that, but it is not a mental capacity issue when it comes to the matter of gay adoption, gay marriage or gay anything else.

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

**Mr Agnew:** The principle is one of equality of opportunity in whatever section of society, whether it be Protestant working-class males or the gay community. Indeed, if there is evidence to show that the Christian community is somehow being discriminated against or has poorer outcomes, I will defend and work for the rights of those people regardless.

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

**Mr Agnew:** I have very little time because Mr Allister spoke for quite a long time. I will if I have time.

I will fight for anybody's right for equality of opportunity, and the reasons for poorer outcomes need to be investigated. However, there is no doubt that homophobic bullying has been exacerbated by the comments of some Members of the Assembly and some members of political parties in the Assembly through language that denigrates the LGB community. We have to ensure that we send out a message, because I think that that community finds no solace in what the Assembly has delivered.

It is worth noting that, since devolution in 2007, not a single penny has come from OFMDFM to support groups working with the LGBT community to help them to exercise their rights and to fight and tackle discrimination. That is an indictment of the Assembly and of OFMDFM because there are many groups across society that we fund. For racial groups and new communities coming in, we rightly try to ensure that they have equality of opportunity in education and health services and do not face discrimination. We should do the same for the LGB community.

Let us look at the legislation that has come to the House and that which has been passed in other jurisdictions. If we look at civil partnerships, we see that that was opposed by the DUP, but, thankfully, it came in through direct rule. Equal marriage has been opposed by the DUP and, unfortunately, a majority — albeit a narrow one — in this House. I cannot quite say that gay adoption has been opposed, but it has been restricted by the DUP, because, of course, a gay person can adopt. Unfortunately, someone in a civil partnership cannot adopt. The party that purports to support family and commitment ensures that those who have committed in a civil partnership cannot adopt a child, even though a single gay person can do so. That contrasts with that party's claims about its position on the family. Blood donation is another issue that we are all well aware of. In each of those cases,

justification will be given, and they will say, "Do not call it homophobia, because we do not accept that term". I try not to resort to that term because I would rather win by argument than by insult. However, when you take those things collectively, you have to ask this: what have you done for the LGBT community? What will you do for it? All that is asked is that you produce a sexual orientation strategy, which you committed to doing in your own Programme for Government and 'Together: Building a United Community' documents. You say that you believe in it, but then you put Members up to vote against a motion that calls for it to be progressed. Why would you do that?

We call on the party to give solace to those who face homophobic bullying that this Assembly will act on their behalf; that it acts on behalf of all the people of Northern Ireland; and that it will look at the issues that affect the LGB community and will address them, where it can, to ensure equality of opportunity for everyone in our society, regardless of race, religion, creed, sexual orientation or, for that matter, disability. I am sure that I have left out other groups. Equality of opportunity should be for all. I will give way to Mr Maskey.

**Mr Maskey:** I thank Mr Agnew for giving way. I go back to the point about strategies. We all have an obligation to ensure that there is equality for everybody, and everybody should be at the same level of equality across society. The Member mentioned the issue of a strategy for children with special needs, for example. We all agree that there should be strategies for victims, children and senior citizens. We have an Older People's Commissioner and a Children's Commissioner, and we have strategies on disadvantaged communities and gender equality. We need to have a set of strategies to make sure that all those people who, through no fault of their own, suffer a variety of barriers —

**Mr Deputy Speaker:** Order, please. You are using up the Member's time.

**Mr Maskey:** We have to develop strategies to take those barriers down.

**Mr Agnew:** The final thing that I will say is that, yesterday, we unanimously supported Mr Allister's amendment to protect the Christian community's right to worship on a Sunday.

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

**Mr Agnew:** Can we not have a generous majority in the House to support members of

the LGBT community to ensure that they have equality of opportunity?

**Mr Dickson:** Thank you, Mr Deputy Speaker, for the opportunity to make a winding-up speech in this debate. It is always a privilege to be called to speak in the House, in a representative and free democracy. Yesterday morning, the House paid tribute to the late Nelson Mandela, and, since his death, numerous quotes of his have been appearing across the media. One of the quotes that struck me, and probably should strike everyone in the House about this debate, is that, as a free person, we need to respect and enhance the freedom of others. We are, by and large, a free society, but some of our fellow citizens still live in fear of violence, bullying and abuse because of their sexual orientation.

**4.45 pm**

**Ms Ruane:** Will the Member take an intervention?

**Mr Dickson:** I will, very quickly.

**Ms Ruane:** It is in support of your motion. I would just like to thank you for tabling the motion. Does the Member agree with me that the House could send a big, strong message to the LGBT community on international Human Rights Day by unanimously supporting the motion? Thanks for allowing the intervention.

**Mr Dickson:** I wholeheartedly agree. Many in the LGBT community face difficulties in employment, housing and health. They look to the House for leadership. They look to all Benches for leadership, but they have been sadly let down today by at least one group in the House.

They look to OFMDFM for a strategy, but the Chair of the Committee told us of his frustration at trying to draw that out from the Department. To some of us, that comes as little surprise. Members rightly raised the issue of the length of time that they have waited for responses from OFMDFM. In some instances, it is almost farcical. When it comes to a delay in addressing serious issues, it is certainly no laughing matter in the House.

The Assembly will be judged on how it defends the rights of all citizens under the law. People have dignity, value and worth. They are deserving of respect and equality of opportunity. We are all members of a stronger society when people are not denied their rights

because of race, religion, gender or sexual orientation.

Mr Eastwood gave us some statistics on the LGBT community, including that some 85% of lesbian, gay and bisexual young people have considered suicide. The failure to have a strategy to point out that the House values that group of people is an indictment of those who wish to vote against the motion. The fact that 35% have attempted suicide is a further indictment of those who wish to vote against it. The House rightly condemns death threats against its Members. I ask the House to think seriously about the 17% of the LGBT community who have received similar death threats.

Things need to change. One place to start is by making sure that LGBT people are made fully aware of their rights. The Alliance Party supports the development of campaigns to raise awareness of legislative changes and how they have affected income, pension and other statutory rights, such as those relating to employment. The Department for Employment and Learning has funded awareness projects of LGBT issues in the workplace, but there is a clear need for other Ministers and Departments to step up to the mark and play their part.

I would like OFMDFM to work in partnership with the LGBT sector to develop guidance for Departments on how to engage effectively with LGBT people on issues that affect them directly. I would like greater efforts made to provide the necessary support to enable individuals and groups to respond to consultations. OFMDFM has a responsibility to develop, update and review research to ensure that shortfalls are identified and addressed. I am quite sure that that would form part of a strategy, yet, after seven years, we do not have one. Raising awareness of issues affecting LGBT people will be an essential part of any strategy. However, we cannot raise awareness if we do not have a strategy. Awareness on its own is insufficient.

LGBT people continue to experience violence and intimidation. It is widely recognised and documented that such incidents have devastating effects on individuals, their families and society. We need to coordinate better support for those affected and broaden the definition of homophobic abuse to include experience of hate incidents, problems in family relationships and sexual violence.

It is important to consider how messages about physical and sexual violence are framed. Many LGBT people do not report violence because of

the pervading message about their sexual orientation or because they are unsure of where to turn for support. One Member referred to the support of the PSNI. I place on record my party's support for the work that the PSNI has done and continues to do with the LGBT community.

More could be done to include same-sex physical and sexual health in education programmes. Homophobic bullying in educational facilities is one of the greatest threats faced by LGBT people. Teachers need to step up to the mark and do more.

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

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

**Mr Agnew:** I will be very brief. I just want to echo Ms Lo's comments on the need to put homophobic bullying specifically into schools' anti-bullying policies. Does the Member share my view on that?

**Mr Dickson:** I do. School pupils need to be fully educated on what constitutes homophobic bullying and what the consequences are of engaging in that behaviour. Our school staff need to be trained to recognise homophobic and, indeed, any other sort of bullying, so that they are confident to tackle it. Such bullying often has health consequences for people, particularly for their mental health. Experiences of homophobia, stigma, isolation and prejudice all contribute to poor mental health outcomes. That support calls for the development of a campaign of mental health programmes, in partnership with the LGBT community. DHSSPS also needs to work with the sector to, among other things, review training standards and identify where gaps exist in awareness, promote training that specifically identifies risks to that community, and increase capacity for mental health support in the LGBT community.

Those are just a few of the specific issues that require greater attention and that need to be addressed in such a strategy — a strategy that the Committee has been calling for but has not seen a draft of. How shameful is it that, in seven years, the Committee has not even seen a draft proposal? We need to work together. That is why it is so important that we have an overarching strategy on sexual orientation. The serious issues that we have raised today cannot be addressed in a silo mentality. No matter the good work of individual Ministers, this is a cross-cutting issue that cannot be addressed if delay continues.

Incredibly, we heard Members in the House say today that this needs time to be developed. How much longer do we need? It has taken seven years. OFMDFM Ministers have come to the House to tell us that we are getting a strategy — “Wait a few months”, “Wait to the end of the year”, “Wait to the end of the next year, and you will have it”. DUP Ministers have also given us their personal experiences and said how much they personally value this particular strategy. Yet, today, that party is set on a road to oppose the motion and to fail to bring forward such a strategy.

In September 2012, we were told that it was a few months away. Yet in October this year, we were told that the consultation document is still under consideration by the Department. How much longer can this go on? I ask, invite and implore all Members of the House, including those in the DUP, to change their minds, even at this late moment, and join us in calling on OFMDFM to bring forward a strategy in a reasonably practical time, so that the House can honestly finish this year by achieving something — bringing forward the strategy.

Mr Spratt referred to not turning away people who came to his office. How much better would he have been able to deal with those people if all those strategies had been deployed over the past seven years? Perhaps some of them would never have needed to come near an MLA's office if they had not been bullied in school or if they had not been treated in the ways in which they were treated because of the failure to produce and then — this, of course, is the final challenge — implement the strategy. I urge support for the motion.

*Question put.*

*The Assembly divided:*

*Ayes 48; Noes 30.*

## **AYES**

*Mr Agnew, Mr Beggs, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mrs Cochrane, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCreagh, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan, Mr Swann.*

*Tellers for the Ayes: Mr Lunn and Mr McCarthy*

## **NOES**

*Mr Allister, Mr Anderson, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Moutray and Mr G Robinson*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly notes that a sexual orientation strategy was subject to consultation in 2006; further notes that public commitments to publish a document by the end of 2013 were made by the Office of the First Minister and deputy First Minister in *Together: Building a United Community*; expresses its deep concern that this document does not appear to have progressed to date; and calls on the First Minister and deputy First Minister to publish a cross-departmental sexual orientation strategy as a matter of priority.*

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

*Motion made:*

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

## **Adjournment**

### **Ballymena Bus and Train Station**

**Mr Deputy Speaker:** The proposer of the topic will have 15 minutes, and all other Members who are called to speak will have approximately six minutes.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. Back in 1993, I first visited Ballymena bus station as a pupil of St Louis Grammar School in the town. At that time, I took the daily bus home to Rasharkin. Ballymena bus station, which is separated from the train station, was very dull and cold, and the waiting area was exposed to the elements. There was chewing gum on the pavement of the waiting area, and it was not very attractive at all.

A couple of months ago, I went back to the same station to get a bus to Portglenone. It was dull, cold, exposed to the elements and not very attractive at all. In fact, nothing had changed since 1993 when I was a pupil. Not only that, but I have done some research, and nothing has changed at the station since 1981-82. Therefore, it is long overdue for the Minister, the Department and Translink to look at this issue.

People in Ballymena who commute get a train or bus daily to go to Coleraine and Antrim on each side of the town, where they see a completely different infrastructure. I have used Coleraine station on a number of occasions. You get off the train and immediately step into an indoor area. There is good standard of toilets, a cafe, Wi-Fi, and you can stay indoors in the waiting area until the bus arrives. It is a 21st century station and is very good indeed.

Similarly, a new facility was opened in Antrim in September. That was a £2.9 million project for a low-carbon station with an enclosed modern waiting area, commercial space for businesses, solar panels, triple glazing, curtain walling and a grey water harvesting system. I am not necessarily asking for all that, but we need to move Ballymena station into the 21st century in some shape or form.

Look at other areas. Newry station was upgraded in 2009. I was recently at Portadown

station, where the waiting facilities and what it offers to customers are very similar to Coleraine. If you are from Ballymena and use the station, you look at those other stations and wonder why Ballymena is being left behind, especially when you see the car park filled to the brim in the park-and-ride area.

I have looked at the capital expenditure programme for 2013-14 to 2015-16, and there is no mention of any plans for Ballymena station. There is £0.5 million for Banbridge and £0.5 million for Portadown, as I have said. Refurbishments are planned at Lurgan and many other areas. So, yet again, Ballymena does not seem to be within the scope or vision of Translink at this moment.

I think that it is important that we put this in its present context. We have seen a huge rise in passenger numbers, particularly on the trains, as well as in the number of bus routes. I congratulate the Minister not only on those figures but on his stance on public transport changes in this city and elsewhere. I think that that sort of attitude is moving in the right direction, and it shows some degree of leadership, which I recognise. He is also moving forward on cycling, but until we see what the cycling unit is going to do, I think that the jury is still out.

So, in the context of that rise in figures, Ballymena station truly sticks out like a sore thumb. Recently, I put an Assembly question for written answer to the Minister on this matter. The answer that came back said that:

*“A combined bus and rail station at Ballymena is currently on Translink’s long term outline capital plan”.*

So, we need to find out what “long term” means and how we can bring it forward to the short to medium term instead. Ballymena is being left behind in 1982, because it has not been touched since then.

The Minister also needs to bring forward proposals on the park-and-ride facility in Ballymena. I recently had some complaints that the park-and-ride facility is now also at capacity. We have heard about similar problems in Ballymoney and Cullybackey. That is a nice problem to have when your aim is to get more people off the roads and onto the trains and buses, but we have to ensure that the infrastructure is there to deal with that demand.

I have several questions that I would like to ask the Minister. What is the projected cost for this project? What year does Translink project that

it is for? When does he personally hope to bring it forward? Will he look at improving the cycling infrastructure in Ballymena from the station to the town centre? Quite often, we look at transport from a silo perspective. We look at improving bus services, train services and the pedestrian and cycling infrastructures, but we do not always link them up. Increasingly, we need to have debates in this place about looking at those kinds of issues in a more joined-up way. If there is going to be more capacity for bicycles on trains and buses, as I have already raised with the Minister, the infrastructure from those stations to town centres and other points of interest need to be in place. That is regardless of where the station is, because this is not only about Ballymena.

Finally, I will ask the Minister this: how did Translink allow the situation to develop where Coleraine and Antrim stations were redeveloped but Ballymena was effectively forgotten about? Ballymena is the middle town and one of the main towns in County Antrim. The station is somewhere that, as I said, I have used for many years. Huge crowds of pedestrians and schoolchildren use it as well. I think that it has immense capacity. I have looked at the maps in the context of expanding the park-and-ride facility and of developing a 21st-century, state-of-the-art station for trains and buses. We really need to see something on paper to show Translink’s plan that says that Ballymena will get a new station in the next few years that will be up to at least the minimum standard of stations in the likes of Coleraine and Antrim.

**Mr Frew:** I congratulate the Member across the Chamber for securing this Adjournment debate. The topic is very important, and I welcome the opportunity to speak on it this evening.

I agree with everything that the Member said about Ballymena bus and train station. You can distinguish between the two parts. It is clear that there has been investment of sorts, albeit, some would argue, that it has been on superficial optics around the entrance to the station and on the organisational facility at the bus station, including the roundabout, gates, flower-beds and that sort of thing. There has been investment to that degree, but nowhere near enough when it comes to what the Member is pushing for. I support him in that.

It is fair to say that, although it was the forgotten part of the station for many years as most people used buses and trains were neglected, I have seen a shift over the past seven to 10 years. More people commute by train than by bus, or at least, it is increasing and levelling out,

so I think that more emphasis must be placed on the track and on the train. I think that we see that, because there once would have been no need for park-and-ride facilities, whereas now, it is clear that we need an increased capacity for that scheme.

### 5.15 pm

I want to park that point for the moment and go back to the attractiveness of the station. It is fair to say that you will be exposed if you spend any length of time on that platform. I grew up beside the train tracks in Kellswater, where there are two platforms. It is only a townland, but there are two platforms, and I suppose that goes back to the historical strength and usage of the rail system in our country. Of course, there was much more. There were tracks in Kells heading out to the coast, but it was something of a dying mode of transport until recently when it changed and transformed. There has to be more emphasis put on and more investment placed in the train station in Ballymena, but not only at the station. I had the opportunity to use the train, and I always have a regret that, while we try our very best to make our towns attractive from the road networks, you only have to travel on a train to sometimes see the ugly side of a town. That is the case in Ballymena at the present time.

There are areas, such as that formally known as the Ballymena constructions area on Queen Street, and places in the inner areas of our town where there is devastation and in which massive investment is needed. One other is the Ladysmith Terrace project; we are trying to get funding into that area. Again, individuals in some parties are not so keen, but it is very important that those areas are brought up to a more attractive standard. I know that the Minister for Regional Development cannot be held responsible for that, but if there is anything that he can do trackside to enhance the attractiveness of these areas coming into the town, I think that it would help sell the town. Once you get to the station and see the ugliness of it, some people may just want to jump back on the train and sail on by. That is something that we want to try to stop. We want people to come to Ballymena, shop in Ballymena, feel its attractiveness and want to spend money there.

The park-and-ride scheme is very important. At the minute, it is maxed out. If you go there after 8.00 am, you will not get a parking space, and there are at least 15 or 20 cars on the Princes Street side of the area that could be parked there all day as someone uses the train. That is not healthy. If you speak to some of the

residents of Princes Street, they will tell you that it is not healthy. It is not helping the situation when pensioners have to park out on Princes Street and walk the long distances to the train station or to the platform heading in either direction. It is very important that that be looked at. If we cannot get investment unless it is a long-term strategy for the future, I think that the Minister should look at increasing the capacity of the park-and-ride scheme in the immediate future. That in itself will enhance the train station and entice people to use the train as opposed to using the bus or their private car, which we are all trying to reduce in any way we can.

Those are the main issues that I see at the present time. We need to improve the service. I have written to the Minister about the frequency of timetabled services and the carriages at peak times. He has responded positively to that, through Translink and Northern Ireland Railways. You can see where the pressure has been applied. The demand was there for increased capacity and frequency and for more carriages at peak times.

I commend today's debate to the Minister. I ask him to look seriously at making a major investment in Ballymena train and bus station, which has been neglected over the years.

**Mr Swann:** I thank the Member for introducing this debate. It is, of course, the last of this term, which shows the importance of Ballymena bus and train station. The Member for North Antrim who spoke first said that he was using the station in 1993. I was there around the same time, Daithí, and I do not remember you being about our stop.

Mr McKay referred to the numbers. He paid tribute to this Minister's leadership in the move towards public transport. As a wee bit of research for today's debate, I looked into the footfall through Ballymena station. It was 484,000 in 2010-11, 525,000 in 2011-12, and 572,000 in 2012-13. That is an increase of nearly 100,000 in the number of people going through that station in three years. That is a recognition of the Minister's drive for people to use public transport. This debate is important to making sure that the people of Ballymena make full use of the public transport facility. We can work towards hitting the Minister's target of 80 million.

From talking to some Translink employees, I am aware that Ballymena has now moved into its top 10 busiest stations. It is only right and fair that that footfall and usage is complemented with a station upgrade. Mr

McKay talked about Antrim station. It took a £3 million or £4 million project to get it to that stage. We do not want sticking plasters. There are easy fixes that Translink could look at. The permanent ticket booth in the station could be replaced rather than having the man walking up and down selling tickets on foot. The heated waiting area was referred to earlier. That heater is more like a barbecue heater than a proper heating system for clients who are waiting to get on the train. There are steps that can be taken. Every Member in the Chamber tonight — we are all from North Antrim — would like to see further expenditure and improvement in the Ballymena station.

One Member mentioned the Minister's response to a request that I made. With the increased use of the public transport coming from Londonderry and Coleraine to Belfast, especially in the festive period, there was no room on the trains when they got the length of Ballymena. Even people getting on in Ballymoney, including elderly and disabled people, were having difficulties there. When that was raised with the Minister, he got in contact with Translink, which responded very quickly by putting on extra carriages leading up to the festive period. That was welcomed at that time.

Much has been made about how you get people onto trains and whether it is about putting in flower-beds on the way into stations. I think that it is about making the thing easy. I do not think that the aesthetics of a train station will get people onto trains. It is about making people want to get on a train and making it feasible, practical and worth their while economically.

The park-and-ride facilities were mentioned earlier. Ballymena has a major problem with its park-and-ride facility. However, that could be improved with further works on various lines and at different stations such as Cullybackey and Ballymoney. I know that work on the Cullybackey park-and-ride facility is ongoing. A greater project of work could be established to ease the pressures on Ballymena.

I spent eight years using Ballymena station. I have used it a couple of times since to get the train and the bus. It is not a pleasant place to start a journey or to get on and off. Any improvements and a major upgrade to the standard of Antrim station would be very welcome. I do not want to pre-empt the Minister, but, given the Translink statistics, I would be confident in saying that he could commit — I hope that he will — to upgrading Ballymena station and moving it further up the

list. He responded well to pressures in north Antrim with the work that he brought forward on the A26.

Any work involving Translink will come down to finances.

I am sure that, if the Member who secured the Adjournment debate and the Member who was second to speak can apply pressure to OFMDFM and DFP to ensure that the Minister for Regional Development receives the appropriate support and funding, this could proceed.

**Mr Storey:** I thank the Member for bringing the issue to the Assembly. I apologise to the Minister if I am not in the House for his reply to the debate, but I have to give a radio interview.

I enjoy using the train in particular because it gives a sense of independence and allows you to do things in the morning rather than being stuck behind a wheel. The Minister knows — I have raised the issue with him — that the difficulty arises when you get into Belfast in particular, and the connection to here or other places is not as it should be. Connectivity is an issue for people who use the Ballymena train. After 6.00 pm, connections with the rest of the services in the area are not what they should be. Investment has been made, and we need to address the issue of how people make their choice of how to travel.

We all need to take a step back and remember the name John Spellar. He held the post that is now held by Minister Kennedy. I remember going to a seminar in Cookstown after being elected in 2001, and John Spellar was there on behalf of the Department. DRD's long-term strategy for the railway line was to close it north of Ballymena. It was called non-core, which is Civil Service-speak for, "We do not need it. It is not valuable". Are we not glad, despite all the deficiencies of this place and all the challenges that it brings, that the return of the devolved institutions to Northern Ireland has secured the line north of Ballymena to Londonderry and, secondly, got the infrastructure and capital investment in the new trains and in the line that was and is being improved. That is a good place to start.

There is a sense of improvement when we compare the new trains with the old class C trains that ran to Ballymoney or Ballymena. The doors did not close properly, a draught ran up the middle of the train, the windows did not close properly and passengers were cold, but at least there was a food carriage so that people were able to get a cup of coffee. You cannot



get that in the new trains, but they are a vast improvement on what we had. Now, the infrastructure needs to be improved. The park-and-ride facility improvements in Ballymena and Ballymoney are to be welcomed, but they need to be commensurate with the increase in the passenger traffic using the train. I recommend that the Minister continue his focus on ensuring that the rail network in Northern Ireland, particularly from Ballymena to Ballymoney, is maintained, enhanced and improved.

The Member for North Antrim Mr Swann referred to taking the pressure off Ballymena. The introduction of a facility at Cullybackey would be an enhancement. For some time, we have been involved in trying to get Translink and the Department to move on a business case because, if the right number of parking places were available at Cullybackey, people would be able to use that facility instead of having to travel to Ballymena.

The ongoing issue of how disabled people access trains is not specific to Ballymena; it also applies to Ballymoney. The Member referred to the running of additional trains. We still had an issue a couple of weeks ago, when a group came from Armoy. We had made arrangements with Translink for facilities to be made available for senior citizens, but that arrangement did not work, and a number of people felt very disappointed about the way in which they had been treated. That is disappointing. We need to look seriously at the way in which disabled people have access to the facilities, because they need to be assured that they have equal access to the provision in our trains.

I am glad that the final debate in the Chamber today is about north Antrim and Ballymena. It is about a success story, but it is a success story that we should build on. I look forward to hearing what the Minister has to say, what investment plans he has and what capital plans he has. I have no doubt that it will be a good news story that the people of Ballymena and the north Antrim area can appreciate and accept over the festive season.

**5.30 pm**

**Mr D McIlveen:** I thank Mr McKay for bringing the matter to the House this evening. I think that it is a very appropriate time, as we approach the end of the year, to have this debate.

One of the key positives about Ballymena, particularly as a shopping town, is twofold. It has almost the perfect mix of independent

retailers and the large multiples that everybody would expect to see in any thriving town or city. However, taking it a step further, all the shops, including the two shopping centres, are accessible within a square mile. That makes Ballymena an extremely attractive town for shoppers not only from Ballymena but from outside.

I will do the unthinkable and start by dealing with the positives that exist in the current network. Bearing in mind what I have just said about the attractiveness of Ballymena as a town in which to shop, an elderly person who makes use of their free bus pass or train pass can get on to a train or bus in Belfast and travel up to Ballymena bus station. An exceptionally good town service exists in the town, so they can step off one bus or train and on to another bus and find themselves in the centre of the town, where all of the shops are within a radius of a mile. If a mile is too much, they can stop for a cup of coffee or whatever on the way. All of that is very good. We have to make sure that we exploit that and use it to its absolute maximum. Therefore, I find myself in total agreement with my colleague Mr Frew: first impressions are very important. Mr McKay commented on the cleanliness, lighting and general feel and appearance of the train station and bus station in Ballymena. They definitely leave a lot to be desired. Therefore, it is timely and appropriate that we should look at that.

It is disappointing. Before I came to the House, I used the train station frequently when I had meetings in Belfast and was going down from my business in Ballymena. I used it regularly. A lot of work went on there, I think, two to three years ago. Perhaps then would have been the time to look at having some of these works carried out. Of course, I accept that that was under a different Minister, but an opportunity to get something else done was missed when the contractors were already on site. However, we are where we are, and we need to bring the train station and bus station into the 21st century.

The point has been well made. One word can sum up what has brought us to where we are with this bus and train station: overuse. It is a very well used station. We welcome that and, of course, that will have a knock-on effect on cleanliness and parking, which has already been mentioned. I dare to say that there is not a week goes past that I am not contacted by some of the residents, particularly from the Upper Princes Street area, complaining, quite justifiably, about the almost abandonment of cars in their area. There is no space in the park-and-ride facility now; it has completely

outgrown the space for which it was obviously intended. Many people who live in the area, particularly old-age pensioners, have contacted me because they are concerned about the fact that they have found themselves almost blocked in by cars. Therefore, the expansion of the parking facility is a significant part of what will need to be done at the station.

In some ways, Mr Storey has stolen my thunder a little bit because there is a solution three and a half miles north-west of Ballymena station at Cullybackey. The village station there serves a considerable number of the population of that part of north Antrim and is well used. However, the parking arrangements there are horrific. In fact, they are virtually non-existent. To add insult to injury, there is a huge piece of ground owned by Translink, which would serve well into the first hundreds of cars. However, in its wisdom, Translink or whoever it was, at an earlier stage, shut off that piece of ground by effectively selling off a bit in between, which is now in use by a business as a going concern. Translink has assured me that the park-and-ride facility in Cullybackey is high on its priority list. I ask the Minister to continue to work with his officials to bring about a solution to the problem of access to the ground owned by Translink. I encourage him to do that.

All the points have been well made. I look forward to hearing the Minister's response to all the points raised today.

**Mr Allister:** Doubtless there has been a significant upsurge in the use of public transport that passes through the station, particularly the trains. We now have a regular problem of oversubscription. The fundamental problem is that we have not seen an upgrade in facilities to match the upsurge in use and we are left with facilities that are way below par in meeting the need. It is regrettable that that is so, and it should spur us on to rectifying it as speedily as possible.

One of the suggestions made to me is that part of the reason why there has not been the coordinated push to upgrade a combined centre is foot-dragging and resistance by the management side of Ulsterbus locally. If that is so, it is very regrettable. A combined facility is needed. I trust that, if there is an issue there, it will be dealt with.

Part of the manifestation of the success of the train usage is, of course, the fact that the park-and-ride facility is now beyond saturation point. It is generating other unwelcome local parking problems. I respectfully suggest that the answer lies closer than Cullybackey. There is a

significant site on Princes Street that is presently in the form of a scrap yard. It is my understanding that, on commercial negotiation, it would be available to Translink. That would be an ideal means of extending the park-and-ride facility at Ballymena. It is sufficiently close to be viable and is reasonably sizeable in its opportunity. I trust that that is something that might be looked at with regard to meeting, in the relatively short term, the park-and-ride needs that exist.

There are other issues in the station. The Minister will recall that, some time back, I vexed him with questions about why Translink was reducing staff there and why there was reduction at a time of growth. The number of station staff that there are, particularly at peak times, is something of a problem, as is the lack of services and facilities for users. That is something that Translink embraced in a very short-sighted way without thinking through that, in a rising market, it needed to look at more, not less, provision. That is not helping the customer experience for those using the trains.

The oversubscription of the trains means that coordinating and getting in place the extra carriages that are often needed is also a problem. I am told by staff at the station that there have been incidents when, although the carriages were produced, even though they have had to be brought in the main from Belfast, there was no conductor and the carriages could not be used. A situation can occur where only three carriages are available for passengers who could all but fill six carriages, if you had them. Therefore, the overcrowding is substantial and gets worse as you get to Antrim.

I was told by a conductor that, even this morning, on the 10.00 am service, which is a non-peak service, over 30 people were standing all the way to Belfast, some of whom were going to outpatient appointments at Belfast City Hospital. That is not the sort of facility that we should offer our public transport users.

There are many things that could be done, but we need a substantial upgrade and a new combined bus and train station. We need a significant increase in the park-and-ride capacity, and we need to get to a point where, when we need extra carriages, we can provide them and man them and, therefore, continue to grow the service. I trust that the Minister will take some of those points on board.

**Mr Kennedy (The Minister for Regional Development):** I thank the Member who

secured the Adjournment debate and all the Members who have contributed to it. It has been one of the better Adjournment debates in the sequence in which I have been involved. The contributions from Members have been thoughtful, and there has been a recognition of improvements in usage. Our attention should now focus on how we can improve facilities overall for the many thousands of customers who use the services at Ballymena.

I want to acknowledge Mr McKay's contribution. It is fair to note that, given his usage of Ballymoney station, he very fairly recognises that Ballymena has more need at this time. He did a sort of Michael Palin or Michael Portillo tour, comparing facilities at train and bus stations going back some 20 years, but it was useful nonetheless.

There has been capital spend just short of £1 million on Ballymena station within the past two years. However, that is still short of my ambitions for the station. I intend to meet Translink in the coming weeks specifically to further discuss the significant redevelopment of Ballymena station. Mr Swann has invited me to Ballymena to look at the facilities there, and I hope to take up that opportunity and see things on the ground.

#### **5.45 pm**

The debate provides me with the opportunity to report to Members on the excellent progress being made to attract more people to public transport — that has been acknowledged, and I welcome that and thank Members for it — and, in particular, the very significant increases in the number of people using train services. Refurbishment at Portadown, Antrim and Bessbrook/Newry railway stations and the introduction of 20 more new trains are good examples of that investment. I am pleased to say that train journeys on the rail network, including Ballymena, are now more comfortable, more reliable and more accessible. I noted the comment by Mr Frew, I think, who was concerned about the aesthetics. Historically, railways were created to serve industrial areas, carrying freight and all of that, and were mostly found beside soccer grounds. If you travel through England, there is a very interesting and fascinating social and sporting history that can be traced through the advent of the railways. Likewise, that is a feature of railways in Northern Ireland and in Ireland generally.

We also accept that fare levels in Northern Ireland remain low and that passengers recognise the savings that can be made by

using public transport. I hope to have further positive news on that front soon. Passenger numbers have already increased on the Coleraine to Belfast line, including at Ballymena. Indeed, right across the railway network there have been significant increases in the number of people using train services. Numbers travelling by train are up by nearly a million for the first seven months of this year compared with the same period last year, which is truly remarkable progress. Over 750,000 of that increase is in fare-paying passengers. If that increase continues, I expect the annual number of journeys to exceed 14 million.

What message can be taken from that? It is clear that, if we can provide low-cost, quality public transport services and facilities, people will use them. It also shows that the Executive can make a really positive difference to people's lives. It is important that the Executive further endorse my approach to public transport by making capital available for further station improvements, focusing on stations such as Ballymena. The public expect to see train services and facilities enhanced, and they are entitled to expect the best station facilities in order to access improved train services. Indeed, the Great Victoria Street facility must also be improved, and the major new hub plan is already in development. I actively continue to pursue EU funding options to supplement that, with the Enterprise project a priority.

The rail capital budget needs to provide for safety on the lines — user-worked crossings are a key example — general maintenance, improved signalling and trains to carry the number of passengers. Indeed, following representations from Mr Swann and others recently, with the seasonal surge in Christmas shopping and people wanting to use trains, we have been able to increase the number of carriages being used. We must also look at how we can improve railway stations and parking facilities.

Translink currently estimates that between £50 million and £60 million is needed annually to meet its needs before we even consider expanding the network to other parts of Northern Ireland, so there needs to be ongoing and significant further investment over and above the current planned investment. I hope that Members will support me in securing that funding in the next comprehensive spending review and in any other capital budget exercises that are carried out in the near future. I can advise Mr McKay that a combined bus and rail station at Ballymena is currently in Translink's outline capital plan.

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

**Mr Kennedy:** I am not able to provide him with the timescales that he seeks, but this debate has provided me with the opportunity to advise the Assembly of my aspiration to improve the train and bus facilities in Ballymena. I will look, in turn, to Members as we work with the Executive to make that happen.

**Mr Storey:** I thank the Minister for giving way. If this is, as I think he just alluded to, a two-way process — like a train track — and if there is collective agreement in the House on what needs to be done, will he supply to Members for the constituency the bid that DRD will make to the centre in the next monitoring round to address the issues that he has outlined? If he does not make the bid, he cannot really come to us and say, “I need your help and support”. Maybe he could clarify what bids he has in line to address this.

**Mr Kennedy:** The Member will accept that a January monitoring bid is not going to crack this. It is dependent on Translink’s proposals and plans and what stage they have been worked up to. More important is the early engagement that I intend to have with Translink to move things forward and to look at the earliest possible timings for making serious improvements, not superficial ones. You can tart things up. You can paint a bit here and plant a shrub there, but people are interested in serious infrastructural improvement to Ballymena station, so I am not going to be tempted to go for a cheap headline and a cheap way out by saying that a coat of paint and a few flowers will crack it. Clearly, it will not.

In consultation and cooperation with Translink, I will, hopefully, bring forward a scheme, which may also have to include additional park-and-ride facilities. Mr Allister indicated that he sees potential opportunities at other sites. Let us do this properly and strategically, and let us hope that we can make progress.

I am not sure, Mr Deputy Speaker, how much time I am being afforded.

**Mr Deputy Speaker:** You are almost out of time.

**Mr Kennedy:** It was very polite of you to say so.

I have taken careful note of the points raised. If there are any specific follow-up questions, we will write to Members. However, with regard to the main thrust of the debate, everybody is on

the same side. We want to see improved public transport services, we want to welcome and encourage greater use of trains and buses, particularly as it impacts on Ballymena, and, therefore, we want to see improved facilities at Ballymena station.

*Adjourned at 5.53 pm.*





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