

Official Report (Hansard)

Tuesday 11 March 2014
Volume 93, No 2

Contents

Assembly Business	1
Ministerial Statements	
School Pupils: Evaluation and Assessment	1
Transforming Your Care: Progress Update	8
Private Members' Business	
European Union Funds: Drawdown	20
Oral Answers to Questions	
Health, Social Services and Public Safety	23
Justice.....	32
Private Members' Business	
European Union Funds: Drawdown (<i>Continued</i>).....	41
Waste Disposal: BBC 'Spotlight' Programme	55
Adjournment	
School Absenteeism: North Antrim	71

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Northern Ireland Assembly

Tuesday 11 March 2014

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we move to today's business, I once again inform the House that the information screens in the corridors and elsewhere in Parliament Buildings are still experiencing some technical difficulties. I assure the House that we hope to have them fixed as soon as possible. Members may wish to be kept updated with business in some other way in the meantime. I apologise to the House for the difficulties that Members are experiencing with the television screens.

Ministerial Statements

School Pupils: Evaluation and Assessment

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a Cheann Comhairle.

A Cheann Comhairle, ba mhaith liom ráiteas a dhéanamh leis an Tionól ar an cheist chriticiúil faoin dóigh a measúnaítear, a n-aontaítear agus a dtuairiscítear foghlaim ár ndaoine óga. I would like to make a statement to the Assembly on the critical issue of how our young people's learning is assessed, recognised and reported. At each stage of their education, it is important that we know how our children are progressing. Teachers, school leaders, parents and children all have an interest in how our education system is delivering for our young people. The level of information that each needs is, of course, not the same, but the principle of knowing how well our system is meeting our needs remains. It follows therefore that our arrangements for assessing pupils and evaluating our system must be appropriate. It was for that reason that I was keen for us to be part of a much wider Organisation for Economic Co-operation and Development (OECD) review of evaluation and assessment frameworks and their contribution to school improvement.

I thank the OECD team that visited us in February/March last year and published its report on 10 December. I encourage all Members with an interest in education to take a close look at that report, as it tells a very positive story. The OECD observed many points where our approach to pupil assessment and school and system evaluation was in line with international best practice. I want to use the OECD report to inform a number of significant pieces of work that are going on at the moment.

I will start with pupil assessment because it had become a matter of concern and attention prior to the OECD visit and is an area in which considerable work is already going on. First, I

want to address the issue of computer-based assessment (CBA) in our primary schools. We currently make available an interactive assessment tool free of charge to all primary schools. Its purpose is to help teachers to improve outcomes for children in literacy and numeracy and to provide information to parents on how they can support their children's learning in those critical areas. The practice of having this sort of universal, formative assessment in primary schools, mapped to our curriculum and delivered at the start of the academic year, is noted with approval by the OECD, so the policy is sound. However, it follows that a sound policy is no good if its implementation is not up to scratch. The procurement of the new assessment tools, NILA and NINA, and schools' experience of using them were not without difficulty. That was highlighted in the OECD report and well documented elsewhere. As the Assembly knows, I commissioned a small team of specialists to review the different aspects of the computer-based assessment programme and advise on how it may be taken forward. The report, by John Harkin and Jonathan Hudson, will today be published on the DE website. It is highly critical in places, but I believe that, together with the experiences and learning from other countries that have gone down this route — not without their own difficulties — it provides us with a solid basis on which to advance this work.

The report makes a number of key recommendations, and I have accepted all of them. Given the difficulties that we have experienced, simply abandoning CBA might seem attractive to critics. That would be the easy way out. The fact is that OECD's report commends our work to introduce a centrally developed, computer-based assessment tool that is used for diagnostic purposes. Our challenge is not to walk away but to walk forward and address these issues head-on. We will do just that.

What does this mean for schools come the new school year? Until I am absolutely satisfied that the system works for schools, I will not specify the current NILA and NINA tools. In other words, schools will not be legally obliged to use them. However, I hope that they will choose voluntarily to use them and continue to share their experiences so that CCEA, C2k and others can continually improve the service that they offer to schools. While the OECD report signals the risk of over-reliance on commercial tests that are not aligned to the curriculum, it also acknowledges the benefits of a centrally provided tool that is designed against our curriculum. I believe that there is continued

benefit for schools in using a bespoke assessment. For that reason, NILA and NINA will continue to be available to all primary schools on a voluntary basis in 2014-15.

As we consider future policy options, I am determined that procurement policies need to work for us, not against us. We will ensure that that happens. The independent review emphasised the importance of building our expertise in procurement and economic appraisal so that we deliver what was always intended: a solution that meets the needs of teachers and pupils.

I move on to end of key stage assessments. Reliable, consistent teacher assessment that has the confidence of parents, principals and teachers remains my objective. I do not believe that teacher assessment at that level can or should be replaced by standardised testing. Parents need to have the rounded and nuanced picture that only a teacher can provide. Our approach to end of key stage assessment was designed with the involvement and support of teachers and their representatives, but, in its implementation, we again appear to have lost some ground.

The OECD report recognises the value of assessment of pupils by their teachers against the levels of progression that relate to the revised curriculum. The report also identifies that we need to do more to build the confidence of teachers in the process of standardisation, assessment and moderation. I want officials to continue their engagement with teachers and their representatives to discuss and develop the practice of pupil assessment in the context of the agreed levels of progression. Given the ongoing commitment to dialogue, I ask teacher unions to reconsider the need for continued industrial action in opposition to assessment arrangements that have been acknowledged at an international level as being sound and congruent with European practice.

I want to make it clear that, at system level, we do not make judgements about schools based on the percentage of pupils who achieve or do not achieve at the expected level. Our processes of evaluation and, indeed, inspection are much more sophisticated than that. A below-average performance might generate some questions about whether a school needs support, just as a high performance might generate interest in finding out more about a school's approach. However, it is the answers to those questions — understanding the context in which the school operates — that is key. In that regard, I want to scotch some of the myths that have sprung up about inspection.

External school evaluation is broad, is based on quality assurances and emphasises school improvement. The district inspector system is appreciated by schools and can provide timely qualitative feedback. Classroom observation is a core part of school evaluation, and the principle of using that important first-hand evidence is well established. There is also well-established and tailored support for schools to promote the use of data in self-evaluation activities. ETI good practice reports in areas such as literacy and numeracy and practitioner-led conferences promote professional reflection and the dissemination of existing good practice.

When our young people get to the age of 16, there is increased formality in how their progress is assessed and rewarded. That is done through the awarding of qualifications that have a wider status when it comes to further and higher education and to training and employment. Members will also have an interest in how I plan to respond to the review of GCSEs and A levels that CCEA carried out and the report that resulted from that exercise. The report was published for consultation in the autumn, and, in light of the responses received, I confirm that I have accepted all 49 recommendations in the report. I have tasked officials to work with CCEA and other stakeholders to organise the implementation of those recommendations and call for action. Some actions have already begun, and others are to be taken forward in the longer term.

I would like to express my thanks to the members of the expert group who were involved in the development of proposals up to now and, I hope, will continue to be involved in the longer-term visioning to follow.

Our young people must have access to qualifications that enable them to follow pathways to further study, training and employment, including those that will take them outside this jurisdiction. I have no intention of acting in a way that will disadvantage our young people wanting to study across these islands. Indeed, I believe that my decision to retain the coupling of AS and A2 in a modular A level has already provided a genuine advantage to those applying to universities in England, which value AS marks as indicators of potential overall performance.

One issue that I had to consider very carefully is whether the changes being made elsewhere are so great that they might affect our ability to maintain an open qualifications market for schools. I want to make it clear that I can see value in ensuring that schools have access to

as wide a range and choice of qualifications as possible. Therefore, I do not intend to restrict schools here to qualifications offered by CCEA and WJEC. Schools will continue to be free to choose exam specifications from other awarding organisations, provided that those organisations can satisfy us that they meet the requirements of our curriculum. I expect that, in the majority of subject areas, that will not be problematic. However, I want to make clear my position on GCSE English.

As has been noted previously and favourably commented on by the OECD, our curriculum has a focus on knowledge and skills. Our focus on literacy therefore encompasses not just reading and writing but the wider skill of communication. Employers and their representative organisations frequently stress to me the importance of ensuring that young people can communicate effectively and can apply their knowledge in practical settings. Qualifications in English at GCSE will only be considered valid for our young people if they include, as an integral part of the award, the assessment of speaking and listening. Those are fundamental aspects of the skill being assessed by the qualifications and required by any employer.

10.45 am

With the same concerns in mind, I will be paying close attention to the development of science exam specifications in England. If they cease to include practical assessment, I shall have to consider what adjustments might be needed to meet our needs before such qualifications can be offered here. I hope that my clear view, as set out today, will allow schools to make plans in advance of the proposed introduction of the new science specifications in England.

I am also not persuaded that CCEA's GCSE qualifications should be banded from 1 to 9, replacing the existing A* to G grades. Nevertheless, I shall keep this issue under review in order to ensure that no pupil is disadvantaged.

On school evaluation, I want to return, in conclusion, to a point that I made earlier. The progress that our pupils make and the qualifications that they achieve are important benchmarks for our education system, just as they are in most other countries. It would be naive to say that we should not seek to measure how our pupils progress in critical areas such as communication and mathematics and that we should not use those measures to assess the effectiveness of our policies.

However, it would also be naive to think that these are the only measures that we can have.

As parents, we know that school is about so much more than the achievement of levels or qualifications. With this in mind, I have asked my officials to undertake further work on a potential basket of performance measures, both for schools and the system overall. We want to explore whether we can come up with an approach that would allow us to draw more sophisticated conclusions about the quality of our system than are possible from looking purely at exam results or assessment outcomes. We want to involve teachers and school leaders in that work.

The challenge of measuring the wider value of schooling is one that is being grappled with in many countries, with varying degrees of success. However, we have already shown ourselves to be capable of coming up with approaches to assessment and school improvement that are among the best in the world, and I think we are up to that challenge.

Mr Storey (The Chairperson of the Committee for Education): I have to say to the House that I am disappointed that the Minister's statement is not about the most pressing issue in our schools: funding. We still await the Minister making a statement to the House on the common funding formula.

I move to the statement that is before us. The Minister made a number of references to the OECD report on evaluation and assessment frameworks. I am glad that he acknowledges the gap between the policy intention of things like computer-based assessment and the levels of progression and the experience on the ground, with teachers in our schools outworking these policies.

I am sure that the Committee will study with interest the report that has been published on the Department's website. I think, however, that the Minister owes many of the teachers an apology, especially those to whom he referred as "will nots" in regard to the implementation of a failed computer-based assessment process. Will the Minister confirm whether he accepts all the findings of the OECD report, including its assertion that there is an imbalance between the challenge provided by the Education and Training Inspectorate and the greatly diminished level of pastoral and supportive assessments and backup for teachers in our schools available through CASS and the district inspectors?

Mr O'Dowd: I thank the Member for his question. I assure him that schools will be informed of their common funding allocations, as has been normal practice in previous years. That will be done in the very near future.

In relation to the report published today on my Department's website, which I referred to in my statement as highly critical, it was commissioned by me. In fact, it was the second report I commissioned into finding out what exactly went wrong in the implementation of computer-based assessment. There are a lot of lessons to be learnt from the report. I have no doubt that Committee will, rightly, interrogate that report closely. I assure the Committee of my Department's full cooperation on that. If the Committee requires any further information, it will be provided. Mistakes were made at many levels in many parts of my own organisation and organisations outside the direct control of the Department. Those lessons are being learnt. I assure the Member that, from my point of view, there will be no headlong rush to replace the current NINA and NILA systems until I am satisfied that all those lessons have been learnt; that the procurement exercise can be carried out in a way that ensures that all the skills bases that we require are in the procurement team; and that the next system, wherever it may come from — it may be in-house or from an external provider — is fit for purpose.

Regarding apologising to teachers for my comments during previous debates that there were elements of "will not", there were elements of "will not carry out the computer-based assessments". Of course, there was evidence of "could not", and that is not good enough. When we provide a system to schools, purchased through public funds and endorsed by the Department, I expect it not only to work in its practical settings but to provide the information necessary for teachers to perform their tasks and for parents to allow them to support their children in home learning.

Mr Hazzard: Go raibh maith agat, a Cheann Comhairle. I thank the Minister indeed for his statement. On the back of the Chair's comments on the OECD review and given recent developments surrounding St Pat's, Armagh, will the Minister outline what the OECD review said about selection in our education system?

Mr O'Dowd: I thank the Member for his question. I beg his indulgence because there was one point in the Chair's question that I did not respond to about the OECD and its comments about support to schools. I

acknowledge and support the recommendation of the OECD that we have to ensure that we have the proper supports in place for our schools for continuous teacher development and support. I assure the Member that, in the period ahead, there will be announcements about how we propose to move forward with that.

I return to Mr Hazzard's question. The OECD touched on academic selection. As is best practice across Europe and internationally, it is shown that academic selection is not the best way forward for our education system. I welcome yesterday's decision by St Patrick's Grammar School in Armagh to move away from academic selection. It is a bold step, but it shows that, for a school dedicated to quality education, as were the three schools in Lurgan the week before, it can and will be provided in the absence of academic selection.

Mr Rogers: Thanks to the Minister for his statement. Minister, assessment is useful only if it informs teaching and learning. Your statement says:

"The report also identifies that we need to do more to build the confidence of teachers".

Have we ever really looked into why teachers have no confidence in this system? As a teacher who taught maths for 30 years, I frankly think that the end of Key Stage 3 assessments were irrelevant at that stage. This is simply not fit for purpose. Minister, at the end of Key Stage 2, a child with a level 4 in English can have a standard score of anywhere —

Mr Speaker: I encourage the Member to come to his question.

Mr Rogers: — between 94 and 125. There are miles between those two scores. Minister, when will there be a root-and-branch review of the end of key stage assessments?

Mr O'Dowd: There has been a root-and-branch review of end of key stage assessment. I brought in the internationally respected OECD to take a look at it. I do not think that I could be asked to do much more in looking at our assessment system. They are saying to us that the assessment systems are fit for purpose but we have to work with teachers and professionals in schools to ensure that they have confidence in them. I have committed to doing that. Over this last period of months, we have been involved in detailed discussions and negotiations around this matter with teachers'

representatives. We are making progress. We have made changes along the way to accommodate the genuine concerns raised by teachers and their representatives. We continue to meet teachers' representatives, and meetings are scheduled for the next couple of weeks on that matter.

This is a process involving discussions with many interested bodies, including the Education Committee, which endorsed the process and allowed it to move forward. We all accept that there have been lessons learned since then and that teachers have raised valid concerns about levels of progression, but let us not throw the baby out with the bath water. Let us correct it and make sure that it moves forward in a way that everyone can have confidence in.

Mr Kinahan: I welcome much that is in the Minister's statement, particularly the independent review of CBA and the review of the GCSEs and his approach to it. However, I wonder why we were not able to see the Harkin and Hudson report so that we could ask questions on it today.

Following the Chair's point, my question is about the time that teachers have. I welcome the fact that the Minister wants to involve them more, but, to allow us to get the absolute best from them, is anyone in the Department looking at the time that teachers have to do all the work that is thrown at them in the form of guidance and consultations? They do a fantastic job, but who is studying the use of time?

Mr O'Dowd: One of the concerns raised by teachers' unions and representatives was the time dedicated to completing assessments and forwarding them to the Department. That is part of our discussions on how we can minimise the time involved in those matters. I assure the Member that I have regular engagements with the trade unions and with schools and teachers across a wide range of subjects to drill down into the impact, both positive and negative, that departmental policies have on their teaching. As I said in response to, I think, Mr Rogers, further discussions are taking place with teachers' representatives next week about levels of progression. I believe that we have made significant progress and that we can bring this matter to a conclusion.

Mr Lunn: I welcome the Minister's statement. I want to ask him about the option for schools to use the examination specifications offered by other awarding organisations. I presume that that means that they can use the exams offered by the Scottish, English or perhaps even the

Irish authorities and can pick and choose subjects according to the particular board that they are dealing with. Will the Minister explain why he feels that that is necessary? I know that it is already the case, but does it not cause complication and confusion? What is the reason for it, and what is the advantage?

Mr O'Dowd: Minister Gove — Secretary of State for Education Gove — and I do not agree on many matters, but I agree with him that there are far too many awarding bodies for exams out there. That can cause some confusion about the specifications set by each of them. When I refer to outside awarding bodies, I mean that they have to be awarding bodies that are in line with our curriculum. Previously, those in line with our curriculum were the Welsh-based awarding bodies, who were dealing with GCSEs and A levels, and the English education awarding bodies, as well as our own CCEA. We do not have an influx of Scottish qualifications, which are based on a different curriculum, or those coming from Dublin, which are, again, based on a different curriculum. I have met the awarding bodies that operate in our system — my officials will meet them again next week — and I want to ensure that the qualifications that they set do not corrupt our curriculum and are not driven by their commercial needs in the sense that they operate in a larger market in England than they do here.

I believe that we can overcome those matters, and the discussions thus far have been quite good. I have decided to keep the market open to them. My Welsh counterpart has decided that there will be only modular examinations, which may rule out the English examination bodies coming into Wales, but that is a matter for the Welsh. However, it is something that we will keep a close eye on. I have decided to keep the market open at this stage, because I believe that we can facilitate the awarding bodies. They can work with our curriculum, and, if they cooperate with my Department, I assure them that I will cooperate with them.

Mr Craig: Minister, I read the statement with interest, and I want to go back to something you have already touched on, which is the NILA and NINA situation. Over £3 million was spent on that process. Has there been any clawback from the consultants, given that it has been a failed process and most schools are not using it? If there is to be a mark 2 of it, can we be absolutely certain and can you assure the House that there will be definite financial clawbacks if such a situation were to arise again?

Mr O'Dowd: There is no planned financial clawback at this stage. As I said in my statement, I have not stipulated the use of the NINA and NILA systems this time around.

I want our primary schools to use the system; I want them to work with CCEA and the providers to ensure that any final glitches in the system are ironed out so that we can have full confidence in it.

11.00 am

As we move forward, I want to take time to study the policy to ensure that lessons are learned from the two reports that I commissioned and which were published on the Department's website. Whatever procurement process we are involved in, I want to ensure that the skills base in the procurement exercise is right and that everyone is crystal clear about what we are trying to achieve and the product that we require. I want to ensure that, when that product is delivered, it has the capacity to meet the needs of our curriculum and our teaching workforce.

I am not going to rush anyone on this matter. The report is quite detailed and informative, and I want to make sure that lessons are learned from it so that we do not end up in this scenario again.

Mr Lynch: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement. Will he outline the ongoing use of the free school meal entitlement and the OECD's opinion of it?

Mr O'Dowd: The OECD reported that the use of the free school meals entitlement was a robust measure of social deprivation — in the absence of any other measure, it has to be said. I am moving ahead with it as a robust measure in the absence of anyone else coming forward with further proposals. I understand that the Committee for Education will conduct an inquiry and produce a report on international practices in identifying social deprivation, and I look forward to receiving that report. However, the OECD certainly did not point out any failings in the use of the free school meal entitlement as a measure of social deprivation.

Mr Dallat: I also thank the Minister for his statement and I pay tribute to all those fine people in the teaching profession. He said that he is not in any hurry, but he promised to walk forward and I promise to walk with him. However, can he tell me when we will be in a

situation where we do not have 4,000 young people who leave school every year not able to read or write and who end up getting their education in Magilligan jail?

Mr O'Dowd: I welcome the Member's spirit of cooperation in moving forward to ensure that we improve the lives of all our young people. The changes that we have made in education over the past number of years have resulted in a marked reduction in the number of young people leaving school without proper qualifications and skills in numeracy and literacy. It is an indictment of our entire society that those who populate our jails come from the lower socio-economic classes, have a lower educational outcome and suffer from mental health illnesses. That is something that we have to rectify.

I believe that the policies that we have in place will assist us in doing that, as will early interventions. I also firmly believe that the Programme for Government will assist us in doing that, particularly Delivering Social Change, to which all Departments have signed up and to which they are all contributing financially and through the use of departmental resources.

Mrs McKeivitt: I thank the Minister for his statement. He spoke about school evaluation, but it is obvious that self-evaluation is not well embedded in all our schools. What is his Department doing to further that practice?

Mr O'Dowd: I am sorry; I missed the relevant part of the question.

Mr Speaker: Will the Member repeat the question?

Mrs McKeivitt: The Minister spoke about school evaluation, but it is obvious that self-evaluation is not well embedded in all our schools. What is his Department doing to further that practice?

Mr O'Dowd: One of the key pillars of the Every School a Good School policy is self-evaluation in schools. Schools are encouraged to do so, and, indeed, under the policy, they have to self-evaluate their own programmes of work. It is the best form of evaluation because, if a school can be self-critical and self-enquiring of its own practices, it can learn many lessons. Our schools are involved in that. As I said in my statement, the role of the district inspector is highly valued by our schools because the inspectors can assist schools with self-evaluation.

Mr Byrne: I thank the Minister for his statement. Does he agree that it is crucial that the confidence of teachers is gained, retained and sustained to make assessment work? In that regard, will the Minister please ask his senior officials to conclude the discussions with trade unionists to make sure that the current impasse is ended?

Mr Tom McKee was an excellent educationalist and the regional organiser for the NASUWT. He passed away recently. He made an enormous contribution to the trade union movement and to education in Northern Ireland.

Mr O'Dowd: I acknowledge your tribute to Mr McKee. He was not involved during my time, but I am certainly aware of his work. I pass on my condolences to his family and friends on his passing.

We are keen to conclude discussions and negotiations with the trade unions, but, to conclude any negotiations or discussions, both sides are required to reach agreement. I believe that both sides have entered those discussions with the desire to reach agreement, and, if we continue along that pathway, I have no doubt that we will reach agreement.

Mrs Overend: The Minister said that the Department does not:

"make judgements about schools based on the percentage of pupils who achieve or do not achieve at the expected level."

However, parents do, and the challenge for the Minister is to balance parental choice with schools competing with each other. In the context of the end of key stage assessments, what measures are being put in place to ensure that some schools are not manipulating the process for pupil assessments to give their school a false positive assessment?

Mr O'Dowd: First and foremost, we must recognise and have faith in the professionalism of our teachers and the senior management teams in our schools. I also believe that moderation will assist us in ensuring that figures can be relied on by the school, schools in an area, parents and others who are observing educational practice.

Mr Newton: The Minister's statement says:

"I have asked my officials to undertake further work on a potential basket of performance measures, both for schools and the system overall."

I imagine that that will lead to concerns among many principals and teachers who have performance measures that they enjoy — if that is right word — and find useful in deciding how to take their school forward.

Does the Minister also accept the OECD finding that there is an urgent need to do three things? The first is to:

"build ... trust in the new moderation system for end of key stage assessments".

The second is:

"to minimise the reporting burden on schools."

Mr Speaker: I encourage the Member to finish.

Mr Newton: The third is to provide an official consultation platform for parents between parents, the schools and the education system generally.

Mr O'Dowd: The first of, I think, four points was about the evaluation processes that schools value and the basket of evaluations that I want to move forward with. That is about working with schools and learning from best practice in schools. It is also about responding to the demand from schools and others about measuring added value, which is much more difficult to measure than GCSE or A-level results or whatever it may be. I am responding to that, and I want to engage with schools on how they measure added value and how we can move that forward. Education cannot simply be measured on the basis of five good GCSEs from A* and through.

You made three other points. My answer is yes to the first point and yes to the second point. You also mentioned greater parental involvement in education, and there is also a role for schools in that. The most successful schools are those that have a good connection with their local community and with parents, and I accept that, in certain areas, it may be difficult to engage with parents and communities for a variety of reasons, including their own poor educational experiences. I have put in place a number of measures to assist and support schools and communities in doing that, but the best and most practical way for schools to engage with parents is at a local community level.

Mr Humphrey: I thank the Minister for his statement. I welcome his assertion that he is committed to listening to teachers. Why did he

not listen to teachers three years on from the implementation of the computer-based assessment system?

Mr O'Dowd: I have listened to teachers. If I had not, I would have just imposed a system, let them continue to use it and battled with them. A couple of years ago at the teaching unions' conferences, I committed that, if, after enquiring into the matter further, the computer-based assessment systems NILA and NINA did not do exactly what it said on the tin, I would set them aside. I have set them aside, in that there is no longer a legislative duty on schools to use them. However, progress has been made, and I encourage as many primary schools as possible to engage with the NILA and NINA systems this year. If and where issues arise, schools should report them to the centre so that we can work with them. We can learn together about the way forward in improving a centrally provided computer-based assessment system and learn the lessons of the aforementioned report.

Transforming Your Care: Progress Update

Mr Poots (The Minister of Health, Social Services and Public Safety): I wish to update the House on the progress that has been made on implementing Transforming Your Care (TYC).

Members will be only too aware of the real challenges facing Health and Social Care (HSC), now and in future. Those are a growing and ageing population, a growth in chronic conditions, a growth in demand and an over-reliance on hospital-based care, all set against a backdrop of continuing and increasing financial constraint.

Members will recall that I commissioned the Transforming Your Care review and the subsequent consultation on proposed service changes shortly after taking up my ministerial portfolio in May 2011. In commissioning the review, my prime objective was to ensure a high-quality, effective, integrated health and social care system, now and in future.

We are making significant progress on implementing those changes to transform the delivery of health and social care services to deliver the right care, at the right time and in the right place. The recent pressures on our emergency departments have made me even more determined to ensure that our services can meet the demands placed on them.

Recent research carried out in England indicates that around 18% of those who attended emergency departments admitted that they did not need to be there. It is only by reshaping our model of care to provide alternative services, earlier interventions and better patient self-management that we will be able to divert that group of people to more appropriate services. I hope to be in a position to update Members next week on the work to improve emergency department care.

As I indicated before, this is a three- to five-year journey, with the emphasis on getting it right in a safe manner rather than on rushing blindly ahead. The safety of patients and service users must remain at the heart of the transformation process, in line with our commitments under Quality 2020.

I am only too aware of the importance of avoiding unnecessary bureaucracy during the transformation process. The operational planning and delivery is being undertaken by the Health and Social Care Board (HSCB) and the Public Health Agency (PHA). I will hold those organisations to account for the transformation through existing governance and accountability arrangements, including the annual commissioning plan and regular assurance and accountability meetings.

As far as having the right care at the right time is concerned, the best treatment is, of course, prevention. We all know that smoking is one of the key causes of preventable ill health and early death, particularly among people who live in areas of social or economic deprivation. Some £4.5 million is invested each year in stop-smoking campaigns and support services, which are available in a variety of places, such as community pharmacies, GP surgeries, hospitals, schools and workplaces. In 2012-13, over 23,000 people, almost three quarters of all those who set a quit date, did so through a community pharmacy. It is not just in anti-smoking campaigns that pharmacists have an active role to play in improving patient care. Their enhanced role was clearly identified in TYC, and, in the coming weeks, I will be launching a new strategy for pharmacy. It will provide a clear direction for community pharmacy services over the next five years to help people use medicines effectively and live healthier lives.

11.15 am

It was apparent from the responses to the consultation exercise that the prevention of illness, with a particular focus on supporting children and families through early intervention,

was strongly supported. There are now 17 family support hubs active in four trusts, with a further five to be up and running by the end of March. The hubs provide early intervention and support for families who do not require the full-time services of a social worker. The hubs are one of the signature projects delivered through the Delivering Social Change initiative. The hubs complement the three family nurse partnership teams active in the Western, Southern and Belfast Trusts. Under the voluntary home visiting scheme for first-time young mums under the age of 20, a specially trained family nurse visits regularly, from early in pregnancy until the child is two, to provide advice and support. I will quote one young mother:

“My Family Nurse has been visiting me since I was 28 weeks pregnant and has been a great support. She really helped to prepare me for what to expect when I went into labour and since the birth has given us lots of tips on looking after our son like bathing, feeding and handling him.”

That is a clear example of the right care at the right time.

My Department is also actively seeking new services for children and young people. It has been active in the early intervention transformation programme. Drawing £30 million of funding from five Departments and private philanthropy, the programme will focus on changing how mainstream early intervention services for children are delivered.

Moving to the right care in the right place, it is appropriate at this point to update Members on the consultation on the regional criteria to evaluate the viability of statutory residential homes. I have been very clear that the regional process, which I asked the HSC Board to lead on, has been about listening to and improving outcomes for elderly people. The consultation, which has just closed, included visits by Fionnuala McAndrew, who is director of social care and children at the HSCB, to each statutory home, together with the commissioning of Age NI peer facilitators, who were available in each home to support residents to have their views heard. It is now vital to take time to carefully consider each and every response to inform how the process moves forward.

The TYC review predicted a drop in demand for those older services, due to the availability of alternatives better suited to the individual. Those included assisting people to remain independent at home, through reablement or

support services. Delivering some of those alternatives through the development of a hubs and spokes primary care infrastructure model is one of the building blocks of the TYC programme. It brings together a range of disciplines to provide services, such as diagnostics, that are accessible and responsive to local needs.

Five tranche 1 hub projects are already under way in Newry, Lisburn, Ballymena, Banbridge and Omagh. The total capital equivalent investment in those facilities will be in the region of £150 million. I continue to believe that there are benefits in working closely with the private sector to deliver the infrastructure as soon as possible, rather than waiting longer for more traditional allocation of moneys. Funding options for further hubs and spokes may include capital funding, ring-fenced transactions or through 3PD. They are all subject to the business case process, confirming value for money and affordability. I expect Banbridge and Ballymena to be completed by summer 2015, and work on Omagh is due to start shortly. I hope to announce the successful bidders for the Lisburn and Newry health care centre (HCC) projects later this year.

We are also investing in new regional and secondary care facilities and services. The provision of the first of the 24/7 regional cardiac catheterisation services now operates in the Belfast Health and Social Care Trust. It will ensure that heart attack patients bypass emergency departments and go straight to a catheterisation lab for immediate and appropriate treatment. I anticipate that the complementary service for the western half of Northern Ireland, based in the Western Trust at Altnagelvin, will be operational by the autumn. The new £73.5 million North Wing building at Altnagelvin Area Hospital will be completed in 2016. That will ensure that people across Northern Ireland will continue to have access to modern facilities.

Last August, I visited the site of the new £97 million Omagh local hospital and was impressed with the progress being made there. It will offer a wide range of integrated services, including a local hospital with 40 intermediate care beds, a renal dialysis unit, an urgent care and treatment centre and a women's health department for the local area.

New facilities at the Royal Group of Hospitals include the £150 million critical care building. That will begin phased operation from January 2015 and will provide regional emergency and trauma services to some of the most severely injured people in Northern Ireland. Alongside

that, the new £46 million maternity building there, which is due for completion in mid-2017, will deliver a first-class regional maternity service.

Large impressive building projects are only one element in the delivery of the right care in the right place. The vision for supporting people with a mental illness, set out by Bamford and reinforced in TYC, was that treatment should be provided in the community, close to families and friends, where appropriate. At the time of the Bamford review, we were spending 60% of the mental health budget on hospital services and 40% on community services. The balance has now shifted and, last year, we spent around 44% of the mental health budget of £240 million on hospital services and 56% on community services. That investment in community-based services to reduce inpatient treatment has been brought about by the development of crisis response teams, the increased use of home treatment teams and provision of community mental health teams. The use of such teams also means that those who need inpatient treatment can be discharged sooner than was previously the case, with access to appropriate support in the community. Through focusing on prevention and early intervention, we are providing a better service closer to home.

In the Southern Trust area, the new ambulatory unit at Craigavon Area Hospital, which is staffed by two advanced paediatric nurse practitioners and supported by the medical team, takes referrals from the emergency departments and GPs to treat children for a wide range of conditions including dehydration, respiratory conditions, vomiting, diarrhoea and fever. The new unit avoids stressful hospital experiences for children, reduces the overall length of stay and can prevent overnight hospital admissions, where appropriate. Dermatology patients in the Southern Trust area who previously had to travel for a specialist consultation or review are now able to use video-conferencing facilities from home or in their GP's surgery for a consultation.

In the Belfast Trust area, a multidisciplinary team is developing a consultant-led urgent pathway for older people as an alternative to ED attendance or admission. The team is working with three GP practices as first responders and, to date, 36 patients have been provided with alternative acute care at home. The team has also developed an ambulatory care centre at Musgrave Park Hospital to improve access to falls services and comprehensive geriatric assessment as a quality alternative to our oversubscribed emergency departments.

New support services have also been developed for those with learning disabilities, with a significant shift from day centres towards community-based day opportunities. The Southern Trust offers work placements as part of its day opportunities programme. The Zest coffee shop is one such example where service users make a valuable contribution to the smooth running of the gift and coffee shop. They are encouraged to be independent by travelling by taxi or public transport to their work and to attend other activities, such as local gateway clubs. Many of them have completed the NVQ level 1 in catering and hospitality. Their comments on their experiences say it all. David, who works in the kitchen, said:

"I like getting food ready, drying dishes and tidying up when everyone leaves."

Christina, who also works in the kitchen, said that she loves working at Zest. She also said:

"I like organising people in the kitchen."

Gregory expressed his future ambitions when he said:

"I like being busy and cleaning the kitchen. I would eventually like to get a job in catering."

During the recent Assembly debate on health inequalities for people with learning disabilities, I outlined the investments by the HSCB in regular GP checks for adults with a learning disability. Those were in line with the TYC focus on intervention. I am proud to report that the uptake of this service in Northern Ireland is generally higher than in England and Wales, with some 90% of Northern Ireland GP practices registered.

Members also frequently express their concern about suicide, particularly among our young people, and urge me to provide resources to tackle the problem. I allocated over £2 million of Protect Life funding to support local communities with the development and delivery of suicide prevention initiatives. These include bereavement support, counselling, awareness and intervention training, and complementary therapies. The Public Health Agency worked closely with GP practices to raise awareness of these support services. These initiatives are providing access to services closer to where people live and where communities are best placed to know what their local resources, issues and challenges are. This intimate knowledge is vital in tailoring services and initiatives to address local needs.

On several occasions, Members reminded me of their enthusiasm for the speedy adoption of new ways to access services. I inform the House that the self-referral physiotherapy service will be available throughout the South Eastern Trust from April 2014. Following successful implementation, it is planned that the service will be rolled out regionally by March 2015. At the other end of the spectrum, the Public Health Agency and its partners are working to ensure that our older people remain in good health for as long as possible through health improvement programmes, fall prevention services and initiatives to address social isolation.

The experience of Adrian, who lives in the South Eastern Trust area, demonstrates just what can be achieved when we work together. Adrian is in his 60s, lives alone and previously attended his GP only when he felt unwell. He was recently signed up for a neighbourhood health check programme run by the South Eastern HSCT. This is aimed at keeping isolated older people well and feeling safe and supported in their own home. The project nurse working from the local community centre carried out a range of basic health checks for Adrian and was able to refer him to another health professional for advice on a long-term condition. She also encouraged Adrian to attend a stop smoking support group and to join a local walking group, where he has benefited from new friendships as well as exercise.

Other parts of the HSC family have the responsibility to support people who are recovering from an illness or injury to regain the skills that they need for daily living and to maintain their independence. Traditionally, there has been a tendency to focus on doing things for people rather than supporting them to become independent again. While well intended, that did not always serve patients well. The ambition of the new reablement model is to provide support appropriately and enable people to achieve independence again.

One real life example is of a normally confident older lady in Armagh who broke her leg. After discharge from hospital and as the reablement support began, she found the basic everyday tasks of washing, dressing and making food difficult to manage. This left her feeling vulnerable. However, when she sat down with her occupational therapist, they were able to figure out together what was needed to help her. Through providing the right support and encouragement, she was able to get back to coping with everyday tasks. Very importantly, this lady reported that the reablement workers treated her with the highest degree of respect

and dignity, which are key elements of the quality care that must remain central to our transformation programme.

These examples illustrate that the right care in the right place delivers a better service for patients and service users. Some of us may eventually need to avail ourselves of palliative and end-of-life care. It is important that we deliver the right care at the right time, using the right people and in the right place. A significant reform process is under way in this area based around the recommendations in my Department's palliative care strategy for adults, 'Living Matters, Dying Matters', and the wider Transforming Your Care reforms.

Evidence from the Delivering Choice programme in England has shown that it is possible to make a significant difference to patients and their families at a very difficult time. In September 2013, the Health and Social Care Board along with Marie Curie Cancer Care began the redesign of services to transform palliative and end-of-life care locally. Funding of £250,000 is being provided for the programme, with matched funding from Marie Curie Cancer Care.

11.30 am

All the examples that I just outlined depend on good communications between healthcare professionals and between healthcare providers and patients. The emergence and application of technology is a key enabler for good communication and healthcare transformation. You have seen recent examples of that, such as the Northern Ireland electronic care record, which enables healthcare professionals to access a single secure overview of key information about their patients; telemonitoring of patients at home; the use of teleconferencing to provide virtual clinics; and the potential development of mobile applications. Through our work on connected health not only is Northern Ireland benefiting from this improved healthcare but we are contributing to the growth of innovative solutions in the healthcare marketplace and enhancing Northern Ireland's economy.

Of course, although the implementation work is bearing fruit, there is ongoing pressure to deliver more, higher-quality care within the same financial envelope. Although the £139 million of saving opportunities that were identified in June 2013 are on track to be delivered and reinvested, the healthcare system still faces a funding gap. Therefore, during the current financial year I sought additional in-year funding of £28 million transitional moneys to

support Transforming Your Care initiatives. My Department was fortunate to receive £9.4m in transitional funding to support TYC initiatives in the June 2013 monitoring round. Of that, £4.5 million was allocated to supporting ICPs and the commissioning of ICP-related services; £1.3 million was for improvements in stroke services; £0.1 million was for the Delivering Choices programme in association with Marie Curie; £0.2 million was for home oxygen therapy; and £3.3 million was to provide the dedicated teams to support the transformation programmes.

When discussing health and social care delivery in Northern Ireland, it is important that we retain perspective. I know that our emergency department service is under extreme pressure, and I have listened at first hand to the concerns of staff who are delivering front line services. I commend those staff for continuing to deliver an excellent service and to do what is necessary to meet the immediate challenges. However, it is clear that a longer-term solution can come only from actually implementing TYC.

The reality is that the whole of the NHS in the UK is facing challenges. You will be aware of the recent media stories from England and Wales on the shortage of skilled staff, pressures to deliver acute services locally, excessive pressures on emergency departments and fears that patient care could be compromised. Those problems were highlighted in Northern Ireland by the TYC review, and the solutions that are now proposed in England and Wales sound familiar.

It is important that we continue to drive forward and to complete the transformation journey to deliver the right care at the right time in the right place for every patient while remaining true to the core principles of the National Health Service. I commend the statement to the House.

Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement, and I welcome it. However, Minister, I suggest that wider public opinion on Transforming Your Care, including the views of staff, the medical professions, patients and public opinion generally, is certainly not as rosy as the statement that you placed before the House today. I will go further than that to say that Transforming Your Care is, indeed, in crisis. I ask the Minister to comment on that.

I note that the Minister said:

"I hope to be in a position to update Members on the work to improve emergency department care next week."

Will the Minister expand on the work that has been ongoing, given the crisis in our emergency care departments?

The statement also talks about transition funding for Transforming Your Care. At the beginning of this process, we were told that £70 million was required to implement TYC in totality. We understand today that £19 million was allocated in 2012-13 and a further £9 million in 2013-14. That, in my calculation, leaves a shortfall of £42 million. I therefore ask the Minister: is TYC in crisis as a result of that funding shortfall? Where will that funding be found? Are you even in a position to use it now?

Finally, I ask the Minister for assurances that the private sector investment that he refers to — particularly the magnetic resonance imaging (MRI) scanner, but equally the health hubs referred to in the statement — will not be the privatisation of our health service and will not effectively become care on the cheap.

Mr Poots: I will seek to deal with all the issues that the Chair raised. As for the Member's view about Transforming Your Care and the medical professions not having as rosy a view as I do, I have to say that the medical professions are working very closely with us on cooperating and delivering. The medical professions and the bodies that represent them have at no stage indicated that Transforming Your Care is not the right way forward. They are working closely with us, and I challenge the Member to identify where the opposition is coming from, because the only opposition that I have heard thus far is from trade unionists, and that is for particular reasons. We need to be very clear about that. It is for particular reasons that they oppose Transforming Your Care. Transforming Your Care is in the best interest of the public in Northern Ireland, and I have to deal with that.

Ms Maeve McLaughlin: Will the Minister give way?

Mr Poots: There is no opportunity to give way in these circumstances. I will bring a report on emergency departments next week. What we have been doing has been in the public ether, so I would have anticipated that the Chair of the Committee would know what most of the general public already knows: that we brought the Regulation and Quality Improvement Authority (RQIA) in and that there are courses

of work ongoing. Informing the Assembly is the appropriate means for a Minister to keep the Northern Ireland public informed, because I am answerable first of all to the Assembly.

We have already received almost £30 million of funding in the second year of Transforming Your Care. We are looking at delivering Transforming Your Care over a three- to five-year window, so there are certainly opportunities to continue delivering Transforming Your Care. I will be honest: I would have liked to have greater availability of money at this point, but I recognise that there are challenges for all Departments. We have to make our case. We have made our case and did not get as much as we would have liked. The Health and Social Care Board has sought to do things differently in-house on the back of that. Nevertheless, we have still been able to make excellent progress with the funding that has been made available to us.

Finally, on privatisation, the last words that I said in my statement were about supporting the principles of the National Health Service. When I leave office, whenever that happens to be, it will be a National Health Service in Northern Ireland that provides healthcare to those who need it, free at the point of need. I will not diverge from that principle.

Mr Wells: Following on from that question by the Chair, during the Budget debate the Minister revealed that he had managed to find £700 million worth of savings in his budget. I notice from his statement today that he has also been successful in finding another £139 million worth of savings, but he mentioned earlier that he has not been able to obtain all the funding that he has requested from the monitoring rounds to implement Transforming Your Care. Does the Minister believe that there is much left in the system in the way of savings in order to produce more money for Transforming Your Care?

Mr Poots: Savings are generally about delivering care more efficiently, and to do that you need to get to the patient more quickly, and, consequently, you can deliver a better patient experience at the same time. Savings should not equate to cuts, albeit that there can be very challenging circumstances for people to operate in.

Looking at where we have come from, we can see that, yes, there has been waste stripped out of the system. Is there still waste in the system? I expect that there is, but it will be considerably harder to identify, find and strip out. It is important that we all recognise that we

were operating on a very difficult budget on the basis of what was given to us by the national Government due to circumstances that were largely beyond their control. Although we had a very tight budget, we have been able to reduce waiting times across the sectors. We have been able to improve cancer care. We have been able to improve reablement after a stroke. We have been able to improve the outcomes for people who suffer a heart attack. Across the board, we have been able to improve a range of services and, at the same time, make savings.

We have been able to reinvest in our capital infrastructure. Perhaps we have not been able to do that as much as we would like, but certainly, with the new building at the Altnagelvin cancer facility going ahead, the new hospital being developed in Omagh, large-scale expansion at the Ulster Hospital and a range of other facilities, one can recognise that we remain wholly committed to the National Health Service.

Mr Byrne: I welcome the Minister's statement, given its wide range and remit. Can the Minister state when building work will start at the Omagh hospital, which we are all waiting for? Can he say anything about the acute mental health unit, which we still hope will be there?

How significant is it that Mr Donaghy, the chief executive of the Belfast Trust, has resigned suddenly? Is this evidence of a problem with the administration of health management in the city of Belfast?

Mr Poots: Enabling works commenced some time ago at the Omagh hospital. I do not need to tell the Member about Omagh; he knows it much better than me. He knows that, to allow access to the new hospital, a bridge had to be constructed and a new road opened up. Some buildings had to be removed, and certain courses of work had to be carried out. All that work has been moving ahead. In fact, it has been progressing ahead of plan. We are happy that that is the case, and the Omagh hospital is scheduled to be opened at the appropriate time.

The Member has raised mental health services with me on a number of occasions, privately and in the Chamber. I have not yet received the report from the Health and Social Care Board, but, when I do, I give the Member and the House an assurance that we will respond promptly with a decision on the final location for mental health services in the Western Trust area.

Last week, I learnt that Colm Donaghy had been offered a job elsewhere and had decided to take it. I wish him very well. The Belfast Trust is the second-largest trust in the United Kingdom, and it needs to be recognised that its chief executive position, which has all the pressures of managing both local and regional services, is a very stressful and tough job. I think that the challenges mean that it will always be difficult to get people to carry out this job, but I am confident that there are people in the system who will step up to the mark to take on that very challenging position.

Mr Beggs: I thank the Minister for his statement, in which he acknowledges the pressures on our accident and emergency centres. He also highlighted a survey in England that stated that some 18% of patients did not have to be there. When will every town in Northern Ireland, including Carrickfergus and Larne in my constituency, have a modern primary health and care centre, extended out-of-hours GP services and nurse-led treatment so that people do not have to go to A&E for treatment?

Mr Poots: Mr Beggs raises a very valid point. It is OK to say that 18% of people — the figure the survey identified — should not have been in emergency departments. However, if members of the public attend A&E because they do not know what else to do, it is not their fault. Some people are repeat offenders — people who come to an emergency department at the drop of a hat — but many people who have a problem do not know where else to go. So, we need to be to the forefront of ensuring that we offer people the alternatives: minor injury units; enhanced primary care facilities; and greater opportunities to access GPs. We recognise that all those things will assist in keeping people out of emergency departments.

11.45 am

The Member also mentioned the facilities in Larne and Carrickfergus. I have visited the Carrick facilities and know what they are like. I recognise that they are very cramped and will not be able to provide the wide range of services that we envisage in Transforming Your Care. It is absolutely necessary that we look at those facilities and change them.

Currently, the various trusts are drawing up their list of which facilities should come first, and we are looking at proposals as to how we can move that forward. We have obviously used the private sector to a fairly modest extent thus far, but I entered office in an era in which

capital funding had largely been identified and the previous programme of developments for primary care centres had been put on the shelf by the previous Minister. I took the programme down from the shelf, dusted it down and am trying to reinvigorate the process. I do not think that we are capable of delivering the health and social care services that the public need unless we fully utilise the services in the primary care sector and give them the support and staff to allow them to be delivered in local communities where people can access them.

Mr McCarthy: The Minister made a rather long statement. There were some good things in it, but I am afraid that there was also a lot of wishful thinking.

I support what the Chair said. In his statement, the Minister informed us that £139 million of saving opportunities are on track, but he went on to say that there is a "funding gap". He asked for £28 million more to support Transforming Your Care initiatives. He got £9.4 million, which leaves a shortfall of some £18 million. Is that one of the reasons that our elderly and infirm senior citizens have to accept a big reduction in domiciliary care, in the number of hours that carers are allowed to spend with them and in the number of community meals?

Mr Speaker: Will the Member please finish his question?

Mr McCarthy: Those senior citizens will eventually end up in hospital.

Mr Poots: The Member sits on the Committee, so I wish that he would either inform himself better or desist from misinforming the Assembly. In fact, more hours are being provided for domiciliary care.

I see the Member shake his head. He maybe has a little difficulty with the facts. For the benefit of the whole House, let me say that, in 2012-13, £759 million was spent on care for the elderly, including £160.6 million on domiciliary care. The first six months of 2013-14 saw a significant increase in expenditure on domiciliary care by the trusts, and there will be an additional — *[Interruption.]* Just listen to this, Mr Speaker and the House, just listen to this — *[Interruption.]*

Mr Speaker: Order.

Mr Poots: To deal with the misinformation that the Member is putting out, there will be an additional 800,000 hours — 800,000 hours, Mr

McCarthy — provided, at the cost of some £12 million in 2013-14. Furthermore, an additional £5 million has been secured in the January monitoring round for domiciliary care. So do not come to the House spouting nonsense when what you say is not borne out by the facts.

Mrs Cameron: I thank the Health Minister for his statement on the progress of Transforming Your Care. We all know that good-news stories on health are not often heard. What specific measures will assist families whose children and young people experience neglect?

Mr Poots: The issue of children and families facing neglect is something that we take very seriously. I really welcome the interest that we receive from the Office of the First Minister and deputy First Minister on the matter. The work that it carries out in conjunction with the Department of Education, my Department, DSD and others will make a real difference to families under severe pressure.

I referred in my statement to the £30 million spend that we are achieving in developing hubs, which goes across five Departments. I mentioned three Departments, and the Department of Justice is another one that is involved. That will make a real difference, but we are also seeing the investment that is coming through other funding from OFMDFM. We are supporting a number of parenting programmes that are largely being developed through the Public Health Agency and with stakeholders through the Child Development Project Board and the Children and Young People's Strategic Partnership. Those programmes focus on vulnerable groups and include Parenting Your Teen, the Strengthening Families programme, the Incredible Years programme, infant mental health training and the Triple P model of parent and family support programmes.

We recognise that, in Northern Ireland, many families are in very difficult circumstances, including financially, and that many parents have not had the right opportunities in life and, therefore, are not well skilled to support their own children. We want to provide support and help to those parents to break the vicious cycle that has existed for some time. We want to make an investment now that I, as Minister, will probably not see the significant benefits of. However, I hope, in a generation's time, that Northern Ireland in general will see the significant benefits of the long-term investment that has been made, even at a time when finances were tight.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. I, too, thank the Minister for his statement. Minister, you mentioned that one of the issues facing the health service is the growing and ageing population. We have been told that, by 2020, our elderly population will have doubled. People are living longer but not necessarily more healthily. There is a perception that older people do not receive the same level of treatment as younger people. That is compounded by a recent report that said that older people do not receive the same level of cancer care and treatment as younger people. Can the Minister assure us that, if that inequality exists, he will ensure that it does not continue and that there will be equality in the treatment of people whatever their age and condition?

Mr Poots: I thank the Member for his question. I know that the Member does not mean any ill, and sometimes I do it myself by referring to it as a problem. However, the fact that people are living longer is not a problem. Although it is perhaps an issue that we will have to deal with, it is something that we should be celebrating, and it is a demonstration that healthcare is working very well because people are living longer. Older people are now getting heart bypass surgery, which would not have been the case heretofore. Older people are also getting hip and knee replacements and so forth more quickly, and many older people will benefit from that.

I heard the views of the professor on the radio this morning. I was taken with his comment that age itself should not be the judge of the treatment path; it should be the person's ability to receive it — their physical and other health conditions. It may not be appropriate to give chemotherapy to someone in their 70s who happens to have two or three chronic conditions. Very often, those things clash, and chemotherapy is a very powerful treatment. Basically, it puts poison into your system, and not everybody is able to withstand that. So, very often, they are clinical decisions that are made for the right reason; not because someone is old but because their immune system could become so compromised that their other chronic conditions may be affected as a result. All the decisions should be clinical and should be based on the ability of the patient to receive the care as opposed to the age of the patient, and I would accept that.

Mr D McIlveen: Whilst I in no way support one or two of the unintelligent diatribes that we heard this morning, it appears, Minister, that Transforming Your Care is, at times, moving

slower than many of us envisaged. Do you agree?

Mr Poots: I accept that that could be the perception. I also accept that, in some instances, it is the case. However, I would say that we have still made remarkably good progress. When we devised Transforming Your Care, we identified a process of change that was almost certainly leading the way in the United Kingdom. I have to say that, as others look at how they address the problems of actually providing better quality healthcare, with a restricted envelope and greater demand, many of them are following us.

Processes of change are never easy. We are trying to get the public to a point. That can be challenging, particularly when people do not want the messages to get out there. We are trying to get the public to the point where they recognise that going to hospital is not necessarily the best means to support their healthcare. There are many other ways of doing it, and many other supports can be provided. Integrated care partnerships, which have all now been established, will play a key role in that. Very often, the community pharmacist should be the first port of call, followed by the general practitioner. However, people choose to go many other ways. Sometimes, I hear people say that they cannot see their GP for three weeks. In many cases, people will be offered a GP, but they want to see a particular one and will insist on waiting for that GP. Sometimes, when they do not get to see their GP of choice, they end up in an emergency department as opposed to seeing another general practitioner in the same practice.

So, in all of this, we need to ensure that the public are well informed about their options and that they take the right actions. We need very much to be the Department of Health, not the Department of illness. To be the Department of Health means investing in public health and getting the right messages. As I indicated, we spend £4.5 million on stopping-smoking campaigns. I want to introduce many other things in the House that would be challenging and debated and would make it much more difficult for people to take up smoking in the first place. It would be better for a 16-year-old never to have smoked in the first place than, 20 or 30 years later, to be struggling with their local pharmacist to try to quit when the damage has already been done.

Mr Rogers: I thank the Minister for his answers. The Transforming Your Care review talked about the drop in demand for residential

care. Is it not therefore a bit disingenuous for trusts to put a ceiling on numbers in the likes of Slieve Roe House, which is the residential home in my town? Looking at the commissioning group last week and, as the Minister mentioned, the fact that there will be around a 40% increase in the number of people living beyond the age of 65 over the next 10 years, is he prepared to remove that cap on the numbers in a residential home so that there is a level playing field for all older people?

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

Mr Poots: Where residential care is concerned, I am clear that we can do better for people in some of the oldest care homes. However, I also recognise that individuals have to want to move. It is not our job to tell people that they cannot live in a residential care home. That is where I believe the previous process was flawed, and that is why I moved to stop it. There are people who feel very comfortable where they are, no matter how attractive the facilities may seem to others. I know that Fionnuala McAndrew has been going out and visiting every home, and I look forward to hearing her findings and the outcome of that consultation and making a decision thereupon.

We are very clear about what we want to offer older people. As I say repeatedly, we all have a vested interest in this. I believe that it is much better to support people in their own home and to develop other facilities that will ensure a degree of independence than to move people from their home into care facilities where everything is done for them.

12.00 noon

I know that people cherish and seek to maintain their independence for as long as possible, and we need to support our older people in doing that. The Member mentioned a facility in his constituency. I visited another facility in his constituency, in Downpatrick, that we provided with one of the housing associations. I encourage every Member to visit that facility because that is where you will see our vision for older people. You will also see that our vision does not wish to compromise, in any way, shape or form, the kind of support that there can be for older people. If you talk to the older people in that facility, they will tell you that it is the best possible service and that it is what they want and support. That is where we want to be in future. However, we need to be very careful in how we deal with the present so as not to

cause distress to older people in residential care homes.

Mr Cree: I also thank the Minister for his statement, which contains many interesting facts. Minister, you referred to the £28 million for Transforming Your Care, and you have obtained roughly a third of that. Are you satisfied that the Finance Minister is giving you and the health service as much priority as he can? As the Budget year is just around the corner, how much more do you reckon you will need to support Transforming Your Care initiatives?

Mr Poots: We set out a proposal for some £70 million in the first instance, and we have received close to £30 million. Over the next two to three years, we hope to receive another £40 million for the delivery of such initiatives. We will continue to seek investment in that course of action, and we will hopefully have the Department of Finance's support in doing that.

I recognise that the Department of Finance has its own pressures and stresses, with many other Departments making demands of it. We in healthcare need to ensure that, on the one hand, we manage effectively the money that we get, which, by the way, is almost £5 billion, and that, on the other hand, we get good responses from the Department of Finance and Personnel where there is real and genuine need.

I am just after saying that we received an additional £5 million for domiciliary care. That is a response by DFP to an identified need. We also received an additional £6 million or £7 million for children's services. Again, that is a response to an identified need. That need arose because, in the past year, a higher number of children has been identified as vulnerable, largely as a result of media activity around Savile and so forth. If you are asking whether DFP is responsive to our needs, the answer is that I think that it is. We do not always get what we want, but DFP does make an effort to meet the requests that we put to it.

Mr Storey: I thank the Minister for his statement. He will no doubt be aware of this issue, given the issue that he raised on the consultation on residential homes. He will be glad to know that I, along with my colleague Alderman Bill Kennedy, delivered many hundreds of responses to the consultation to the board's headquarters last Friday, and we await the response to that. The respondents referred particularly to the Roddens in Ballymoney and their support for that provision. I ask the Minister to update the House on the

option appraisal for the Causeway Hospital in north Antrim.

Mr Poots: I thank the Member for his question. First, on the issue of residential care homes, I appreciate people's efforts to make their views known and the public representatives who facilitated that. Transforming Your Care never identified that 100% of residential care homes should be closed. The trusts thought that they would do something different, and I think that it was appropriate to take steps to stop that process because it clearly caused distress to older people. It is absolutely essential that, in a process of change, you manage such things delicately and carefully and ensure that you provide the best quality services to our older population when you can.

The Northern Health and Social Care Trust has been working to take forward the implementation of the turnaround improvement plan for the Causeway Hospital. A key element of that work is a series of service reviews. The turnaround and support team has advised me that an appraisal of future management options should be informed by this work and should, therefore, follow on from it. On that basis, I decided that these processes should be substantially in place before further work is carried out on the options appraisal for future management arrangements at the Causeway.

I want to be very clear: the Causeway has a strong future. It is a distinct facility in an area that is quite a distance — almost equidistant — from other key facilities at Altnagelvin and Antrim. A large population is based in that area, so I see the Causeway Hospital having a significant role. Whether that role happens to be in the Northern Trust or the Western Trust, under that management system, it is important that the facility delivers many services for the local community.

Mr Allister: I suggest that the consultation on the viability of statutory residential homes has been a farce. It was made so by the Minister in his direction that the present admissions policy should persist during the consultation, which, in the Northern Trust area, means no admissions. Therefore, to try to evaluate the viability of homes to which you are denying admissions is to tie the hands of those homes behind their backs, making it a farcical exercise. The Minister has ducked and dived on who gave that direction. At a consultation meeting that I was at, the HSC was clear that the direction came from the Minister. Is he now man enough to admit that he directed that the current admissions policy should persist during the consultation?

Mr Poots: Not unusually for the Member, he gets it wrong —

Mr Allister: Just tell us.

Mr Poots: — because there is an open admissions policy in a number of trust areas, whereby people choose to go to other sectors. That is just a matter of fact. There are hundreds of available places in residential care facilities across Northern Ireland, which is why the restrictions were put there in the first instance. Indeed, Members from parties other than mine lobby that we should give greater support to the private residential sector at this time because it has a lot of empty spaces, and that could cause problems.

I make it very clear to the House that the consultation process that we have been going through is no farce. We will await the outcome of that consultation and make appropriate decisions without —

Mr Allister: Did you give the direction?

Mr Principal Deputy Speaker: Order.

Mr Poots: — prejudging the outcome. The Member has been well known for prejudging a range of outcomes —

Mr Allister: Did you give the direction?

Mr Principal Deputy Speaker: Order.

Mr Poots: — and he is very well known for getting it wrong.

Mr McKinney: I listened to the Minister intently. When I first heard that he was going to make a statement, my colleagues and I considered that he was going to cover the issues that are dominating the public mind: GP waiting lists, accident and emergency cover and even the potential that some people might have died while on waiting lists. We thought that he might outline a plan of what he was going to do. Such a statement would have been welcomed, but this, in our view and in that context, amounts to fiddling while Rome burns. Will the Minister now conduct a comprehensive review of Transforming Your Care, which, in our view, is leading to intolerable pressures and crises in our health service?

Mr Poots: If I have correctly picked up what the Member said, he is blaming Transforming Your

Care for leading to intolerable pressure on the health service.

I know that he is relatively new to the job, but that is probably one of the most silly statements that I have heard in the House. The health service has growing demands, such as the number of people accessing it and the multiplicity of people who have a series of chronic conditions, many of them elderly. There is also a demand on us to acquire all the new drugs that are becoming available, and we are doing that within a constrained envelope.

If the Member is suggesting that continuing to do the same thing over and over again will actually work, that is really very silly. We are not even in the position of getting the same outcomes if we keep doing the same things. If we keep doing the same things, we will get worse outcomes.

Transforming Your Care is a document that is being looked at not just in Northern Ireland but in many other places, which are saying that it is what they want to do in their region or country. Northern Ireland is taking the lead on the issue. I welcome the fact that the health service now has leadership and a pathway to follow. We in the DUP have taken on the mantle of giving that leadership.

The SDLP had the opportunity to take the health portfolio. It shirked that opportunity. It did not have the guts to take it. We have the guts to do this job, and we will do this job. We will deliver Transforming Your Care and an improved healthcare service in spite of the financial constraints put on us. *[Interruption.]* I hear Mr Nesbitt chirping, but he stood for the Ulster Conservatives and Unionists - New Force (UCUNF) at the last election. They are the people who put the health constraints on us. We are dealing with those issues and will deliver a better health service in spite of them.

Mr Dunne: I thank the Minister for his statement on Transforming Your Care. The Minister will be very much aware that the Ulster Hospital serves a large area. Its A&E is almost as busy as the Royal's. Will the Minister advise us how, under Transforming Your Care, he intends to address the pressures at the Ulster Hospital A&E?

Mr Poots: The Ulster Hospital A&E has come under huge pressure. The population in north Down, Strangford and east Belfast tends to be older. Therefore, there is immense pressure on the hospital. A lot of the work being done through Transforming Your Care will be about

directly admitting older people to hospital to avoid their going into emergency departments in the first place. It will also be about ensuring that the social care side is working as efficiently as possible so that those in hospital get out at an appropriate time; ensuring that there are available hospital beds; and ensuring that the reablement programmes that we talked about are acted out on the ground and that people can quickly get back on their feet. All that work will be critical to ensuring that we can deliver better service and care in the emergency department at the Ulster Hospital.

Private Members' Business

European Union Funds: Drawdown

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

Mr Nesbitt: I beg to move

That this Assembly notes the significant funding available for drawdown within the European Union; commends the Minister for Regional Development for leading the Northern Ireland Executive in the successful drawdown of competitive funding; further notes with grave concern the imbalance in the drawdown of European funds for economic development between Northern Ireland and the Republic of Ireland under the framework programme 7, whereby Assembly research statistics show that while Northern Ireland secured €35 per capita, the equivalent in the Republic was €590; and calls on the First Minister and deputy First Minister to take steps to ensure an increased drawdown of competitive European funds across Departments, in addition to identifying an appropriate region of the EU against which Northern Ireland can benchmark its performance.

It is a pleasure to commend the motion to the House. This debate is about ambition. How ambitious are we about drawing down competitive EU funding? How ambitious are we for a successful EU? And how ambitious are we to explore every avenue available to us to do what we said we were going to do in the Programme for Government, which is to put the economy at the front and centre of everything that we do?

12.15 pm

I will give a little context. We rely on the block grant or subvention from Westminster for our economic survival. In relatively short order, it has risen most dramatically: from £3 billion to £5 billion to £7 billion to £10 billion per annum. Is that healthy? Is it wise? Is it a sustainable trend? As we move inexorably towards the

referendum on Scottish independence, I believe that the answer is clearly no. The implication of the vote in the Scottish referendum on independence is that, whatever happens, there will be a recalibration of the Union of Great Britain and Northern Ireland. While it is certain that we do not know the detail of how that will fall, it is not necessarily negative. We can hope and, indeed, expect that one outcome will be the devolution of the power to set our own rate of corporation tax.

If we want to recalibrate our dependence on the block grant and seek an alternative, we must look seriously at the European Union. How keen are we? In June 1975, we held a referendum, and only 52.1% said yes. We note that, at the time, Sinn Féin and the DUP were for pulling out. Nearly 40 years on, are we any more engaged? Well, we will see on 22 May with the European elections, but if we can be accused of standing still for 40 years, the EU certainly can not. In 1973, there were nine member states; there are now 28, which has gone way beyond the original economic open zone intentions.

Economically, how competitive are we with drawdown? How successful are we? The proper measure, I suggest, can be judged by the number of requested financial contributions that came out of Northern Ireland for framework programme 7 (FP7), a key business development programme in the EU. How often did we put in an application for assistance? On a per capita basis, we requested €35.33 from framework programme 7. Compared with Wales, that is almost exactly the same; compared with England, it is less than half; and, compared with Scotland, it is about a third. However, the shocker is the comparison with the Republic of Ireland where, per head of population, they requested financial contributions of €590. The Republic has a population of 4.6 million, and we have a population of 1.8 million, so they are approximately two and a half times the size of our population, and yet, in their ambition, as measured by the requested financial support from FP7, they are 17 times more ambitious than we are. If our benchmark of €35 per head is the right one, the Republic should have been requesting only €87.50 —

Mr McKinney: Will the Member give way?

Mr Nesbitt: Let me finish the point, please, Mr McKinney.

If their benchmark is correct, at €590 per head, we should have been looking for €236 per head, not €35.

I will give way to the Member for South Belfast.

Mr McKinney: I thank the Member. Would he be surprised to learn that evidence given to the Committee in the recent past showed that, while there is an action plan for 2020, no strategy has been developed at all for the uptake of these moneys?

Mr Nesbitt: I thank the Member for his intervention. I think that it proves the narrative that we are trying to develop, which is that more can and should be done to take a strategic view, particularly with Horizon 2020 coming on stream with a pot of £80 billion.

The comparators with the Republic of Ireland take us to the thorny question of benchmarking, because it was our impression that we would benchmark our performance in Europe against defined regions. The argument has always been made that to benchmark against the Republic of Ireland is not fair because the Republic is a nation state in charge of its own affairs while we are a region dependent on policy coming out of Westminster. There is merit in that argument but, again, the Republic's population is two and a half times the size of ours, not 17 times, so there is an issue with the ambition.

I believe that there is also an issue with benchmarking. In evidence to the Committee for the Office of the First Minister and deputy First Minister last year, Colette Fitzgerald, who is head of the EU office in Belfast, was asked about benchmarking. She said:

"When the task force was set up in 2007, officials in Brussels ... carried out a benchmarking exercise."

She went on to say that:

"They identified about half a dozen regions"

including some in France and Spain:

"that were judged to have a population of a similar size to Northern Ireland."

Those regions "did not have state capitals". In other words, here was a good starting point to identify one or two regions against which we should benchmark ourselves. It is 2014 — seven years on — and we have yet to identify the right place at which to benchmark ourselves.

We can curse the darkness, or we can light a candle. As we look ahead to Horizon 2020, I

think that we should shine more light on how we do that. On that basis, we welcome that officials from DEL have been seconded to work through Queen's University, the University of Ulster and the Agri-Food and Biosciences Institute (AFBI) to give that kind of top-down approach that is going to be essential if local businesses are to achieve what they can out of Horizon 2020.

Again, it is about ambition. What is our ambition for Horizon 2020? Apparently, it is to target £10 billion. However, the Republic is targeting €1.4 billion. If they are two and a half times our population, that would suggest that our target should be nearer €0.5 billion, not £100 million. Of course, we need to rebalance our economy to make it oranges against oranges or apples against apples, because the Republic has, of course, had huge success in attracting foreign direct investment and, therefore, has a lot more of the large companies for which these programmes are better suited.

Let me praise the Regional Development Minister, Danny Kennedy, for the work that he has done in leading the Executive in competitive drawdown. As part of the Trans-European Transport Network (TEN-T), DRD drew down £1.789 billion in the baseline year of 2010-11 and a further £2.9 billion in 2011-12, representing 16% of the total in the baseline year and 18% of the total in the following year. That means better public transport, better infrastructure and a more attractive Northern Ireland to potential foreign direct investors.

There is nothing more important to us in seeking additional funds beyond the block grant. Let us ask this old question: what has the EU ever done for us? Between 1998 and 2013, the answer is an investment measured at €7.533 billion. For those who think that it is all about agriculture and fisheries, those accounted for €2.862 billion of that total, while other areas accounted for €4.671 billion.

Mr Allister: Will the Member give way?

Mr Nesbitt: It sounds like a lot, but over 25 years that is less than one year's block grant. I will give way very briefly.

Mr Allister: When the Member asks what the EU has done for us, will he also reflect on what we have done for the EU? In 2013, we as a nation contributed £17 billion. Even with the rebate, all we ever got back in grants and rebates was half that figure. Every day, £23 million is the price of EU membership. So,

rather than ask what it has done for us, I suggest that he should look at what we are doing for it.

Mr Principal Deputy Speaker: The Member's time is almost up. Will he confirm that he has moved the motion?

Mr Nesbitt: Yes, I will finish with that, Mr Principal Deputy Speaker. The facts are, and the Member knows this, that there are no definitive figures for what goes out of here and what comes in here from the European Union. That is a fact, and Mr Allister knows it.

It is my pleasure to move the motion and to commend it.

Ms McGahan: I beg to move the following amendment:

Leave out all after "commends" and insert:

"the Executive for setting an increased target for our drawdown; further commends those Ministers who have been successful in securing significant funding to date; and calls on the Executive to ensure that they maximise all potential funding opportunities from Europe."

Go raibh maith agat. I oppose the motion. I attended an EU funding event in Ranfurly House in Dungannon last Friday, which was organised by our local MP, Michelle Gildernew, and our MEP. The attendance was reflective of the ambition and potential in the local economy, provided that the proper advice and expert resources are made available.

The feedback from the well-attended information session addressed by Martina Anderson MEP has been extremely positive. Many of those in attendance were unaware of the extent of funding available from Europe for research and innovation projects in areas as diverse as technology, health, transport, energy, agriculture, food and so on. People need to know what is available to apply for it. As the saying goes, "If you are not in, you'll not win". Such events empower people, and it is important to remember that EU competitive funding is not pre-allocated.

It was stated at an OFMDFM Committee that EU funding is not there to be drawn down readily; you have to fight for your money. There may also be examples of where applications for EU funding were made, but no match funding was available. We need to remember that we do not get 100% EU funding for a project; you have to match-fund it.

Experience shows that small and medium-sized Irish companies North and South are not taking full advantage of the potential of EU funding opportunities. The new EU programme Horizon 2020, which supports the research, innovation and science sectors, offers tremendous opportunities for high-level links and collaboration with other companies and research bodies across Ireland, Europe and further afield.

Do we need to draw down more funding? Of course we do. The Barroso task force and the appointment of the four desk officers was set up to help the Executive to support Programme for Government commitment 26, which is to facilitate delivery of the Executive's 20% target for increased drawdown of competitive EU funds. The specific remit of the task force is to support efforts in the North to improve competitiveness and to create sustainable employment, mobilising the service of the commission most concerned with the competitiveness and sustainable employment agenda. Particular importance is attached to reducing dependence on the public sector and creating a more dynamic private sector.

As part of the Barroso task force, four desk officers were appointed. That should be starting point. It should be more. Our MEP, Martina Anderson, has been stating that as junior Minister and now as an MEP; it is a central plank of her work. The First Minister and the deputy First Minister met Commissioner Máire Geoghegan-Quinn to shape and influence Horizon 2020, and the two Ministers were also in Brussels in January this year as well as two major visits to Brussels in 2012. Those visits are part and parcel of doing the spadework to network and engage and thereby increase our efforts to maximise the drawdown of funding from the EU. I believe that our infrastructure is getting better, but, of course, we have to build upon it and do more.

One key area that needs closer examination is to remove the additional layer of bureaucracy when assessing applications from funding to the Special EU Programmes Body (SEUPB). There is a steering committee that Departments already sit on that assesses the applications that come into the Special EU Programmes Body and determines which ones should be awarded funding. That takes approximately 21 weeks or less from application to assessment and letters of offer being agreed. However, after that, the application, with the Special EU Programmes Body decision, then goes to Departments and the whole process starts again. Yes, Departments match-fund EU funding, but that does not mean that they

should put a dead hand on letters of offer. Departments should have the appropriate personnel to sit on the steering committee to make the assessment and then the letters of offer should be issued. In fact, there was a woman at the EU funding event in Dungannon last week who complained about the length of time that it takes Departments to process the letter of offer after it has been agreed by the Special EU Programmes Body, and sometimes it ends up being too late for the project. That is not good enough.

In conclusion, let us support the new EU funding phase from 2014 to 2020 with a renewed and more focused approach. We need to ensure that we do all that we can to simplify the system to help small groups to apply and be successful. Let us, working with our colleagues in the Brussels office, ensure that we leave no stone unturned in bringing home as much of those resources as we can. That is the task of our junior Ministers, all the Departments and, do not forget, our MEPs. We on the Committee will do our bit to ensure that the issue is kept front and centre in the coming period.

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

The debate stood suspended.

The sitting was suspended at 12.29 pm.

On resuming —

2.00 pm

Oral Answers to Questions

Health, Social Services and Public Safety

Mr Principal Deputy Speaker: It is time for questions to the Minister of Health, Social Services and Public Safety. We will start with listed questions. I inform members that question 6 has been withdrawn.

Royal College of Nursing: February Summit

1. **Ms Boyle** asked the Minister of Health, Social Services and Public Safety for an update on the outcomes of his summit with the Royal College of Nursing on 19 February 2014. (AQO 5741/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): The following two important measures will address the main issues that were raised when I attended the RCN summit on emergency care, where I had the opportunity to hear from front line emergency care practitioners. The Chief Nursing Officer has commissioned work to develop a framework for emergency care nursing. It will include setting key professional standards and developing a career pathway for emergency care nurses. The work will be led by the RCN emergency care network and supported by the Northern Ireland Practice and Education Council (NIPEC). The baseline emergency staffing tool (BEST), which is a workforce planning tool, has been developed by the RCN Emergency Care Association and the Faculty of Emergency Nursing and is being evaluated as part of the delivery care programme. As a result of the summit and in the spirit of collaboration, the RCN emergency nurses network will be a key stakeholder in the College of Emergency Medicine summit that I have planned for early April. The learning and key points from the RCN summit will be incorporated into the next summit.

Ms Boyle: Go raibh maith agat. I thank the Minister for his response. How will the Minister address the recommendations to further increase staffing levels and stop the closure of beds?

Mr Poots: The Chief Nursing Officer is in the process of commissioning work to develop a framework for emergency care nursing that will include settling key professional standards and work to develop a career pathway for emergency department nurses. The work to develop a framework for emergency care nursing will be led by the RCN care network. Through the programmes led by the Chief Nursing Officer, we will seek to ensure that we have the appropriate number of nurses to carry out the jobs that are required of them.

Mr Dunne: I thank the Minister for his answers. Will the Minister give us some detail on the BEST, which I understand is the baseline emergency staffing tool, and how it can be drawn down to improve efficiency in the service?

Mr Poots: It is a workforce planning tool that has been developed by the RCN Emergency Care Association and the Faculty of Emergency Nursing. The BEST tool is undergoing validity tests to ensure its reliability. The National Institute for Health and Care Excellence (NICE) will include the BEST tool as part of its evaluation of workforce tools, which is expected to be reported on in July 2014. The BEST tool review in Northern Ireland will take account of the NICE evaluation outcome within the work stream of the normative staff working programme that is being developed by NIPEC.

Mr Rogers: I thank the Minister for his answers thus far. Minister, you talked about workforce planning, and that needs to be planned, managed and resourced. In the wider picture in terms of nurses, there is a lot of pressure across the sector. What plans are there to review nursing levels across the hospital sector?

Mr Poots: These things are constantly under review. As things change, as programmes of care change and as nurses take on more and more responsibilities, where it is identified that there is a need for additional nurses, they will be provided. I have previously told the House about the increased number of nurses during the past three years during which I have held office. That has been on an upward trajectory, and the entire House should welcome the fact that there are more front line staff in our health service than was previously the case.

Mrs Overend: Leading on from that with a slight twist, specialist nurses can play a crucial role in enabling patients to receive support away from A&Es and without excessive waits to see their GP. Will the Minister ensure that the

postgraduate nurse training budget is not cut further and, instead, is returned to previous investment levels?

Mr Poots: It is essential that we have more specialist nurses. I have asked the Chief Nursing Officer to identify how she can work with the trusts to ensure that nurses have the time allocated to them by the trusts to allow them to train up and further their skill levels. I have just come from a Marie Curie event, for example, where I was told of the great work that nurses do in delivering chemotherapy, IV antibiotics and blood transfusions in people's homes. The more we can develop those skills, the less pressure there will be on our hospital system and our emergency departments. The standard of care will be better because people will receive that care at home, which is a much better environment for them. However, we can do that only by having the requisite number of nurses, and the Chief Nursing Officer has to ensure that we have enough appropriately trained nurses.

Hospitals: Serious Adverse Incidents

2. **Ms McGahan** asked the Minister of Health, Social Services and Public Safety how many serious adverse incidents resulting in deaths which may have been connected to waiting times have occurred in each health and social care trust over the past five years. (AQO 5742/11-15)

Mr Poots: I am committed to openness and transparency on the issue, and I want to see such information as it is possible to see in the public domain. My officials have been working closely with the Health and Social Care Board and the Public Health Agency to establish what the figures are and what can be published. That involves individually reviewing information on every serious adverse incident (SAI).

The HSCB has advised me that, in the past three years, from January 2011 to December 2013, there have been fewer than five SAIs regionally in which a delay in an emergency department may have been a contributory factor. That includes the two confirmed cases already reported in the media, which were identified in a learning letter distributed widely to relevant organisations, including health and social care bodies, across Northern Ireland in January this year. Those cases have been through the serious adverse incident investigative process. However, the delays identified are not necessarily synonymous with waiting times. They may, for example, arise because of issues with the triage of a patient

with or a missed diagnosis. The Department will not publish other actual numbers relating to fewer than five individual patients in order to protect patient confidentiality.

There are a small number of other cases from the same three-year period in which a serious adverse incident investigation is ongoing. Most relate to serious adverse incidents reported during 2013. We need to await the completion of the investigations to determine whether the conclusion is that delay may have been a contributory factor.

In the context of the question, I would like to clarify a number of points. Serious adverse incidents cover a wide range of situations, not just a death. An SAI is defined as any risk — potential or actual — of serious harm from which there could be learning.

Mr Principal Deputy Speaker: Time is up.

Mr Poots: Perhaps I could have half a minute to finish.

Mr Principal Deputy Speaker: Yes, go ahead.

Mr Poots: Thank you.

The reporting of an SAI does not automatically mean that there was a problem with the quality of care provided. Since 1 October 2013, for example, there have been mandatory requirements for the reporting of child deaths and cases of suicide, if the client has been in contact with health and social care services within the previous 12 months. Suicide also accounts for around one third of serious adverse incidents.

The purpose of the SAI system is to ensure that, if a serious event or incident occurs, there is a systematic process in place for safeguarding service users, staff and members of the public. The process is a clear, regionally agreed approach for reporting, management, follow-up and learning in respect of serious adverse incidents.

Ms McGahan: Go raibh maith agat. I thank the Minister for his response. Will he clarify why he was not made aware of the recent deaths that may have been connected with waiting times? How will that be rectified moving forward?

Mr Poots: I was not informed because the trust did not inform me. I believe that it should have informed me, and I have asked trusts to ensure that we are kept informed of the circumstances of such incidents. It is to everybody's benefit

that we know when things have failed in some way so that we can ensure that responses are carried out and are very strong.

Mr Weir: I would like to put this in context. Minister, how many serious adverse incidents are reported each year in the Northern Ireland health service?

Mr Poots: Some 83,000 adverse incidents are reported each year. Obviously, there is a smaller number of serious adverse incidents. However, as I indicated, the factors relating to the serious adverse incidents often have nothing to do with the incident leading to the death of the individual, but there is a series of reasons why that should be included. We have given a definition of that, and that is something that is very important.

Serious adverse incidents are a useful tool for us in identifying where best practice may not have been met and where we can seek to improve that. This is an improvement tool that we are using in the system. In January to December 2009, there were 287, and, in January to April 2010, there were 75. Across Northern Ireland, over the past year, there were 386; in the previous year, there were 269; and, in the year previous to that, there were 243. They are of significance, but there is also significant benefit to be derived from the learning.

Mr McKinney: On the basis of the statistics available to him, can the Minister outline whether the legal duty to inform the coroner on the day of any serious incident has been fully adhered to during this time?

Mr Poots: I understand that the hospitals involved have been working closely with the coroner. The duty to report deaths to the coroner is set out in section 7 of the Coroners Act (Northern Ireland) 1959, which puts a statutory requirement on every medical practitioner, registrar of deaths or funeral director, every occupier of a house or mobile dwelling and every person in charge of an institution or premises in which a deceased person died to report a death to the coroner if it has resulted, directly or indirectly, from violence or misadventure, was by unfair means, was a result of negligence or malpractice on the part of others or was from any cause other than natural illness or disease for which the deceased had been seen and treated within 28 days of death or was in such circumstances as may require investigation. It is done urgently, and, occasionally — on a bank holiday, for example — it may be the day after that such

deaths are reported, but that is something that all our trusts take very seriously.

Mr Beggs: The figures for serious adverse incidents are particularly high in the Northern Trust and Belfast Trust areas. Those are also areas where there are excessive four-hour waits. Does the Minister agree with Dr Jonathon Millar, formerly of the Royal Victoria Hospital, who indicated that excessive waits at A&E could contribute to serious adverse incidents? When will we reach GB levels of four-hour waits?

Mr Poots: The number of excessive waits has fallen quite dramatically. Just a few years ago, we were looking at almost 1,000 people, on a monthly basis, waiting for over 12 hours. It is now about one tenth of that. We take excessive waits very seriously. That is why considerable work has been done to reduce that 12-hour waiting time, which has happened. I have met Dr Millar; I met him quite a while before he went on the TV. We discussed the issues. It was after that meeting with Dr Millar and others from the Royal ED that I decided to bring in the RQIA to conduct its work. So, I take very seriously what clinicians say if they raise concerns.

GP Practices: Lurgan

3. **Mr Moutray** asked the Minister of Health, Social Services and Public Safety, given that accommodation for several GP practices in Lurgan is at capacity, at what stage are his plans to create a medical hub in the area. (AQO 5743/11-15)

Mr Poots: Work is under way as part of a regional programme to develop a hub-and-spoke model to facilitate the improved provision of health and social care services in the community. The southern local commissioning group has identified a Lurgan hub with associated spokes as one of its priorities for inclusion within the next tranche of hubs. Those priorities will have to be considered together with the overall regional priorities within the capital programme and the availability of capital and revenue funding before the timing of individual projects can be determined.

Mr Principal Deputy Speaker: Before I call Mr Moutray for a supplementary, I remind Members that this is a constituency-specific question.

2.15 pm

Mr Moutray: I thank the Minister for his response. What is his assessment of the facilities that he visited recently in Lurgan and Donaghcloney?

Mr Poots: I welcome the opportunity to visit such facilities and to see at first hand the conditions that people operate in. If you look at what we propose to do under Transforming Your Care and at some of the facilities that GPs operate in, you will quickly ascertain that those facilities are not suitable to meet the medium- to long-term needs of the health and social care sector. Therefore, we need to look at how we can address that. That is why the Southern Trust has identified Lurgan as one of the areas that is suitable to have hubs in place. That will give people with certain conditions a much greater opportunity to see a GP who specialises in, for example, dermatology, gynaecology or a range of other things. A specialist GP will be able to provide that support in a local community, and that will avoid people attending hospital. That is all a key element of Transforming Your Care, as we will look at how we can ensure that the primary care clinics are rolled out across Northern Ireland, with a spoke model to support smaller but nonetheless very essential facilities in villages such as Donaghcloney.

Adoption: Legislation

4. **Mr Dickson** asked the Minister of Health, Social Services and Public Safety for an update on his plans to introduce legislation on adoption reform. (AQO 5744/11-15)

Mr Poots: It is my intention to introduce a draft adoption and children Bill in the Assembly in the current mandate. The Bill is substantial, with 150 clauses and five schedules. My officials are continuing to instruct counsel, and, subject to the timely completion of the drafting of the Bill, I intend to seek Executive approval to consult on the draft Bill. With the agreement of the Executive, the consultation will commence in July 2014 and finish at the end of September 2014. It will be necessary to consult over the summer months to ensure that the Bill is introduced within the timescales required to enable its passage through the Assembly in the current mandate. My officials are keeping key stakeholders apprised of developments, including the proposed timescales for consultation.

Mr Dickson: Thank you for your response, Minister. Can you tell the House what the current status is of either unmarried or same-

sex couples who are deemed suitable for adoption in the current circumstances?

Mr Poots: It is as defined by the High Court's decision.

Mrs McKeivitt: Given that consultation on the issue began back in 2006, why does the Minister believe progress in this area has been so slow?

Mr Poots: It is certainly something that I wanted to progress. Unfortunately, the Human Rights Commission took a case that went to court and consequently delayed the process of the Bill. The Bill will shorten the time taken to carry out adoption. I think that it is hugely unfortunate that the Assembly will not be making law in that instance, that the ability to make that law and to make decisions was taken off the Assembly and that the consultation that was carried out will not be reflected in the legislation that we will produce, because it appears to have been set aside by others.

HSSPS Funding: 2013-14 Underspends

5. **Mr Cree** asked the Minister of Health, Social Services and Public Safety for an update on any additional funds his Department may receive following underspends in other Departments in the 2013-14 financial year. (AQO 5745/11-15)

Mr Poots: The Executive have committed to closely monitoring the financial position across Departments over the remaining months of the financial year to ensure that any further resource surrenders can, if deemed appropriate, be recirculated towards my Department through the urgent procedures process. However, at this stage, my Department has not received any additional funding through that process.

Despite significant internal efforts to reduce and manage expenditure, our current assessment is that some £21 million is still needed to balance the books and to ensure that the safety and quality of services can be maintained. Without those additional funds, my Department will not be able to live within its budget control totals. I ask all my ministerial colleagues to urgently provide any additional support that they can to our pressurised health and social care services by declaring further reduced requirements to DFP. In the meantime, I will not support actions — nor, I suggest, would the wider Executive —

that compromise patient and client safety and lead to poorer standards of care.

Mr Cree: Thank you, Minister, for that. I know that, during the year, because of the heavy pressures, you received £100 million in additional health funding through in-year monitoring. There was an allocation of £20 million for inescapable settlements arising from clinical neglect: how do you propose to meet those on schedule and from moneys that have yet to be bid for?

Mr Poots: All those things are part of the assessment that has been carried out, and it was unforeseen, in that we normally spend around £30 million a year on clinical negligence cases, which is a very large amount of money. Most cases are historical, and we have to meet those requirements because it is in law that we must. We have no means of reducing the historical clinical negligence claims that are coming in. The best way of reducing the number of cases for future Ministers is to ensure that the quality of care is such that there are fewer clinical negligence claims. Some very large claims are coming in on very complex cases, and people are left with very complex conditions. Often, families whose child was injured at birth will require money to provide support and care for that child for its lifetime. Therefore, it is something that we have to live with.

The number of new cases created and closed for the year to date is in line with the numbers for 2012-13, which were around 207. However, there has been a significant increase in the number of settled cases exceeding half a million pounds. In 2012-13, eight cases were settled for in excess of half a million pounds, as was the case in 2010-11 and 2011-12. However, of the 207 cases that have been settled at this point, 23 have been settled at more than half a million pounds, which is one of the reasons why we find ourselves in these circumstances.

Mrs Cameron: Does the Minister believe that money exists in other Departments, and, if so, when will that money be surrendered?

Mr Poots: Hopefully, people will be indicating at this point that there may be some funding that they can surrender. Twenty-one million pounds sounds like a lot of money, but, on a budget of close to £5 billion, it is not an awful lot of money. People cannot blame us for handing money back to Westminster. We are looking to spend the money that we have because we need to spend it to provide that level of service

and care. I have made it clear throughout that, whatever the financial pressures, we cannot compromise on the quality of the care provided to the public and it is important that we continue to challenge waiting lists and waiting times and ensure that people are treated at an appropriate point with the right care and support.

Mr Principal Deputy Speaker: Before I call Dolores Kelly, I remind Members and the Minister to use the microphone.

Hospitals: Bed Shortages

7. **Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety what impact the shortage of beds in hospitals is having on emergency departments. (AQO 5747/11-15)

Mr Poots: Although the number of patients requiring emergency admission has increased by 3.5% over the past five years, the average length of stay for all patients in Northern Ireland has fallen by 13.5% since 2008-09. That change has taken place against the background that use of acute beds in Northern Ireland was approximately 25% higher than in England, they were not used as intensively and lengths of stay were longer. It is essential that the health and social care trusts ensure that bed capacity is used to the best effect so that patients do not wait excessive lengths of time in emergency departments. HSC has adopted a whole-system approach to improve the smooth movement of patients through and out of hospital, with improved internal hospital processes, multidisciplinary team working and interface between hospital and community services.

Mrs D Kelly: I do not know whether the Minister is aware that, from 6.00 pm last night, ambulances were backed up at Craigavon emergency department and staff did not know where patients were going to be admitted to because no beds have been available in Craigavon Area Hospital for the past number of weeks. Will the Minister not be honest and tell the Assembly that there is simply not enough money? The trusts are managing their end-of-year budgets because they do not have enough money to open the beds. Will the Minister commit to additional funding for Craigavon Area Hospital so that the two wards that are closed and are held for winter pressures can be opened to meet the need of the emergency department?

Mr Poots: That was an interesting speech from the Member. She knows full well that the Southern Trust applied for and received more

beds for winter pressures. We did not hold off the Southern Trust or, indeed, any trust. Each trust and hospital will come under pressure, particularly at this time of the year, and it is important that, across Northern Ireland, we seek to manage that and ensure that other trusts step in and provide support when a particular trust is under pressure.

It would be remiss if we did not clearly identify what we are doing in bed management. More and more people receive intravenous drugs, blood transfusions and chemotherapy in their own home. That is right, and it needs to continue to grow. It works, and it is better care for the patient. That is why 'Transforming Your Care' is such an important document: first and foremost, it is about better care for the patient, but it also addresses the needs of the health service to meet the greater demand that is coming our way and will continue to come our way, because we are successfully keeping people alive longer and want to ensure that they get the best possible care while they are living.

Mr Brady: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answers so far. Apart from the bed shortage in Craigavon, will the Minister detail other areas where there is a bed shortage, the impact it has on patients' treatment and how he plans to address the issue?

Mr Poots: Where there are bed shortages, we need to look at whether there is an inappropriate use of beds. There are certainly trusts in which around 30% of beds are taken by people who could have been moved into the social care side of things more quickly, and it is important that we address that. In the Belfast Trust, for example, more than 20 people were waiting for more than a week to move out of a hospital bed, and that is an inappropriate use of beds. The issue is not the number of beds in a hospital but the fact that we need to improve the social care side and the packages that are available for people in their own home. That is why I was able to tell Mr McCarthy earlier today that 700,000 additional domiciliary hours had been provided. That was before we got an additional £5 million from the Department of Finance and Personnel in January to support domiciliary care further. If we are genuine about wanting to take hospital beds out and care for people in the community, that is what we need to do, and that is what we are doing.

Mr McCarthy: Not only is there a shortage of hospital beds but there is a shortage of capacity in the wards. How can the Minister defend a

constituent of mine being dumped out of a bed into a corridor and remaining there for six days during the week? It was only when I complained that — guess what? — he was discharged home. How can the Minister defend what is going on in our A&E hospitals?

Mr Poots: I think that the Member will find that beds and wards are the same thing. Beds are part of our hospital system and are kept in wards.

We can all identify circumstances in which someone did not receive the appropriate care. I have done so in the past, I hear about it now, and we seek to deal with it when it arises. Hospitals operate under immense pressure, and there is greater and greater demand. More and more people use our hospitals so it is important that we have the right responses, including responses that, when appropriate, keep people out of hospital and in their own home and provide hospitals without walls.

That is an absolutely superb concept that is coming out of Transforming Your Care. When you talk to people who have used it and benefited from it, they are high in their praise, and we need to do more of it.

Mr Principal Deputy Speaker: That ends the period for questions for oral answer. We now move on to topical questions.

2.30 pm

Hospitals: Essential Maintenance

1. **Mr Cree** asked the Minister of Health, Social Services and Public Safety how essential maintenance is planned and monitored to ensure that patients and visitors are not inconvenienced in our hospitals. (AQT 861/11-15)

The Minister and I will have to stop meeting like this. This is the third time today.

Mr Poots: People will be talking, Mr Cree.

Each trust, in association with the health estates investment group (HEIG), has responsibility for essential maintenance. Where it becomes more technical, health estates will become involved; for example, with asbestos removal or a case of pseudomonas. A lot of expertise exists there. In the main, general maintenance will be provided by the trusts, and it is for them to manage it and ensure that it is done in a way that facilitates the public to

access a hospital without compromising patient care. However, I suspect that I am going to hear something now.

Mr Cree: Yes, Minister. All politics is local. In Bangor Hospital, the sole lift has been out of order for several weeks, and no one can give a date as to when it will be repaired. Is there anything else that can be done to expedite its repair?

Mr Poots: We will certainly have it looked at. I know that a lift in this Building has been out of order for months. I do not know what is wrong with lift companies that they cannot ensure that lifts are fixed quickly. For people who access the facilities, particularly those with a disability, it is an important issue, and we give Mr Cree an assurance that we will come back to him on the matter. We thank him for drawing it to our attention.

MRI Scanner: Children's Hospital

2. **Mr Swann** asked the Minister of Health, Social Services and Public Safety whether he can intervene to expedite the installation of the MRI scanner at the Royal Belfast Hospital for Sick Children, given recent news of a delay, albeit officials say that the installation is going to plan. (AQT 862/11-15)

Mr Poots: I heard some of the nonsense on the radio this morning. I have to say that the Chair of the Health Committee should have informed herself better before she went on. To say that it is for the Minister to answer the questions was pretty poor form, given that much of the information would be easily accessible by her.

A business case approval was granted in November 2012 for the magnetic resonance imaging (MRI) scanner. I supported the development of an MRI scanner in the children's hospital. It was not previously part of the plan.

People come on the radio and ask, "Why can you not just install this?" It must be recognised that we are installing not a 42-inch TV screen but a very technical piece of equipment that has the best imaging you can gain. It will involve having the right people in place to manage it, and its installation is very important. That involves piling, which has already taken place; removing asbestos, which is currently taking place; and ensuring that the building in which it is enclosed will not impact on other wards, bearing in mind that there is radioactivity involved. Criticism of the use of the private sector is bizarre because we are ensuring that

people continue to get MRI scans through it while providing a scanner for the children's hospital, which is critical.

Mr Swann: I thank the Minister for his answer and for his commitment to progressing the matter. Other charities raised money to support the children's hospital; namely, the Children's Heartbeat Trust, which refurbished parents' accommodation in the unit. It has had trouble with the health trust in getting the unit open. Is there anything that the Minister can do to intervene?

Mr Poots: I am certainly very happy to talk to the charitable trust about that. I know that, for the children's haematology unit, as a result of money raised by the Northern Ireland Cancer Fund for Children (NICFC), new houses have been opened on the Falls Road. The accommodation is excellent.

I know, and the Member knows very well himself, the importance to parents of having accommodation when they have a sick child. Very often, hospitals provide beds beside children, but the importance of having accommodation — to which one parent can perhaps go back, have a shower and rest properly for a few hours and then come back and replace the other at the bedside of the child — is very important. I am happy to talk to the Heartbeat Trust about that issue. I know that there are others who are interested in developing houses for parents in order to provide support like that which is provided in Birmingham. The Member knows who and what I am talking about in that instance.

MRI Scanner: Children's Hospital

3. **Mr Lynch** asked the Minister of Health, Social Services and Public Safety to confirm that all the funding is in place for the MRI scanner at the children's hospital and, of that funding, how much is from the private sector. (AQT 863/11-15)

Go raibh maith agat, a Phríomh-LeasCheann Comhairle. My question is very much along the same lines as the last question.

Mr Poots: The funding is in place. Some £2 million was raised by the charitable organisation, which was absolutely tremendous work. I was able to more than match that by providing £2.75 million of public funding, and also to make a commitment to provide staff to man the MRI scanner. It is good news for everyone when the scanner goes in place. The children will be able to get it at the children's

hospital, as opposed to having to travel over to the adult hospital.

MRI scanning is somewhat more complicated for children because, very often, they have to be sedated, whereas adults do not. Consequently, if an emergency comes in at the adult hospital and the child's appointment has to be displaced although the child has already been through a sedation process, that is very negative because the child has to be sedated a second time. So, in the interests of our children, I think that it is critical that we do this. It will also be beneficial to the main hospital because it will not have to scan children and, therefore, will have more MRI slots for adults. So, installing the scanner is a win-win situation for both hospitals.

Mr Lynch: Gabhaim buíochas leis an Aire as an fhreagra sin. Can the Minister give a timeline for the scanner to be in operation?

Mr Poots: Yes. It is intended to go out for the main construction contract in June, with commencement of the work on that element of the development in August. Completion of the MRI suite is expected at the end of March 2015. Specifications for the equipment are currently being prepared by the trust's radiologists, in conjunction with the Regional Medical Physics Agency, and it is planned to procure this with a procurement and logistics service (PALS) call-off contract in time to facilitate installation in February or March 2015, prior to the handover.

I should say that, in acquiring scanners, the equipment improves constantly. It is one of those areas, like computers, where the equipment is always improving, so we are better to have the building in place and that element of the work done before we finally identify exactly what scanner we need, so that the two things come simultaneously.

Transforming Your Care: Delivery

5. **Mr Moutray** asked the Minister of Health, Social Services and Public Safety how allied health professionals can help to deliver Transforming Your Care. (AQT 865/11-15)

Mr Poots: Allied health professionals are a critical element to developing Transforming Your Care. For example, this morning I talked about how an occupational therapist was helping in the reablement programme. We can look at allied health professionals such as podiatrists, who are hugely beneficial in falls management and helping older people to stay on their feet. We are looking at people like

physiotherapists, who can do so much to help with respiratory conditions and support the GPs in that. Allied health professionals are a key element in delivering Transforming Your Care.

Mr Moutray: I thank the Minister for his response. How does the number of allied health professionals at present compare with that when he took up office?

Mr Poots: Over the last two and a half years, we have been able to appoint an additional 300 allied health professionals. As I indicated, they are absolutely critical to providing quality care. They provide very good value for money and are considerably more cost-effective than doctors. They offer a different kind of service, and can reduce the pressure that is applied on hospitals, on consultants and the time of a lot of other people. In some instances, they can reduce the need for surgery. All in all, we are delighted to have those extra 300 allied professionals in the system because they are making a tangible difference.

Health Centres: Carrickmore and Fintona

6. **Mr McElduff** asked the Minister of Health, Social Services and Public Safety how close his Department is to identifying or securing funding to meet the capital or accommodation requirements of rural health centres, including in Carrickmore and Fintona in my West Tyrone constituency where there is real need, given the five tranche 1 hub projects in primary care that were mentioned earlier. (AQT 866/11-15)

Mr Poots: I thought that Carrickmore might get a mention, and the Member did not let us down. A course of work is being done on all of this, and I hope to report to the Assembly, certainly within the next couple of months but hopefully sooner, on where we are. If we cannot deliver within a shorter timescale, we need to develop the projects in the next comprehensive spending review. We need to identify that primary care is a priority and that we will spend the funding on that. If we are genuinely to deliver Transforming Your Care, we need to support the primary care practitioners with appropriate facilities to carry out the work that we ask them to do.

Mr McElduff: I thank the Minister for his answer and his commitment. He identified that a lack of physical accommodation was restricting or hampering the efforts of community GPs and nurses to do more. What level of communication is there between the

Department, trusts and GPs to address the issue?

Mr Poots: All of the trusts are working with local communities. In Omagh, for example, we are building a new primary care facility, which I know will be well used and supported by the local community in conjunction with the local hospital. For that hub to work effectively, however, it is important to have spokes going out to Carrickmore, Fintona and other areas. The spokes would provide local support so that a general practitioner or allied health professional based in Omagh might travel one day a week to places such as Carrickmore and Fintona to deliver the care needed in those communities.

That is the concept of the model, and I think that it is a good concept. However, the Member rightly points out that, if it is to work properly, we need to have the facilities for people to work in. If a GP facility is cramped and has little consulting space, you cannot bring in a considerable number of additional people to offer a further range of services. That element needs to be addressed.

Internet Safety Strategy

7. **Mrs Overend** asked the Minister of Health, Social Services and Public Safety for his decision on an Internet safety strategy, given that, in an answer to a question to the Office of the First Minister and deputy First Minister on 24 February, I was informed that that Department, instead of taking responsibility for a cross-departmental strategy, had written to the Health Minister to ask him to do so. (AQT 867/11-15)

Mr Poots: Internet safety is obviously vital to all of us, particularly our younger population. We will look at and carry out work on it, because it is vital that children and their parents are well informed. They need to know about the dangers of predation on the Internet, the challenges that it presents to children and young people, and what they should avoid. Of course, parents have a key role in that.

When younger people engage on the Internet with people whom they do not know, they put themselves at risk, but parents are often oblivious to the risk. If parents were to see an older person talking to their child along the side of a road or wherever, they would be very quick to seek information and ask them what they were talking about and what they were doing. However, an awful lot of this happens in a child's bedroom and parents are oblivious to it.

So, in all elements of Internet safety, it is something that we all, as an entire Government, need to take very seriously. We in the Health Department will certainly take our side of it very seriously and seek to respond to it in any way that we can.

2.45 pm

Justice

Forensic Science Service

1. **Mr Hilditch** asked the Minister of Justice to outline any plans he has to develop the Northern Ireland Forensic Science Service. (AQO 5755/11-15)

Mr Ford (The Minister of Justice): A number of ongoing initiatives will help to ensure that Forensic Science Northern Ireland (FSNI) provides services that are cost-effective and support the delivery of faster, fairer justice.

Last October, I launched a transformation programme in FSNI to increase capacity in the laboratory and improve service delivery. That is a major reform initiative with a capital investment of over £17 million to ensure that FSNI is well placed to respond to the ever-changing demands of forensic science. Work has commenced on new accommodation for evidence recovery and DNA analysis as a result of that capital investment. A contract has also been awarded recently for the development of a new case management system and laboratory information management system.

In addition to the capital investment, a service improvement project has been developed to increase capacity and timeliness in the laboratory. A new method for profiling DNA, known as DNA 17, has also been delivered. FSNI is the first forensic science provider in the UK to use the new technology, which will provide significant benefits for the justice system in Northern Ireland.

A recent inspection of FSNI by Criminal Justice Inspection Northern Ireland (CJINI) provided assurance that the scientific expertise provided to the justice system has been maintained at a high level, but it identified the need for a more joined-up approach to the delivery of forensic services. A comprehensive action plan has been developed in response to that report.

The Department is also committed to developing a strategy for forensic services in partnership with the main criminal justice

agencies. The strategy will include forensic services provided by the PSNI and FSNI, taking into account the wider strategic needs of the justice system.

Mr Principal Deputy Speaker: I ask Members to use the microphones; there is some difficulty hearing people when they are behind the speaker.

Mr Hilditch: I thank the Minister for his answer. I know from working locally with police and victims of crime that there appears to be a lengthy delay in processing. What can be done to reduce that in the short term until some of those strategies are up and working?

Mr Ford: Quite a lot of work is under way on a number of initiatives to improve the speed at which services are provided. For example, we are looking at such things as live links to link scientists to the courts and save them taking time away from the lab. We have seen the introduction of the rapid analysis process for cannabis and a new streamlined process for other drugs. The PSNI is making preparations to include presumptive testing for cannabis, which will also reduce the number of cases that have to be submitted. I believe that all of those will help. We will also seek to provide shorter, more focused reports to ensure that the work can be carried forward more speedily.

Mr Lynch: Go raibh maith agat, a Príomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Can the Minister provide an update on his Department's progress on its action plan to try to tackle issues of delay and criticism of the length of time that is taken for the service to produce reports?

Mr Ford: I just answered that point to some extent in my reply to Mr Hilditch. I am certainly also aware of a number of criticisms that have been made by certain members of the judiciary, not all of which are entirely fair to the staff of FSNI. I have been engaging through the criminal justice delivery group with the Chief Constable and the Director of Public Prosecutions (DPP), and also regularly with the Lord Chief Justice, to see how we can ensure that we get the system better joined up and working better to meet its needs.

Mr Cree: How much of Northern Ireland's forensic science-related work is outsourced?

Mr Ford: I cannot answer that question precisely. A very small amount of it is outsourced. The vast majority of the work that

is required is carried out in FSNI, although there are obviously certain specialist functions that are used so rarely that it would not be economical for us to manage them in the Seapark facility. If Mr Cree has specific questions about specific services, I will happily answer them.

Mr Dallat: I am sure that the Minister would be prepared to accept constructive criticism, particularly when it comes from so many people who want an assurance from him that the forensic science service has the staff and resources to deliver those strategies, with which this House is choking.

Mr Ford: I think that Mr Dallat highlights a fair point. The issue is not about having strategies but about ensuring that they are implemented. That is why there is a very significant programme going on in FSNI, with an additional member of staff looking to see that we update the processes. What has emerged from the CJINI report is that the science that FSNI carries out bears comparison with that of any other agency anywhere in Europe. We certainly need to ensure that the business practices meet the quality of the science.

Mr Dickson: Minister, thank you for the information. I welcome the speeding up of, and improvements to, Forensic Service delivery in Northern Ireland. Will he explain to the House how that then dovetails into the wider and challenging programmes on speeding up justice generally across the whole system?

Mr Ford: As most Members will have heard me say, speeding up justice is a key issue. What is absolutely necessary is ensuring that, as cases proceed for criminal prosecution, all the relevant agencies work together. We have seen significant progress in the work that is being done between the Police Service and the PPS. We also need to ensure that where, for example, forensics are required, they are submitted in a timely way and that the research is done and reported on in a timely way to meet the ongoing needs. We have certainly seen some very good progress on case management, led by the Lord Chief Justice, which has ensured that cases proceed more speedily when they get to court. I believe that there is an emerging good tale, but it is not yet as good as it should be.

On-the-runs

2. **Mrs Overend** asked the Minister of Justice whether he will seek and publish the list of names of the on-the-runs who received letters

informing them that they were no longer being sought by the police. (AQO 5756/11-15)

3. **Mr Rogers** asked the Minister of Justice what discussions he has had with the Secretary of State for Northern Ireland or the Attorney General for England and Wales in relation to the on-the-runs issue. (AQO 5757/11-15)

8. **Mr Easton** asked the Minister of Justice for his assessment of the events that led to letters being issued and the royal prerogative of mercy being granted to on-the-runs. (AQO 5762/11-15)

11. **Mr Irwin** asked the Minister of Justice for an update on any discussions he has held with the Northern Ireland Office on the current issue of the letters for on-the-runs. (AQO 5765/11-15)

12. **Mr Swann** asked the Minister of Justice when he, or any of his officials, first became aware of Operation Rapid. (AQO 5766/11-15)

Mr Ford: With your permission, Mr Principal Deputy Speaker, I will take questions 2, 3, 8, 11 and 12 together.

I was unaware of the so-called administrative scheme for dealing with on-the-runs (OTRs), Operation Rapid, the associated letters, and the issuing of the royal prerogative of mercy until shortly before the judgement in the Downey case was made public. On learning of the detail of that, I sought an urgent meeting with the Secretary of State. I also received a briefing from a senior NIO official. I have had no contact with the Attorney General for England and Wales in relation to the on-the-runs scheme.

The Secretary of State clarified that the Department of Justice had no responsibility for that scheme, and she apologised for publicly suggesting otherwise. I made it clear that the DOJ would have no part in the shabby scheme, which was initiated during direct rule and before the devolution of justice to Northern Ireland.

Although the so-called administrative scheme has apparently continued since the devolution of justice, its operation and the exercise of the royal prerogative of mercy in relation to terrorism are matters for the Secretary of State. I note that the Secretary of State has said that the scheme has now ended and that no letters have issued since December 2012.

The content of those letters and the names of the persons to whom they were issued are also matters for the Secretary of State. However,

the Prime Minister has announced that a judge will conduct an inquiry and is due to report by the end of May. I note that the Police Ombudsman is carrying out an urgent investigation and that the House of Commons Northern Ireland Affairs Select Committee will also investigate the matter. The outcome of those inquiries should bring a degree of clarity that is currently lacking.

Mrs Overend: I thank the Minister for his response. Can he inform us whether the PSNI has issued any information to the NIO about on-the-runs without his knowledge since the devolution of policing and justice powers?

Mr Ford: I am afraid that that really does fall into the category of unknown unknowns. I have no knowledge of what information may have passed between the PSNI and the Northern Ireland Office either before or since devolution.

Mr Rogers: I thank the Minister for his answers thus far. Minister, have you had any consultations with our Attorney General with particular reference to the legality of the letters?

Mr Ford: I thank Mr Rogers for the question. I have made it clear that I have sought legal advice. It is not convention that Ministers state from whom advice has been sought, so I am afraid that I cannot answer that question.

Mr Easton: I understand that the Minister knew nothing about this deal but that his permanent secretary did. Has the Minister had time to discuss this with his permanent secretary since? Can he tell the House what new information his permanent secretary has furnished him with? Can he also tell us whether he feels that his Department has now been undermined by that knowledge?

Mr Ford: I am afraid that Mr Easton is ill-informed. The permanent secretary of the Department of Justice had no knowledge of the scheme. In a previous role in another Department, the person who is now the permanent secretary of the DOJ was aware of the scheme, but that is an entirely different issue. Members should be well aware of the convention on access to the papers of a previous Government: papers are not released to incoming Ministers and information is not passed on in order to:

"protect the confidentiality and impartiality of Civil Service advice".

Mr Swann: The Minister said at some stage that he has no responsibility for these letters.

However, I assume that he has responsibility for the Northern Ireland courts. Is the Minister aware of any OTR letters being used currently in a Northern Ireland court case?

Mr Ford: Again, I have no knowledge, nor should I have any, of court proceedings as such. I would have knowledge only where my Department was directly involved, and I have no knowledge in that respect.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. Minister, would the legal position, as such, not preclude the naming of individuals in this scheme?

Mr Ford: My presumption is that there would be significant issues under the Data Protection Act regarding the naming of individuals. However, since it is not my Department's scheme and I have no knowledge of what detail it may encompass, I am not the best-placed person to answer that question. I suspect that the Secretary of State may be better placed than I.

Mr McNarry: Is the Minister telling the House that in the process of transferring devolved power to his office, no papers or files marked "on-the-runs" were received by his Department from either the Northern Ireland Office or the PSNI?

Mr Ford: Yes. *[Laughter.]*

Mr Allister: The Minister claims ignorance of a lot of things, but surely one of the matters that he must have investigated is the startling revelation in the Downey judgement of applications from the Northern Ireland Prison Service in relation to OTRs. If he has made enquiries, what do they show?

Mr Ford: Yes, I have made enquiries. The issue arose when the Prison Service was the responsibility of the Northern Ireland Office. I have not yet got full details of what role the Prison Service may have had in that respect. However, clearly, as the Prison Service is now part of the DOJ, it is a matter of interest to me and I am following it up.

Mr Sheehan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a chuid freagraí. I am sure that the Minister is aware that the Attorney General for England and Wales, Dominic Grieve, said in the House of Commons, in regard to the principle underlying the letters — although not the John Downey letter — that this was an administrative

process, and one that was certainly lawful. Will the Minister tell us whether he agrees or disagrees with that statement?

Mr Ford: I am afraid that I cannot. Since I have no knowledge of the scheme, I am in no position to judge whether or not it was lawful.

Mr Lyttle: Given the hurt that revelations about this scheme have caused to victims and the damage that it has caused to public confidence, does the Minister agree with me that the only way to deal with the past is in an open, ethical and comprehensive manner?

Mr Ford: Yes, I most certainly agree. Dealing with the past might have become more difficult as a result of the Downey case, but it has also been proved to me to be all the more necessary. That is why people who say that they are walking away from talks and refusing to discuss the issues for which we, in this place, have responsibility seems to me to be a profoundly unwise statement. Whatever the reverberations and whatever may emerge from however many inquiries, we will continue to bear responsibility in this place for dealing with issues such as how we address the past. It is incumbent on all of us to work together to do that.

National Crime Agency

4. **Mrs Cameron** asked the Minister of Justice for his assessment of the impact locally of the limited operational power of the National Crime Agency since October 2013. (AQO 5758/11-15)

14. **Mr Anderson** asked the Minister of Justice what progress has been made in his discussions with the Northern Ireland Office, the Home Office and others on the full operation of the National Crime Agency locally. (AQO 5768/11-15)

Mr Ford: With permission I will take questions 4 and 14 together.

The National Crime Agency's remit here should be extended into the devolved arena, but under arrangements that respect our local policing architecture.

I believe that I have tabled appropriate arrangements to achieve that. I am continuing to press Sinn Féin and the SDLP to engage with me to resolve any remaining concerns.

3.00 pm

As feared, it has become clear that the limitations placed on the NCA locally are having a negative impact. As ACC Drew Harris told the Justice Committee on 20 February:

"we can start to see where cracks are opening up."

In particular, the PSNI and others are missing out on the operational assistance that the NCA is providing to forces elsewhere. This includes surge activity in support, and with the agreement, of the PSNI. As a direct result, the PSNI is faced with having to divert resources from other priorities or to turn down NCA requests. There is also no mechanism for removing, through the civil courts, assets from those engaged in criminality in the devolved arena, which is a serious gap.

We are not part of the NCA's planning and priority arrangements, and the potential consequences of that are obvious. It is likely that these factors will get worse. The reality is that the longer the impasse, the more the impact. The beneficiaries will simply be organised crime groups.

I recently discussed the issue with the Secretary of State and the Chief Constable. In addition, my officials have been working with the NIO, the Home Office, the PSNI, the NCA and other Organised Crime Task Force partners.

Mrs Cameron: I thank the Minister for his answer so far. Does he agree that the parties opposite, by their continued opposition to the National Crime Agency, are allowing paramilitary organised crime to flourish?

Mr Ford: It is close on two months since I wrote to the two parties opposite Mrs Cameron, seeking meetings to discuss their concerns, but, as yet, there has been no response. It is very difficult for the DOJ to know how to address the problems when we do not know what those problems are.

Mr Anderson: I fully support what my colleague said. Does the Minister agree that, in light of ACC Drew Harris's recent evidence to the Justice Committee, the parties opposite must set aside their anti-British bias and support full cooperation with the National Crime Agency in Northern Ireland so that the police can properly tackle human trafficking, fuel laundering and other serious crimes?

Mr Ford: I simply want all parties to seek to provide the best possible support from the

relevant agencies to the PSNI, in line with the existing policing architecture in Northern Ireland, so that we can successfully join the fight against organised crime, particularly, as Mr Anderson highlights, to deal with dreadful issues such as human trafficking.

Mr Kinahan: In the Minister's communication with the parties that are against the NCA, did he put proposals to them on alternatives or parts that need to be agreed as soon as possible?

Mr Ford: Mr Kinahan raises a valid point. We have put several rounds of potential points over various discussions, but the unfortunate reality is that those discussions ceased before Christmas and have not resumed. We urgently need a resumption if we are to join the fight against organised crime, with all the implications that have been highlighted.

Mr Byrne: Given all the blanks in communication relating to OTRs and other immunity issues, does the Minister agree that the SDLP is quite right to be sceptical until all accountability mechanisms are sorted out before we agree to implement and go forward with the NCA?

Mr Ford: I hope that the SDLP is not judging the Department of Justice by the standards that the NIO operated in the past. We have sought to ensure that the policing architecture is respected and that we have full respect for the roles of the board and the ombudsman, and the primacy of the PSNI, including the Chief Constable being the final arbiter of how the NCA is involved in Northern Ireland.

Those are key issues that make major changes to the way in which the NCA would operate in any police force area in England, Wales or Scotland. Those are fundamental differences whereby we have achieved a significant amount but, frankly, if the SDLP has a few more concerns, please come and talk to me.

Human Trafficking Bill: Clause 6

5. **Mr Ó hOisín** asked the Minister of Justice for his assessment of the potential consequences of clause 6 of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA Bill 26/11-15). (AQO 5759/11-15)

13. **Mr Boylan** asked the Minister of Justice for an update on the timeline for his Department's research into the extent and nature of prostitution. (AQO 5767/11-15)

Mr Ford: At the risk of sounding repetitious, and with your permission, Mr Principal Deputy Speaker, I will take questions 5 and 13 together.

Clause 6 of the Bill will criminalise the purchase of all sexual services in whatever circumstances. I have concerns that that may have unintended consequences. For example, I have concerns that those working in prostitution may be at increased risk of violence and abuse and that the police may be less able to offer protection against such exploitation.

At this time, we do not know enough about the nature and extent of prostitution in Northern Ireland to be able to assess the impact of clause 6 on sex workers and decide whether it is the appropriate course. We need to know what support is available and needed. There are other questions, such as whether sex workers are likely to choose to exit such work in the light of the clause and what the impacts would be on their welfare and safety if they did not. In dealing with vulnerable people, those questions matter, but clause 6 does not answer them. We need to be alive to the full facts before we decide whether a legislative course is appropriate, and, if so, what.

I have therefore commissioned independent research to test the concerns and from which to make proper evidence-based policy decisions on the future of prostitution regulation. In response to the publication of research specifications, tenders have been received. Those are being evaluated with the objective of awarding a contract by the end of this month, with the expected completion of the research to be in the autumn of 2014.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I acknowledge the Minister's acceptance that there will be unintended consequences from clause 6. Does he have any idea of the mitigating factors that may roll out as a result of the report?

Mr Ford: I said that there "may" be unintended consequences, Mr Principal Deputy Speaker, but the key reason behind having the research is that we look at the situation in Northern Ireland. We should not automatically assume that what works elsewhere will necessarily work here. It is important that we see the research through as speedily as possible so that the House can decide whether and, if so, how it might be appropriate to legislate in the future.

Mr Boylan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Does the Minister agree that, without this research, the effectiveness of the Bill would be undermined?

Mr Ford: I am sorry, but I did not catch the end of the question.

Mr Boylan: Would the effectiveness of the Bill be undermined without the research?

Mr Ford: I believe that the Bill provides a comprehensive way of demonstrating that Northern Ireland is part of a widespread UK, Irish and European fight against human trafficking. I believe that the Bill would stand close examination in the absence of clause 6. I am not sure that we can appropriately tackle prostitution, which is not the same as human trafficking — nor is human trafficking all about prostitution — simply by having one clause, which is to some extent ill-defined, in a Bill.

I have been working positively with Lord Morrow on a number of other aspects of the Bill. We have seen significant joined-up working and agreement between the Department, Lord Morrow and, I suspect, the Committee on many other aspects of the Bill, and it is important that we see it proceed through the House later this year. However, I am as yet unconvinced that clause 6 is the best way in which to tackle issues such as the sex trade.

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Mo bhuíochas leis an Aire as a fhreagraí go nuige seo. I am glad that the Minister came to the point of referring to clause 6 as being "ill-defined". In the light of the recent PSNI evidence to the Committee in which it retracted its previous opposition to clause 6, perhaps he can give us a definition of which parts of the clause should be better defined if some parts are ill-defined.

Mr Ford: The definition will come when we have seen the research, when we have seen what the issue is in Northern Ireland and when we have seen how the sex trade operates here, instead of making assumptions based on how it operates elsewhere. I am not sure that I am in a position to suggest any better definition for clause 6 until the research is completed.

Domestic and Sexual Abuse

6. **Mr Dunne** asked the Minister of Justice what measures he plans to put in place to enhance

the current services that protect and support victims and witnesses of domestic and sexual violence and abuse. (AQO 5760/11-15)

Mr Ford: Under the strategies Tackling Violence at Home and Tackling Sexual Violence and Abuse, my Department has played a significant role in introducing and taking forward many initiatives aimed at protecting and supporting victims and ensuring justice. The 24-hour domestic violence freephone helpline has recently been expanded to also support those affected by sexual violence and abuse.

In 2010, multi-agency risk assessment conferences were established. Since their inception, safety plans and support have been put in place for over 6,300 high-risk victims of domestic violence and abuse. In May 2013, the Rowan regional sexual assault referral centre (SARC) was established, where victims of sexual violence can obtain professional care, advice and support. Since its opening, there have been over 400 referrals.

My Department has taken forward two specific initiatives. In December 2011, I introduced a process that allows all victims of domestic violence to access legal aid quickly and to go to court and obtain non-molestation orders. My five-year victim and witness strategy was published in June 2013 and is aimed at improving services to all victims regarding their access to justice.

Members will be aware that the draft strategy, 'Stopping Domestic and Sexual Violence and Abuse in Northern Ireland', is out for public consultation. The document contains a number of proposed priorities regarding improving measures of protection and support for victims and witnesses. The responses to the consultation will help develop proposals in this important area.

Mr Dunne: I thank the Minister for his answer. We all recognise the success of SARC in Antrim. Does he have any plans to extend that service to other areas of Northern Ireland or, indeed, to consider the use of a mobile unit to cover rural areas?

Mr Ford: Although it was planned before my time as Minister, my understanding is that SARC was located at Antrim because it was believed to be the best possible location for easy access to all parts of Northern Ireland. Those of us who have seen the inside of the building recognise the huge benefits that the building and its specially designed architecture

have. I am not sure that that service could be replicated easily in any kind of mobile unit. The reality is that those who provide the medical services, the social care and, where appropriate, the criminal investigation, believe that they have a good facility at Antrim, and I am keen to see it being used to the maximum.

Mr McKinney: I thank the Minister for his answers thus far. Will he assure the Assembly that there will be a policy of zero tolerance towards domestic violence and abuse?

Mr Ford: I entirely accept Mr McKinney's point. We need to ensure that there is a policy of zero tolerance. The unfortunate reality is that we know that, in many cases, people will suffer domestic violence — let us be realistic, women will suffer domestic violence — on many occasions before they will consider reporting it. That is why, to some extent, seeing an increase in the statistics is actually a good thing, if people are more open and better able to report it. Nevertheless, the fact is that we are developing better services and getting a joining-up between the different agencies in a positive way which, I hope, will encourage victims of any form of domestic violence to report it speedily.

Crime: Rural/Agricultural

7. **Mr D McIlveen** asked the Minister of Justice for an update on his Department's work in addressing rural and agricultural crime. (AQO 5761/11-15)

Mr Ford: Action plans, including one focused on business and rural crime, have been developed to deliver the commitments made in the community safety strategy. An update on the delivery of these plans was provided to the Justice Committee on 20 February 2014, and copies of the progress reports for each of the plans are available on my Department's website.

At a strategic level, my Department's work in addressing rural and agricultural crime has included providing funding in partnership with NFU Mutual for a rural crime analyst in the rural crime unit and launching a funding package in crime hotspots for fitting security equipment to farm vehicles.

At a local level, policing and community safety partnerships have developed action plans to address local community concerns, which include the development of tailored solutions to address rural and agricultural crime where appropriate. These include crime prevention initiatives such as trailer marking days, CESAR

— construction and agriculture equipment security and registration — marking and Farm Watch schemes.

Mr D McIlveen: I thank the Minister for his answer. I am sure that he will be aware that the recent perceptions of crime survey did not include rural or agricultural crime as part of its questioning. With that in mind, is he minded to carry out some research specifically around the perceptions and fear of crime in rural and agricultural areas because of this blight on our rural communities?

Mr Ford: The fact that the rural crime unit was announced only last year at the Balmoral show and was set up over the summer is an indication that we are at a relatively early stage.

I certainly believe that the work that is being done there will ensure that we have better statistics as we look to the future and seek to ensure the more joined-up approach that I talked about.

3.15 pm

Mr Principal Deputy Speaker: That ends the period for oral questions. We now move on to topical questions.

North Belfast PCSP: Membership

1. **Mr A Maginness** asked the Minister of Justice how he has reacted to what is, in effect, a public scandal in the form of the widely held belief that a UVF commander is a member of the North Belfast Policing and Community Safety Partnership and that his position was considered by the Policing Board in March when a decision was taken not to replace him. (AQT 871/11-15)

Mr Ford: I am well aware of the concerns that Mr Maginness has expressed. Indeed, the individual whom he has highlighted is not the only individual about whom concerns have been raised in recent times. The authority to remove a member from a PCSP or, in Belfast, a DPCSP rests with the Policing Board and can be carried through only on the basis of a specific set of factors, namely conviction for a serious offence, a serious offence previously committed that has not come to light or an offence against the declaration against violence that independent members of the partnerships are required to make. I believe that the standard required on that is, effectively, the standard of criminal proof. That is the situation that the legal position leaves us in.

Mr A Maginness: I thank the Minister for his answer. He is conducting a consultation on policing and community safety partnerships and their membership. Will he assure the House that he will consider, over and beyond the criteria that he has outlined, another provision so that this situation cannot arise?

[Interruption.]

Mr Ford: I have no doubt that Mr Maginness and others will respond to the consultation by making that point robustly. *[Interruption.]* It remains the case, however, that we need to ensure that due process is observed. If there are suggestions about how the concerns that he has highlighted can be addressed, I will happily listen to them.

Mr Principal Deputy Speaker: I ask for order while Members are putting a question or receiving an answer from the Minister. I call Mr Declan McAleer.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle.

Mr Principal Deputy Speaker: Sorry for waking you.

Mr McAleer: The Chief Whip was talking to me.

Hearing Loss Claims: RUC Officers

2. **Mr McAleer** asked the Minister of Justice whether he is aware of a growing level of frustration with the cost of RUC hearing loss claims to the public purse, given the recent announcement of an additional £103 million, which brings the total pot to around £250 million. (AQT 872/11-15)

Mr Ford: I am aware that individuals, including some in the House, have expressed their concern. It is administered by the PSNI, not the Department of Justice. As it is an operational issue, responsibility lies with the Chief Constable.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. Thank you for your response. Given that the issue predates the devolution of powers to here, is there any potential for the British Government to foot some of the cost?

Mr Ford: Not only is there potential; that is the case. At this stage, the first £12 million in any year is funded by the DOJ, and anything beyond that is funded by the Treasury. That is

perhaps a slight good news story, if that is what Mr McAleer seeks.

Mr Principal Deputy Speaker: Mr Alex Easton is not in his place.

Domestic Violence: Criminal Act

4. **Mrs Cameron** asked the Minister of Justice to detail the plans his Department has to raise awareness of domestic violence as a criminal act. (AQT 874/11-15)

I thank the Minister for attending the Don't Silence the Violence event in the Long Gallery yesterday.

Mr Ford: It is always nice when somebody thanks me while asking a question, so I should thank Mrs Cameron for being the first person to thank me for something other than the generalities of my answers. It is always nice to get a little bit of constituency agreement, especially with you in the Chair, Mr Principal Deputy Speaker.

It is difficult to answer the question of how we publicise the fight against domestic violence. It is certainly not something that the Department can achieve, and it requires the sort of partnership that we saw in the Long Gallery, with a number of people from our local Women's Aid teams and a variety of other agencies and organisations.

Taking account of the video that we saw, the important issue is to make the maximum possible use of such methods of getting the information out and ensuring that the message is spread, not just among MLAs and those who are involved but to others. Indeed, I believe that it will shortly be available on YouTube if it is not already. That will mean that those who are vulnerable will be aware of the circumstances and how they can get help, particularly through the 24-hour helpline.

Mrs Cameron: I again thank my constituency colleague and Minister for his answer. Given his answer and in light of the growing statistics for domestic violence, will he ensure that the funding for voluntary organisations, such as Women's Aid, will not be cut because of budget pressures elsewhere?

Mr Ford: And then she goes and spoils it. Members will know that, in the face of the budget pressures on my Department, I cannot give a categorical guarantee that there will be no cuts. Over the past three and a bit years,

we have ensured that we have protected the grant budget to voluntary groups as far as possible. Cuts in the Department, particularly in some core areas of the Department, have been significantly more than those to our budget to support voluntary activity, and I hope that that will continue to be the case. It also requires the House, for example, to cooperate in dealing with some difficult issues, such as the budget for legal aid, if we are to ensure that we have money available to support voluntary activity.

Police Federation: Procurement Arrangements

5. **Mr Girvan** asked the Minister of Justice, given that his Department has provided the Police Federation with funding of £325,000 for 2013-14, whether that ensures that the federation abides by proper procurement rules. (AQT 875/11-15)

Mr Ford: Although the Department provides some funding to the Police Federation, it remains an independent body run by its officers and committee, who are responsible for issues such as proper procurement. I understand that the issue that, I suspect, Mr Girvan may be hinting at was recently addressed and found to have been dealt with properly. However, I cannot second-guess the way in which an independent body manages its affairs.

Mr Girvan: I thank the Minister for his answer. It did not necessarily go the way that I would have liked it to go. I believe that any body that receives public money should ensure that that money is spent in a proper and fully open and accountable manner. The Baker report was commissioned by the federation and it then tried to bury it — I use that term because it attempted to ensure that it never saw the light of day. That report was damning about the management of the federation. In light of that, I want to know what the Minister will do to ensure that public money that is being spent to run that organisation is either withdrawn or used effectively.

Mr Ford: I can only repeat the point that I made: the particular issue that is being hinted at was addressed and followed up. It was found that there was no problem with the procurement process.

The Police Federation operates as an independent body that is representative of police officers. We need to be very careful that we do not seek to micromanage its affairs. I suspect that most Members would not approve

of that being done to any body representing staff interests in any part of the public sector.

Mr Principal Deputy Speaker: Mr Daithí McKay is not in his place.

Prison Chaplains

7. **Mr Dallat** asked the Minister of Justice whether he acknowledges that the chaplains in our prisons play a critical role in helping to rehabilitate those people who are serving time, and, if so, is he concerned that the cut in funding for prison chaplains will undermine their good work. (AQT 877/11-15)

Mr Ford: I certainly agree with Mr Dallat that extremely good work is done by the chaplains, who fill a role somewhere between the NGOs that come in and provide assistance in prisons and the formal Prison Service structures. I do not believe that the changes that are being made are seriously damaging the work that is being done, but Members will appreciate — I just made this point about other areas — that there are serious difficulties with the DOJ's funding at this time. It is not possible to fund everything at the level that we would wish. However, I have visited all three prisons and have met chaplains in each of them, and I have seen extremely positive work being done by all of them. Indeed, on my first visit to Hydebank Wood, I met one of the chaplains, who had long enough to give me a brief handshake before saying, in effect, "Excuse me, but so and so wishes to speak to me, and they are more important than you are". That is the quality of the service that is being provided.

Mr Dallat: The Minister has made the point: the chaplain was too busy to talk even to a Minister. Will the Minister reconsider what he is doing, and will he reflect seriously on the work, which, I believe, is totally underestimated, done in rehabilitating into the world again people who, for whatever reason, have erred in their ways? Will he accept that even the word of God has a price on it?

Mr Ford: I am not sure that I want to get into the theology of that. I repeat the point: I fully recognise the value provided by the chaplains in prisons. I also recognise the value provided by many others who go into prisons and provide a service. I have seen some very positive work being done by a variety of groups working in that way, as I see it with the chaplains. However, until we can resolve the conundrum of the limits on funding, we cannot fund everything that we would wish to fund to the level that we would wish to fund it. I will

certainly take Mr Dallat's hint and look at the current position on chaplaincy.

Legal Highs/Prison Service Early Retirement Scheme

8. **Mr McCarthy** asked the Minister of Justice to update the House on the Prison Service voluntary early retirement scheme, and, given that yesterday in this Chamber I was compared to Pontius Pilate, will he tell the House that responsibility for dealing with legal highs lies with the Home Office at Westminster, not with this Assembly. (AQT 878/11-15)

Mr Ford: I did not think that my colleague was entitled to be Pontius Pilate, because I was labelled Pontius Pilate by the leader of the Ulster Unionist Party last Thursday evening in a tweet. He actually spelt it "Pilot", which, as somebody subsequently pointed out, at least indicates that I am someone who knows where he is going, unlike you, Mike. Clearly, there is an issue, but, before the DUP laughs too much at Mike Nesbitt, a number of DUP Members yesterday suggested that I should somehow change the law on legal highs in an area that is clearly reserved. I can accept it when nationalists tell me that I should do things that are reserved to the Westminster Parliament, but it seems a little inconsistent when unionists tell me that I should do things that are reserved to the Westminster Parliament. I will not do things that I have no legal power to do. I will do my best to do that which I have.

On the serious point that Mr McCarthy made, which follows on from the point that Mr Dallat has just made, there are still a small number of senior officers and governors who have not yet received a letter to leave under the voluntary early retirement scheme. I have had meetings, including a meeting not that long ago with the Minister of Finance and Personnel, who has acknowledged that it would be a significant invest-to-save procedure to invest in allowing that last tranche of officers to leave. In many cases, they have stayed a couple of years longer than they thought they might have had to, because the VER scheme has not moved as quickly as we had hoped. We need to give them the opportunity to leave with the same dignity as others have left with, and I certainly hope that we will see the money forthcoming very soon to enable them to go.

Mr McCarthy: I sincerely thank the Minister for his clear response to my case about legal highs. I now expect that a full-scale apology will come from the DUP Benches, including from the Health Minister, who said that the

responsibility was for here and the Minister. Can the Minister tell the House that it is time that the whole Prison Service issue was brought to a successful conclusion in the interests of everybody?

Mr Ford: I am not waiting for the apology. The specific issue is that we are now left with, I think, 38 officers who have a right to leave under the voluntary early retirement scheme. They can be replaced because of the good work that is being done in training staff. They have served their time and deserve to go with dignity to allow others to come in to take forward the kind of work that has been highlighted by people such as Mr Dallat. I am keen to see that that happens. The House and the Executive owe to those officers, who served in difficult times, the opportunity to leave with dignity.

3.30 pm

Private Members' Business

European Union Funds: Drawdown

Debate resumed on amendment to motion:

That this Assembly notes the significant funding available for drawdown within the European Union; commends the Minister for Regional Development for leading the Northern Ireland Executive in the successful drawdown of competitive funding; further notes with grave concern the imbalance in the drawdown of European funds for economic development between Northern Ireland and the Republic of Ireland under the framework programme 7, whereby Assembly research statistics show that while Northern Ireland secured €35 per capita, the equivalent in the Republic was €590; and calls on the First Minister and deputy First Minister to take steps to ensure an increased drawdown of competitive European funds across Departments, in addition to identifying an appropriate region of the EU against which Northern Ireland can benchmark its performance. — [Mr Nesbitt.]

Which amendment was:

Leave out all after "commends" and insert:

"the Executive for setting an increased target for our drawdown; further commends those Ministers who have been successful in securing significant funding to date; and calls on the Executive to ensure that they maximise all

potential funding opportunities from Europe."
— [Ms McGahan.]

Mr Moutray: I welcome the opportunity to speak in today's debate on EU funding and the ongoing work that has been taking place to draw down significant funding from Europe for projects and schemes in Northern Ireland. I am glad that I can stand here today safe in the knowledge that we are a proactive region that has done tremendous work in drawing down funds that have enabled us to complete revenue and capital projects that are of significance in the community.

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

Members will be aware that, in 2011, the Executive put their head above the parapet where EU funding was concerned when they collectively placed in the Programme for Government a 20% increase target, something that no other region or country has committed to. Today, I am pleased to say that we are well on track to meeting that target, with figures showing that, already, we have achieved some 64%, which equates to £41.3 million of the £64 million that we hope to draw down. Twenty per cent was and remains a challenging figure, but I am delighted that work is afoot to reach the target and, possibly, even increase it in future. Like everyone else in the Chamber, I support the extension of that target.

I was somewhat bemused but not surprised by the notice of the motion today, because it is a typical attempt by the Ulster Unionist Party to undermine the good work that has been going on throughout the Departments and to engage in the backslapping of its solitary Department, which, in truth, lends itself to applying for large capital projects, which are, in my opinion, easier to obtain finance for because of their tangible outcome, as opposed to revenue projects, which are much more difficult to quantify.

The drawdown of the funds from Europe is difficult owing to the fact that Departments are not permitted to apply directly. There is, therefore, a reliance on stakeholders or third parties to apply, and ensuring that the capacity is there can be challenging. In addition, it is sometimes difficult for organisations to obtain moneys owing to the fact that funding streams are specific and, sometimes, not in sync with their line of work. However, we need to commend some Departments. We need to commend DEL on its level of drawdown from the European social fund, which has totalled €71 million since the start of the programme and a further €25 million as of December 2013.

I commend the Minister of the Environment for his foresight in dedicating a small team to deal specifically with the promotion of and drawdown from competitive EU funding streams for climate change and energy projects. I also commend DETI on its encouragement and support for other research organisations and companies to apply for EU R&D and innovation funding and DRD on the A2 project and A8 improvements, to name but a couple of excellent projects.

The figures thrown into the melting pot by the UUP today regarding the Republic of Ireland are headline grabbers, but, in truth, they do not paint the whole picture, given that, when they are broken down, the money used to calculate the €590 million is, in fact, the amount that the Republic of Ireland applied for to Europe, not the amount that it received. I am sure that if we were to calculate the amount applied for by our Executive, as opposed to the amount received, we too would be able to enhance our per capita figures. However, I want to see the money being spent where it is needed most. Additionally, it would be remiss of me not to mention local government and the hard work that is done in this regard. I know that Craigavon Borough Council is active in seeking funds from Europe in a range of areas. It has been successful in achieving finance for the life-science supply chain project, the creative edge programme, the Space project, rural development grant aid and many other creative and innovative programmes. In the past three years, Craigavon council has drawn down £23 million, and I congratulate it.

My point is that there is much more work to be done outside of the Stormont Departments to tap into funding from Europe. However, I commend the Executive for their hard work. They are certainly making strides with regard to the funding gap that once existed in this region. There is still a way to go, but I believe that Departments have made progress. I look forward to seeing us achieving and in all likelihood exceeding the target adopted in the Programme for Government. I believe that the Barroso task force introduced —

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

Mr Moutray: — by the Northern Ireland Executive has been effective and that it will play a strong role as we move from FP7 to Horizon 2020. Our party will support the amendment.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas le

moltóirí an ruin seo as é a thabhairt os ár gcomhair. I thank the proposer of the motion for affording us the opportunity to debate the issue.

I am slightly confused, in that the motion calls on OFMDFM to identify an appropriate region of the EU to compare our performance with, yet the same motion starts by comparing our performance with just such a region — the one a few miles down the road from us. Perhaps the proposer does not believe that that region is an appropriate comparator, but they also want the Assembly to note the imbalance in that comparison with grave concern.

Mrs Overend: Will the Member give way?

Mr McGlone: Briefly, Sandra.

Mrs Overend: I will clarify that we are comparing the position with the Republic of Ireland as a state in the European Union, whereas Northern Ireland is a region within the United Kingdom. That is the difference.

Mr Deputy Speaker: The Member has an extra minute.

Mr McGlone: I have often spoken and heard other Members speak about a Europe of the regions. Anyway, thank you for that.

We can at least agree that the Executive's performance under the framework 7 programme was less than successful. Some would rate it quite abysmal. As we heard, competitive EU funds are the sum of EU non-structural funds and the INTERREG IVb and IVc moneys. Funds for projects from EU programmes are assessed and support awarded on a trans-European competitive basis. For 2010-11, the revised baseline was set at £13.4 million of EU competitive funds drawn down by NI Departments. The targeted increase of 20% translates into a four-year drawdown value of £64.4 million.

Now would be a good time to hear a further update on the target set by the Executive in their European priorities 2013-14 implementation plan to facilitate the drawdown of £12 million of competitive EU funds by NI Departments between 1 April 2013 and 31 March 2014 and, importantly, how that compares, as a relative performance, with the highest-achieving European regions. That figure is, after all, £1.2 million less than the target for the period between 1 April 2012 and 31 March 2013. In fact, in 2011-12 — year 1 of the Programme for Government — £23 million was drawn down, and, in 2012-13 — year 2 —

£18.3 million was drawn down. That seems to suggest that the target set for this year is less than ambitious.

Perhaps we will also hear of progress on the preparation for the introduction of the new 2014-2020 competitive funding programmes targeting ERASMUS+, Creative Europe, social change and innovation and, of course, Horizon 2020 programmes. The Enterprise Committee has put in considerable effort on the Horizon 2020 stuff. We can make a comparison with the other jurisdiction on this island. The Government in Dublin have targeted a drawdown of €1.4 billion from the Horizon 2020 fund. Our "ambitious" target is £100 million. So it is €1.4 billion compared with £100 million.

As of September 2013, the majority of the Executive's European targets were categorised as green. I wonder whether that position has changed. If not, the Assembly should expect a very successful outcome to the Executive's efforts to increase the uptake of European funding by 20% over 2012-15. Where I differ somewhat from the supporters of the motion is in their choice of appropriate comparisons. As the Executive have identified, we should benchmark our relative performances against the highest-achieving European regions. Indeed, at the Committee, Mrs Overend will have heard from InterTradeIreland that, at last, there has been quite a bit of tick-tacking and collaborative effort between both parts of the island to make sure that there is mutual benefit. There has, I believe, been a recent change to the approach in that the comparison will be with the best-performing region in each of the European Union competitive funding sources. The completion date for the benchmarking has also slipped to March 2015. Whether it is OFMDFM or someone else, the sooner steps are taken to put the benchmarking in place, the better, because a key element to all of this is the flow of information around accessibility to what EU funding is available. Frankly, we are not performing as well as we should. Even a Statutory Committee of the Assembly — the Enterprise, Trade and Investment Committee — has difficulty accessing such information. There are lessons to be learned and, more importantly, actions to be taken pronto.

It is outcomes that my party is interested in. I am sure that the Minister for Regional Development has done a good job and will appreciate all the good wishes that the signatories to the motion want the Assembly to send his way, but it is results that matter. The drawdown of funding is just the start. Ticking off targets set along the way is all very well, however dubious some of them may be, but the

public whom we represent want to see outcomes. They want to see a vibrant society, and they want jobs. They want to see sustainable economic growth and prosperity, and, for us, our engagement with Europe — with the rest of Europe, I should say — is vital to achieving those aims to bring about a prosperous society.

Ms Lo: Northern Ireland as a region has benefited substantially from EU structural funds through the European regional development fund and the European social fund, as well as from agricultural subsidies under the common agricultural policy. The peace and reconciliation programme, which is into its fourth round, has poured millions of pounds into Northern Ireland to help with the peace process. However, the European Commission has 22% of the EU budget that is allocated for competitive programmes in research, education, health and youth actions. It is in that area that Northern Ireland as a region has performed poorly, particularly when compared with the success of the Republic of Ireland under framework programme 7.

The current Programme for Government has set a 20% target for the increased drawdown of competitive EU funds over the four-year period from 2011 to 2015 against a baseline of £13.4 million a year, as Mr McGlone said. Therefore, over the four years, we need a total drawdown of £64.3 million or £16.1 million a year to meet the set target of a 20% increase. Conflicting drawdown figures were reported by OFMDFM for the two years 2011-12 and 2012-13. However, the latest reported drawdown total for the two years amounts to £41.2 million, which means that we need to draw down only £11.5 million a year over the next two years. The figures are even below the baseline figure for 2010-11. The 20% target therefore seems unambitious, hardly motivating Departments to push themselves to achieve better outcomes. I hope that the inquiry by the Committee for the Office of the First Minister and deputy First Minister into the effectiveness of the Barroso task force will shed some light on that.

We need to do better. The unique Barroso task force, which was established in 2007 to help us become more competitive and participative in the EU, has provided us with the impetus to connect and profit better from the European Union. We also have the Barroso task force working group —

Mr McGlone: Thanks very much to the Member for giving way. It is crucial that we also start to see what the product is from that task force.

We need to see tangible results from its work start to trickle down into the community.

Ms Lo: Absolutely. I agree.

We also have the Barroso task force working group, which is chaired by the two junior Ministers. More recently, four desk officers were installed in the Office of the Northern Ireland Executive in Brussels. DOE also has a small team of four full-time staff who deal specifically with the climate change and energy thematic priority. It is disappointing that the Department over the past two years was able to draw down only £13,000 under the LIFE+ programme.

We can no longer justify our lack of success with excuses about the EU being inaccessible, with us at the periphery.

3.45 pm

Contrary to the suggestion in the motion, I believe that DRD is not the Department with the largest competitive fund drawdown, although I have to say that it has done very well. It is actually DEL, as the sponsor of the universities under FP7, although that is often processed through the DETI figures as DETI has overarching responsibility for research. Northern Ireland also does proportionately well in exchange programmes under Erasmus, and the Employment and Learning Minister is actively pursuing the wider opportunities to extend exchange schemes beyond university students to apprenticeships and vocational training.

Mr Nesbitt: I thank the Member for giving way. Can she give us the figures for competitive drawdown from DEL over the past two years?

Mr Deputy Speaker: The Member has an extra minute.

Ms Lo: Let me see. I will have to refer back to it. I certainly consulted my colleague, and that is the information given to me. The figures are lumped together between DEL and DETI, so I am sorry. I certainly read through the figures myself.

It is vital that relevant Departments collaborate effectively with each other and with stakeholders to access the FP7 successor programme, Horizon 2020, which has a budget of about £60 million. The Irish Government have set themselves a drawdown target of €1.25 billion for that funding stream for research and innovation.

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

Ms Lo: Am I getting extra time? OK.

I am pleased to note that DETI and DEL are now funding, through an £1.8 million higher education UU support fund, a network of Northern Ireland contact points —

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

Ms Lo: — across UU and Queen's to coordinate —

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

Ms Lo: — and facilitate the making —

Mr Deputy Speaker: I call George Robinson.

Ms Lo: — of bids to Horizon 2020.

Mr G Robinson: This is a debate with the potential for every citizen of Northern Ireland to benefit from it, and I am pleased to say that my party MEP, Mrs Diane Dodds, has been to the forefront in directly assisting bodies with European funding. If every Department was as proactive as Mrs Dodds, the figures for drawdown would perhaps be greater. That also points to this debate being an election ploy by some, instead of them having real concern about the topic. It is also worth noting that, when a Democratic Unionist was Regional Development Minister, he actively sought and achieved European funding for the provision of the first batch of new trains for our railways. European funding will always be a welcome boost to projects in Northern Ireland.

I seek clarification regarding the figures that the OFMDFM Committee Chair used in the press release and the motion. It is my understanding that the per capita drawdown for successful bids in the Republic of Ireland is actually €119, rather than the €590 he claims. It is essential that like is compared with like, hence my concern for the accuracy of the figures.

Mr Nesbitt: Will the Member give way?

Mr G Robinson: I am moving on.

I would also be grateful if clarification could be given on how the target in the Programme for Government is being met. I was led to believe that, halfway through the Budget period, a

figure of 64% had been achieved — not as bad as some would like us to believe.

I firmly believe that more can be done by individual Ministers and the Executive to boost our funding drawdown. However, that is not something that will be achieved overnight. I understand that target-setting is an ongoing process, which I am sure the First Minister is dedicated to achieving.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. I rise to speak in support of the amendment and in opposition to the motion. I want to speak specifically in recognition of Ministers for the successful drawdown and spend that has happened. I want to look specifically at DARD and the number of very successful actions emanating from the rural development programme over the past number of years.

For the rural development programme 2007-2013, we were looking at a pot of around £500 million — £250 million from the Executive and £250 million of EU funding. Some £100 million was spent directly on rural communities, and the rest went to farm modernisation schemes and the development of the farming industry. To date, 500 jobs have been created and £75 million spent. It is expected that the number of jobs created will rise to 1,000 by 2016 and that full expenditure will happen before the current programme runs out.

The impact of this money on the ground can be seen in projects including childcare and economic development. The Committee recently got a flavour of the projects when it met the local action groups (LAGs). They cited the Chocolate Memories social enterprise in Moneyreagh, the Pear Tree Barn in Lisburn, hostels, village renewal, young farmers' woodwork schemes and many other schemes throughout the Six Counties that the rural development programme has had a huge impact on from 2007 to 2013.

As well as the rural development programme money, pillar 1 of CAP works out at around £250 million a year. This year, CAP has been paid earlier and more efficiently than ever before. It represents the delivery of quite a big chunk of EU funding, and the Department is striving to increase the target year on year.

Many challenges face us in the new rural development programme. Unfortunately, as well as paying for the Going for Growth strategy and trying to address the very bad economic climate, our rural development allocation is the lowest in Europe. Ironically, one of the reasons

for such a cut is that the Tories — the sister party of the party that tabled the motion today — negotiated a 22% cut to the rural development budget. We have £60 million or so less than we had in the previous round of European funding, and that will create challenges. In comparison with the Twenty-six Counties, our allocation is very low. That will have to be addressed, and we will have to make the best use of the resources that we have in the time ahead.

The Regional Development Minister seems to be leading the other Ministers when it comes to funding, specifically the Trans-European Transport Network (TEN-T) funding referred to earlier. For 2014-2020, we are looking at a pot of between £56 billion and £62 billion, and, in the last round, we were working from a £50 billion pot. TEN-T funding is vital. The objective is to create a core corridor around Europe for the free movement of people, freight, goods and services, which is critical. We would have liked the TEN-T funding to extend beyond the eastern seaboard of the island, and one way that could have been done was by making the case more forcibly for Derry city to be included as a core node on the network. That would have a huge reach and bring the network into the west. It is very important that we do that because, 50 years ago last week, a decision was made here to rip up the infrastructure in Tyrone and Fermanagh and close down the railway network.

The European transport and policy funding unit told the Regional Development Committee that it had achieved an exemption for our rail network and turned binding deadlines into aspirations.

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

Mr McAleer: As Europe develops and the core network develops around it, we fear that this part of the island will be left behind because there is not enough forward thinking and bigger thinking on these matters. Go raibh maith agat.

Mr Spratt: I welcome the opportunity to speak as a member of the Committee for the Office of the First Minister and deputy First Minister. I declare an interest as the Chair of the Regional Development Committee, given that DRD is named in the motion.

I have to say that I am disappointed with the wording of the motion. It is political, confused and erroneous to make comparisons between the Republic of Ireland and Northern Ireland. I

do not say that for political reasons but for economic ones. In the past, the Republic was regarded, along with Spain, Portugal and Greece, as one of the poor four regions in the European Union. It was a net beneficiary of exceptionally high levels of EU funding. In contrast, for many years, Northern Ireland, as part of the UK economy, was a net contributor. Therefore, it is unbalanced to compare the two regions. I have to say that I am slightly sceptical about the figures quoted about funding secured per capita. Perhaps the junior Minister can shed more light on that when she eventually speaks.

I am surprised that the Minister for Regional Development has been selected as the leader in the drawdown of EU funds, given all the other successful bids for funding from OFMDFM, particularly for social cohesion, the European social fund and Peace funding. All of us know of several projects in our constituencies that have benefited from funding. Those projects have touched the lives of many people, and their impact should not be underestimated.

I turn to the funding secured by the Regional Development Minister, as referred to in the motion. The Regional Development Committee first wrote to the Department during the summer recess of 2011 asking it to identify its EU priorities. The Committee received its first presentation on that topic from departmental officials in January 2012, when it was advised that, under the Commission's proposals, the majority of Northern Ireland's TEN-T network would be on the comprehensive network. It was also told, however, that the amount of funding available for transport would be significantly less than that proposed under the CEF. The Department stated that, as those are reserved matters, it has fed and continues to feed into the UK's consultation and negotiation processes. We were told that it has engaged with officials from the Department for Transport in London, Transport Scotland, the Welsh Assembly, the Department of Transport, Tourism and Sport in Dublin and colleagues in the Executive's office in Brussels.

The Committee agreed that the Minister should continue to lobby within the EU but was not content that significant thrust was being applied. The Committee then undertook a visit from 24 April to 26 April 2012, during which it was advised by a senior EU Commission officer that Northern Ireland was attached to mainland Europe by the Channel tunnel and that freight could be transported by train carriages from docks, despite the fact that there are different rail gauges.

Members also met one of the EU parliamentary rapporteurs prior to the Minister or his officials. That visit confirmed the misleading understanding of the region, and we were advised that a stakeholder event was being held on 14 May 2012. The Committee wrote to the Minister and senior officials asking the Department to take part in it. The Department refused on the basis that an invitation had not been extended directly to it. Committee members then attended the stakeholder event and successfully briefed a second rapporteur and members of the EU Transport Committee. Briefing papers were then circulated to rapporteurs and the Committee, and the Committee is firmly of the belief that this early intervention with the Commission, and, in particular, with the rapporteurs, was critical in future departmental and MEP negotiations on TEN-T.

I disagree with the motion, which commends the Minister for Regional Development for leading the Executive. The Committee for Regional Development has played a vital role —

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

Ms Lo: Will the Member give way?

Mr Spratt: I am happy to give way.

Ms Lo: Thank you very much for giving way. Mr Nesbitt earlier asked me the same question about the figures. I have found the page, which is from a briefing paper to OFMDFM, with a list of funding. It sets out that DRD's drawdown was £2.9 million. DETI's drawdown was £9 million. I just wanted to clarify the point.

4.00 pm

Mr Deputy Speaker: The Member has an extra minute.

Mr Spratt: She did not have those figures earlier. So, I am sure that Mr Nesbitt will be very pleased that she has given them now.

I think that the motion is wrong, and, as far as we are concerned, we will support the amendment.

Mr Dallat: There is nothing like a motion that has an element of self-congratulatory spice in it, and this motion is just that. However, that is politics. I bounded out of bed at 5.30 am to come to address a packed House full of

Ministers — crammed to the rafters — all excited about how we will milk the European cow. More about her later.

However, I seriously hope that this is not about political point scoring and that the purpose of the motion is to see how we can improve our endeavours at sourcing European funding and shaping the programmes in the first place. That is key. So, let us be fair and call a spade a spade and give the outside world some restored confidence in this place to deliver. Let us have some contrast to the kind of antics that we saw earlier today.

Whether we like it or not, the Department for Regional Development has been successful at drawing down European funding. If I were Mr Nesbitt, I would be worried, because it looks as though Danny will remain in the ministerial car. That is a fact.

Mr Spratt: I thank the Member for giving way. I know that he was one of the Members who went to Brussels. Does he agree that the Committee, and the work that that Member did personally, played a very pivotal role in making sure that TEN-T funding would be made available?

Mr Deputy Speaker: The Member has an extra minute.

Mr Dallat: I will cover that.

The recent setbacks on the A5 have had a devastating impact on those who recognise how important transport infrastructure is and whether it is fit for purpose. Likewise, the continuing squabbles about funding for the Narrow Water bridge smacks of everything but joining together the infrastructure that generates wealth for everyone. That is what we are talking about. The need to invest up to £1 billion in the Belfast to Dublin Enterprise service should be much further advanced than it is. The embarrassment of still having no motorway connecting our two major cities — Belfast and Derry — or of being recognised as part of the TEN-T network is a failing. Yes, under the current Minister there have been considerable improvements to the rail service between Belfast and Derry, but it is still far short of a modern rail service connecting two major cities. The suspension of the ferry service between Magilligan and Greencastle, after carrying two million passengers, is a disappointment. Again, I suspect that there is a major failing somewhere, because there is a European programme, called motorways of the sea, and if

that is not something that should qualify, I do not know what is.

If the motion is serious and not simply an election stunt that is designed to be self-congratulatory to some and disparaging to others, let us create the vision that places us on a par with other European members who have taken the benefits of the European Union seriously.

In conclusion, we have come a long way from the time when the political advice —

Mr McGlone: Will the Member give way?

Mr Dallat: Yes.

Mr McGlone: For the record, last week the Enterprise Committee met in Newry. Will the Member accept that if Euroscepticism were to prevail, it would be a disaster for both parts of this island, given that SMEs in both jurisdictions rely heavily on cross-border trade and all that goes with it? Does he further agree that we cannot have further red tape put in the way in the way that some of our extreme-right colleagues in the Eurosceptic wings of the Tory party and, potentially, elements in the DUP would do?

Mr Dallat: I could not agree more with my colleague.

We have come a long way from the time when the political advice was to milk the European cow and then to slit its throat. We have matured beyond that. We are now Europeans, but we are sadly failing in our endeavours to be part of the vision, because we are still bogged down in a past that benefited no one and failed everyone. The European flag flies over the Building but once a year. Perhaps, if we must talk about flags at all, let it be the one that my former party leader John Hume believed in; the one that promotes unity and prosperity and that generates a vision for a future that delivers hope for all.

If there is to be one flag that I am happy to fly from Stormont every day, let it be the flag of the European Union, which gives us so much in common. It recognises diversity and promotes unity.

In conclusion, I wish to acknowledge the work of the Chairman of the Committee for Regional Development, who has provided leadership in identifying European funding. Whether you call it rivalry or competition with the Minister does not really matter. It certainly gave me a great

deal of satisfaction to find that when the Committee was going to Brussels, suddenly the Department was going as well. It was useful to go there to establish what funding sources are available. However, we have failed to mould those programmes, which could have created the money needed to provide infrastructure. This country has been left badly disadvantaged due to issues that arose from partition in the 1920s. We look forward to the future.

I am sorry that there are only around 20 people present for the debate. I will not say that they are only junior Ministers, because I do not undervalue them, but —

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

Mr Dallat: Where are the rest? That is the issue. We need to take this seriously. I hope that it is not about politicking, as I suspected. I hope that it is genuine, Mr Nesbitt. Yes, your Minister has done all right. However, much more could be done.

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

Mr Cree: The debate is most appropriate in a European election year. I do not know whether everyone can hear me all right, as I am having difficulty hearing other parts of the House.

Mr Nesbitt: Sorry?

Mr Cree: What?

Indeed, as we meet here today, we are just over 10 weeks away from elections to the European Parliament. Too many people still regard Brussels and matters European as a long way away and of little relevance to them or their daily lives. That is not a new phenomenon. I recall when the UK joined the EEC, as it was then, in 1973. I know that some of you are surprised that I can remember that far back. Few could have predicted the changes that have taken place in the intervening years. Nine member states became 11 with the accession of Spain and Portugal. The end of the cold war saw the EU expand eastwards to the extent that it now has 28 member states. They represent a marketplace of some 300 million people with whom we can trade freely. It is vital that we engage with Europe in order to ensure that Northern Ireland takes full advantage of the many opportunities that exist, not least with regard to funding streams.

Other Members referred to the Barroso task force, which was established following a visit to Belfast by EU Commissioner Barroso in 2007. It has the remit of helping the Executive to make the most of EU policies, networks and funding programmes. Indeed, there are nine competitive EU funding streams at present. The Programme for Government has a commitment to increase the competitive drawdown of European funds by 20% during the current Budget period. I know that Departments are making good progress towards meeting that target. At the halfway point in the Budget period, £41.3 million had been drawn down, which represents 64% of the target. Departments are well on track to realise the total drawdown target of £64.4 million by the end of March 2015. The relative ease with which the Executive can meet that target indicates that the bar has been set too low and that a much more ambitious target is required.

As we have already heard, the framework programme 7 research and technological department project's funding period is winding up. However, an incredible €80 billion will be available under the new research and innovation funding package, Horizon 2020, between 2014 and, indeed, 2020. It is the duty of the Executive to maximise their efforts to ensure that Northern Ireland begins to punch well above its weight in Brussels.

If Members take time to glance through the European priorities for 2013-14, they will find much to interest them. There is a raft of programmes with which the Assembly and the Executive are involved. The Barroso task force working group has four cross-departmental subgroups: competitiveness and employment; innovation and technology; climate change and energy; and social cohesion. Those in turn have 29 objectives and 113 individual targets, which constitute the European priorities 2013-14 implementation plan. It is quite a daunting document, but the bottom line is that Northern Ireland needs to engage fully in Brussels at all levels to ensure that we can access the various funding streams available. We must also put in the work at home to ensure that our SMEs benefit from that whole funding scheme. Too often, we hear that small businesses face red tape and bureaucracy and simply cannot access funding.

The figures outlined earlier by my party leader from the Assembly briefing paper, 'Framework Programme 7: Per Capita Statistics for 2007-2013', which, for the benefit of Members, is dated 20 December 2013, highlighted just how the Executive are faring. In EC-requested financial contributions since the start of the

programme, Northern Ireland requested €63.3 million; Wales requested €110.5 million; Scotland requested €505 million; England requested €4,526 million; and the Republic requested €2,715 million. Northern Ireland and Wales are very similar, with around €35 per capita.

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

Mr Cree: Quite simply, we need to ensure that any barriers are removed and that we can effectively set up a one-stop shop for those seeking advice about Horizon 2020.

Mr Allister: One, especially from outside the Executive parties, could not listen to this debate and not be struck by the internecine playground charge and countercharge of who has done most and achieved most, whether the Minister for Regional Development is the leader in calling down funding from Europe or whether it is his Committee that outshines him, or whether someone else needs some backslapping. However, the one thing that I have not heard talked about in this debate is where this money comes from. Here we are talking about pursuing some pot of gold in the European Union without ever pausing to ask this question: whose money is it in the first place? The answer to that question is that, by and large, it is our own money coming back to us.

As I indicated in an intervention with Mr Nesbitt — you do not have to take my word for any of this — the UK Treasury document that annually produces a table of contributions to the EU demonstrates that, as far as 2013 is concerned, the UK's gross contribution is £17.184 billion. That is then assisted in being reduced by the UK rebate, which has now diminished, thanks to Mr Blair, to only £3.3 billion. At the end of all that, what we get back in public sector receipts is £5.2 billion. So we pay in £17 billion of UK taxpayers' money, and after all the grandiose schemes of CAP, fisheries, Peace funding, structural funding — all of that — the United Kingdom, as a net contributor, gets back £8.6 billion, which is only half of what it pays in.

Mr Nesbitt: I thank the Member for giving way. He gave us the UK figures. Will he give us the Northern Ireland breakdown, please?

Mr Deputy Speaker: The Member has an extra minute.

Mr Allister: The Northern Ireland breakdown is not produced in that form, but if one applies a pro rata division to the UK contribution, we

discover that it is something short of £500 million per annum.

4.15 pm

No matter how you beef up the CAP, Peace and structural fund figures, and all of that, they will struggle to rise above £400 million per annum. Therefore, for a region that does better than most regions out of the United Kingdom, even we are a net contributor to the EU. Of course, you have to add to that the colossal price placed on business by EU bureaucracy.

The EU Commission has itself produced a report that shows that EU regulations cost business €600 billion per annum to implement. No matter what way you look at the EU, it is a horrendous deal financially for the United Kingdom. When you add to that the fact that it does great despite to national sovereignty; it treats us as a region that cannot, because of EU rules, control even its own borders; it determines with whom we will have trade agreements, because those will be on an EU-wide basis only; and it means that we cannot exercise any of the functions that a free and independent country would exercise.

Ms Lo: Will the Member give way?

Mr Allister: No, as I am fast running out of time.

To me, the EU is not a panacea. The EU is a dreadful waste of our resources and our national sovereignty and independence. There are local dimensions to add, with the abuse of EU funding administration in Northern Ireland. We have seen in the order of £14 million of Peace funding go to ex-prisoner groups, while innocent victims' groups are left short time and time again. We have seen the waste of EU rural development funding under the Sinn Féin Minister in DARD, with funding going to promote the Tyrone GAA club. It is one of the richest clubs on this island, yet it is a huge beneficiary of rural development funding.

I am glad, however, that some of us did play a part, even though the Chairman —

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

Mr Allister: — of the Regional Development Committee did not appreciate it. Some of us played a part in making sure that the £20 million that was to be wasted on the Maze shrine has at least been diverted to more useful expenditure.

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): Our experience of European engagement is positive. Guided by President Barroso's task force, we have participated in Europe in a positive, outward and forward-looking manner to promote and deliver our interests across a range of priority areas. We raise our positive profile by creating strategic alliances.

To equip our Departments and people to operate more effectively in Europe, the Executive set a Programme for Government target to increase drawdown of competitive EU funds by 20%. Departments continue to make good progress against the target. At the halfway point, £41 million has been secured, which represents 64% of the £64 million needed. That is less than half the value of the €199 million Peace programme that the Executive successfully argued for in Brussels. Compared with the €889 million allocated to us in structural funds, it is a small amount. Compared with the €2.5 billion that we receive in CAP funds, £64 million is a very small amount, but that is not the point. The Executive-set 20% target is a developmental target, as no other Administration in Britain or Ireland have made such a commitment.

The primary purpose of the 20% target is to encourage participation in the Europe-wide networks and to facilitate partnership-working with the best in Europe across our priority policy areas. The Executive expect their Departments, arm's-length bodies and key stakeholders to network, if they are not already doing so, and to participate as junior partners in consortia as their experience grows. As that experience grows, they are then expected to become senior partners, leading other regions in strategic areas of interest to the Executive. The power of the 20% target is to focus engagement and ensure that we evolve through competition with the best in Europe. That will obviously not happen overnight.

I turn now to the motion. As the motion notes, there is substantial European funding available, but the key word missing in this context is "competitive". To secure this money, a joined-up approach in this region is essential. That is why junior Minister Bell and I, through the Barroso task force working group, coordinate departmental efforts. When competing with the best in Europe, collective action is and will be the most successful. The Executive recognised that from the outset.

I commend the Minister for Regional Development for his contribution of around £6

million to the Executive's collective target, mostly from the Trans-European Transport Network or TEN-T, which was mentioned earlier.

I am sure that Members understand and acknowledge that capital infrastructure projects, by their very nature, are substantially larger than those that promote, for example, student mobility or the creative industries. Also, most Departments do not compete directly for European funds but can facilitate the process through their arm's-length bodies in partnership with universities and SMEs. In the interest of fairness and balance, therefore, it is important to acknowledge the achievements of DETI and DEL in contributing £27 million to the target, mostly from framework programme 7.

On the matter of framework programme 7 comparisons with the South of Ireland, it is clear that the per head value of €590 is grossly overstated. The proposer of the motion has confused the amounts applied for from the South of Ireland and the moneys they have actually secured.

Mr Nesbitt: I thank the Minister for giving way. I think she will find that Hansard will record that I have not confused the two at all.

Ms J McCann: It is important to make like-for-like comparisons before drawing conclusions. When the correct calculation is made, the per head drawdown by the South of Ireland is €124, compared with €35 here in the North. Statistics from the Government in the South indicate their actual drawdown was €572 million, not €2.7 billion. On the most recent statistics available, our FP7 drawdown has risen to €44 per head, reflecting the sustained efforts being made by Departments.

For competitive funding programmes such as Horizon 2020, success will stem from joint applications with other regions. We need to collaborate, innovate and compete. That is the future, and we are already part of it. InterTradelreland takes the lead on North/South collaboration on FP7 and Horizon 2020. It chairs the all-island Horizon 2020 steering group, comprising Departments, Invest NI, Enterprise Ireland, the North/South Ministerial Council and the European Commission.

Collaboration across the island of Ireland has delivered 89 successful projects, realising €81 million, which is giving us a success rate of 25% — above the EU average of 21%. This collaboration will continue, especially in areas such as health, ICT, agrifood, security and the Marie Curie scheme that encourages

researchers to broaden their knowledge and experience.

We can all agree that everyone wants to see more EU funds coming to this region. That is why the First Minister and deputy First Minister regularly monitor progress on the 20% target through the all-party ministerial budget review group. As I said, the 20% target was a developmental target. By that, I meant that the target encourages Departments that are not engaging in European networks to begin networking. Those that are networking, but do not have partners, need to do so. Those that are junior partners in consortia must become lead partners. Evolution is built into the 20% target because it was designed that way.

We are conducting a mid-term review of the Programme for Government. In taking stock of progress, we have set an important principle, namely that the refocusing of commitments will build upon the progress achieved to date. In considering the outcome of this review, the Executive will take into account the level of ambition for the 20% target. As we build capability and capacity through networking and partnerships, it is only natural that our aspirations will grow.

Our absolute performance in drawing down competitive funds against the target is strong. This has to be seen as a good news story. The Executive are committed to benchmarking their relative performance against the best-performing European regions. That is foreseen in the delivery plan for the 20% target. Benchmarking is challenging, not least because of the difficulties in getting statistics that give meaningful, like-for-like comparisons across the many hundreds of regions in Europe. A single, high-level comparison on a broad range of socio-economic indicators will not deliver this region to the leadership position in Europe. To make a meaningful difference to our citizens and businesses, European benchmarking needs to be built from the bottom up. The most effective and efficient way forward is for Departments to assess relative performance within the main competitive EU funding streams. We will be able to take account of new funding programmes being developed and rolled out and to identify new areas of potential drawdown. Our approach to benchmarking will identify the best principles and practices in each sectoral policy area. Transferring knowledge in that way will give us the competitive edge in Europe.

Engaging with Europe on the policy priorities that matter most to us is fundamental to success in our economy, society, environment

and culture. All of us in the Assembly want to increase the competitive funds that we receive from Europe. Our shared objective is to provide opportunities to improve the life of people whom we represent. We need to understand that Europe is complex and requires committed and sustained engagement. The Executive are in this for the long haul. We have set challenging targets, but let us be clear that we are well on track to achieving them.

I have dealt with a number of issues in my statement, but I did not deal with benchmarking between the South and us on Horizon 2020, as suggested by the proposer of the motion. He might be unaware that the South is a member state in its own right; the North is a region. Being a member state gives the South much greater capacity in research and in the availability of services through which to draw down funding.

If there are other issues on which Members would like clarification, I can write to them.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle. First, I apologise for not being in the House earlier. I had to attend the funeral of a close friend.

Bronwyn McGahan moved our party's amendment earlier. On first reading the motion, which I oppose, I thought that it was a bit petty and self-serving. I then thought that it was more mean-spirited than that, particularly in light of the fact that its proposer chairs the Committee for the Office of the First Minister and deputy First Minister and very recently had the opportunity to hear directly from officials about the relative success of the 20% target set by the Executive as a whole in the Programme for Government. I also thought it mean-spirited in light of information on the Executive's EU priorities, including the need for a European capacity-building fund that would enable a range of other people to help to draw down funds.

The amendment seeks to do what John Dallat referred to earlier: when we have something positive to say, we should say it. That is not to say for a second that all is rosy in the garden — far from it. The junior Minister, in her concluding remarks, said that, if you try to make a comparison between this region and the rest of Ireland, you find that they are not comparable at all. Whatever Members' views are on Europe — I accept that even in the Chamber there are wide-ranging political views — there is no contest. In years gone by, and probably even fairly recently, it is clear that the South of Ireland has acted as a sovereign state whereas

the North has been treated as a peripheral region. Under many Westminster Governments, it has been treated as quite a poor peripheral region at that. As said previously, you cannot compare the drawdown that we get here with that of the South.

Suffice it to say that our amendment seeks to confirm that we recognise that significant funding is available to be drawn down. It welcomes the fact that the Executive have set targets, and I am glad to hear that they are being met. The junior Minister referred to them as developmental targets, which they clearly are. They have to be the start, not the end. One would like to think that, as we move on and gain more experience, we would have even greater success in accessing moneys that may well be available to our local economy.

4.30 pm

There are Members of this House who were involved in, for example, the European partnership boards, which were established in the mid-1990s. I know that some people are opposed to the peace process, so they would not have been supportive of the EU Peace funding. Hand on heart, I would not say that all that money was spent wisely or totally successfully, but I would clearly and fundamentally argue that it was a critical element of building the peace process that we now largely enjoy, notwithstanding the setbacks and difficulties that surround the whole process that we are involved in. Many of those who were involved in those district partnership boards back in the early and mid-1990s and who travelled to Europe, probably for the first time, to speak to commissioners, directors-general and so on would have regarded the differences in the figures involved as eye-watering.

For me, the Peace funding was one of the very important beneficial aspects of being involved in Europe because it allowed communities here and adversaries to work together to tackle real, live problems in their areas. As I said, I do not hesitate to say that all those moneys were as wisely spent as they might have been, but what Department can say that anyway about any of their budgets? It was a very important building block for the process that we have now, and it allowed people to train and get the capacity to draw down funding.

We have always had difficulties where Governments do not draw down the types of funding that they can have available to them, but there is no doubt that, in recent times, the Executive, with the increased target and the

direct engagement between the First Minister and the deputy Minister, the Barroso task force, Máire Geoghegan-Quinn and the work of the junior Ministers and the MEPs, a tremendous amount of work is under way. In that regard, I commend my party colleague Martina Anderson for the work that she has been doing; that is not to suggest that the other two are not doing it, but other parties will speak for themselves.

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

Mr Maskey: A tremendous amount of work is being done to ensure that we give ourselves the capacity across all Departments. On that basis, in the spirit of our amendment, I commend all the Ministers and their Departments, people from the business and community sectors and all the others who have been battling for this region and getting money —

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

Mr Maskey: — and who will look forward to getting increased funding.

Mrs Overend: I thank our party leader, Mike Nesbitt, for proposing the motion. As he said, it is about how economically competitive we are in drawing down funds in the European Union. As Mr Cree said earlier, we compete with each and every member state for precious funding, and our ambitions for our Province and our people must, at least, match theirs.

The Executive have indicated their ambition to achieve around double the current drawdown levels, and the Republic of Ireland has indicated its ambition for €1.2 billion in comparison with €100 million in Northern Ireland. I believe that we need to do more.

Ambition needs to come from the top, and it must not be left to our small and medium-sized enterprises as they do not have the resources to seek funding. The Executive, therefore, must knock doors, open them and make sure that it is as easy as possible for our SMEs to access this funding. Indeed, I know that our own MEP, Jim Nicholson, has been instrumental in opening doors for this region and, during his parliamentary term, he has had a very good relationship with the Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn. We must commend him for his ongoing work.

In particular, we need to maximise the opportunities provided by Horizon 2020. The FP7 research and technological development

projects funding period is winding up, but €80 billion will be available under the new Horizon 2020 research and innovation funding package between 2014 and 2020. The Republic of Ireland has clearly made great steps towards securing a high level of funding through FP7 and will seek to secure even more funding through the new Horizon 2020 programme. This overshadows Northern Ireland's hopes of securing €100 million. The Republic has done that through a range of measures, and, as Mr McGlone said earlier, we heard a lot about it through the Enterprise, Trade and Investment Committee.

They have taken measures that include multi-agency shared support for applicants; assistance being given at all levels, from application to the project itself; encouraging link-ups across Europe; having representatives working in the Republic of Ireland and Brussels; and government buy-in from all Departments. That form of joined-up approach ensured that, wherever a company or research organisation went to in the Republic of Ireland's government structures, it was sure to be greeted with information about FP7. You can be sure that the same will apply for Horizon 2020. We need that sort of approach. We can debate how effective it is to compare nations on the basis of the money that they receive overall or per capita, but it is really important to compare the structures in place here with the structures in other countries and compare how effective they are in securing funding.

Northern Ireland has taken steps to adapt its strategic approach in advance of 2020. However, Enterprise Ireland said in a briefing paper that was submitted to the Enterprise Committee that, although Invest Northern Ireland worked well with a small client base, it could be more ambitious, that Northern Ireland could learn from the Republic of Ireland's strategic approach and that the success of the approach was demonstrated by the return on investment.

At this stage, I will refer to some of the remarks that Members made. Mr Moutray talked about the Ulster Unionist Party blatantly promoting the Regional Development Minister, but, during the debate, we also gave the DUP the opportunity to talk up the Departments for which it is responsible, so I make no apology for that. We are happy to join Mr McGlone in asking for an update on drawdown targets. He said that a key aspect was the provision of information and that lessons needed to be learned with that. I appreciate that contribution. Ms Lo agreed with us about the need for more ambition. She referred to the Barroso task force working group

and the need to see the work from that group on the ground. We certainly agree with that. Mr Robinson asked for clarification of the figures, but I believe that they were clarified throughout the debate.

I am not sure why the Sinn Féin Member Mr McAleer opposes our motion. From what I got, I think that it was because we were promoting the Regional Development Minister. However, throughout his contribution, he promoted the Agriculture Minister, so that is like for like.

I thank Mr Spratt for his insight into the work of Regional Development Committee, and I congratulate the Minister for Regional Development for taking notice of that work. The Minister and the Committee seem to be working well together. I am sure that the Chair of the OFMDFM Committee would welcome similar working together with his Committee.

Mr Dallat referred to work by the Regional Development Minister, listed the further work that needed to be done and asked whether we accepted that work. We cannot rest on our laurels, and work must continue. I believe that the Regional Development Minister has already opened doors and made contacts and is fully prepared to continue in his work. So, I appreciate Mr Dallat's contribution to the debate.

Mr Allister asked where the money came from. Indeed, it comes from Europe, but the focus of our debate is to get back as much money to Northern Ireland as possible.

In response to Mr Maskey, it is also worth noting that, after the Assembly election of May 2011, the Barroso task force working group was chaired by junior Ministers Bell and Anderson. One of the themed objectives of the Barroso task force working group includes engagement in European networks, allowing us to benchmark our performance and learn from best practice across Europe in the delivery of services to citizens and business. So, it is clear that benchmarking is something that we should do.

Ambition is a key message from today's debate. We have to think big, promote big and try to get better structures of government and better information available so that we can access as much EU funding as possible. We simply must see greater ambition for Horizon 2020 funding and greater facilitation by Departments so that third-party organisations can secure funding. The bottom line is that we are too dependent on the block grant from Westminster, and we need to seek other major sources of income that will

allow us to be less dependent on it. We need to rebalance our economy, grow our private sector and increase our export markets. It is basic common sense.

In Northern Ireland, we have a domestic market of 1.8 million people, we have Great Britain a short plane or ferry ride away and a market of some 62 million people, and, of course, we have a land border with the Republic of Ireland and its 4.6 million people. Therefore, although we may be at the north-western edge of Europe, we also have access to a huge marketplace of almost 300 million people in the shape of the European Union. That potential marketplace combined with the funding available should be all the incentive we need to prioritise our efforts in that direction.

It is clear that the Northern Ireland Executive must further step up their efforts to secure future EU funding. I want to see the Executive engage in the battle to secure our fair share of EU funding, not just in Horizon 2020 but in all the competitive programmes. We owe it to the people of Northern Ireland to do that. I commend the motion to the House.

Question put, That the amendment be made.

The Assembly divided:

Ayes 72; Noes 11.

AYES

Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dallat, Mr Dickson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Girvan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr D McIlveen, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr McAleer and Mr McKay

NOES

Mr Agnew, Mr Allister, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Noes: Mr Cree and Mrs Overend

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly notes the significant funding available for drawdown within the European Union; commends the Executive for setting an increased target for our drawdown; further commends those Ministers who have been successful in securing significant funding to date; and calls on the Executive to ensure that they maximise all potential funding opportunities from Europe.

Waste Disposal: BBC 'Spotlight' Programme

Mr Deputy Speaker: Order. *[Interruption.]* Members, if you have conservations, will you take them outside the Chamber, please?

The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. One amendment has been selected. The proposer of the amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. I am conscious that the Minister indicated during Question Time last week that a criminal investigation was ongoing. Therefore, I ask Members to be particularly careful to say nothing that might prejudice that investigation or any resulting legal proceedings.

Mr Boylan: I beg to move

That this Assembly recognises the issues raised in the recently broadcast BBC 'Spotlight' investigation into illegal waste disposal and other irregularities; and calls on the Minister of the Environment to establish an independent public inquiry into waste disposal in the north-west to ensure that public confidence is restored and to allay concerns that other illegal waste disposal sites remain undetected.

Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar an rúin seo agus an leasaithe. I will speak in favour of the motion and the amendment. However, I add that, while we support the amendment in principle, the motion is about the activities that were carried out in the north-west.

I welcome the opportunity to propose the motion on behalf of my colleagues. The motion has come about following the shocking revelations in a recent BBC 'Spotlight' programme, which exposed an illegal waste dump at Mobuoy on the outskirts of Derry. The programme makers and an independent report from Professor Chris Mills shed light on the indiscriminate burying of half a million tons of illegal waste that had gone undetected for years despite numerous complaints from local residents and stakeholders such as the River Faughan Anglers.

Given the extent of the dumping on this occasion, the cost to the public purse of cleaning up such sites and the environmental impact that such incidents could have, the programme's findings are a wake-up call to us all. It is now imperative that we grasp the opportunity to examine accurately what has happened, and that is why we are calling for a public inquiry into waste disposal practices in the north-west. That is what is required to restore public confidence; that is what is required to address the problem; and that is what is required to protect our environment properly.

5.00 pm

There are three elements to this site: a landfill site, a sand and gravel extraction operation and a materials recycling facility. On the first element, Derry City Council had planning approval for a landfill site and refuse tip dating back to 1980. In 1996, City Industrial Waste Limited was granted a waste disposal licence by Derry City Council for the deposit, transfer or disposal of specified material, presumably on this site, according to Christopher Mills's report. Earliest indications of the second element — extraction of sand and gravel by Campsie Sand and Gravel Limited — dates back to 1993. The third element, a materials recycling facility, was created in 2004 adjacent to the quarry and landfill site.

A referral from Planning Service in February 2012 to the environmental crime unit (ECU) led to an investigation and the discovery of illegal waste. That investigation is ongoing. Following that, on 5 June 2013, the previous Minister commissioned a review by Professor Mills, and

that was reported on in December 2013. This report will help to form the future direction for waste management, resource efficiencies and enforcement programmes. The terms of reference of that review were to review:

"what transpired in relation to the waste facility at the Campsie site and to identify any failures that might have occurred in the regulation of this site, in respect of any sectors of central Government; the external factors leading to the extensive illegal waste dumping at the Campsie site; the lessons this incident provides for the future development and administration of waste management, resource efficiency and enforcement programmes."

The only gap in that review was on the question of whether there were any other undetected illegal waste sites, particularly in the north-west. The review of this site covers an area that is 1.4 kilometres in length and varies in width from 100 metres to 500 metres and is adjacent to the River Faughan. This is certainly a very complex case involving three sites that are linked. It has, in essence, provided the ideal location and conditions for illegal dumping to take place.

There is a long history of non-compliance and enforcement actions at the site. The landfill site had been in operation from 1980, and a closure licence was issued in August 2008. From 2003 to 2013, NIEA's waste management team issued 37 actions, events or correspondence relating to non-compliant processes or materials and issued a notice to close the landfill site. Between 2008 and 2013, pollution prevention and control (PPC) staff carried out 10 inspections, issued two warning letters, five non-compliance issues and an instruction to the City Industrial Waste company to deposit no further material. Between 2004 and 2013, from when the licence was issued to the materials recycling facility to when it was revoked, 42 inspections were carried out, leading to nine warning letters, 17 notices and four licence suspensions for a variety of non-compliance issues concerning type, quantity and storage of waste. Campsie Sand and Gravel has been extracting sand and gravel since 1993 but has carried out extraction without permission for a number of years. The timeline provided by Planning Service from 2000, when its electronic recording system was put in place, to date contains over 1,000 entries relating to its regulation of activities at the Mobuoy site or in the adjacent areas. The bulk of these simply track the progress of correspondence or note consultations relating to a total of 27 planning applications received during this period.

Planning matters referred to NIEA for comment between 2003 and 2013 included 37 consultations relating to sand and gravel operations, waste or recycling operations and infrastructure.

Given the number of complaints and the amount of correspondence, alarm bells should have been ringing, blue lights should have been flashing and action should have been taken as far back as 2007. A significant opportunity was missed to address the matter in 2007. The first incident was reported to have taken place on 7 December 2007 when a member of the ECU stated, having made a site visit to Mobuoy to check out a complaint of noxious smells, that it was believed to have been reported by Derry City Council.

A further site visit was made on 20 April 2008. Two gas tests were carried out in an area outside the licensed site where, subsequently, waste was found to have been illegally dumped. The readings were high and, in the opinion of the officer concerned, confirmed the presence of landfill gas, which, it was concluded, could only be caused by degrading organic material. The officer brought that matter to the attention of the line manager and recalled suggesting an intrusive survey. However, for reasons unknown to the officer, the investigation was not progressed beyond that initial site investigation. At the beginning of 2009, the officer concerned moved to another section. However, the validity of the report has been questioned by a senior member of staff in the ECU, and no incident report has been located to confirm it.

The second incident occurred on 15 December 2008, when the Loughs Agency wrote to the NIEA to pass on the concern of the River Faughan Anglers that there was a possibility of some material outside the disposal category that may have been shredded and disposed of on that site. There was no response to that letter either. The final incident took place in April 2009, when illegal dumping of the material was discovered by the NIEA, mainly within the boundary of the licensed site but also extending slightly beyond it.

There are a lot of questions that have not been answered, and a lot of questions to be asked. I commend Professor Mills for his in-depth report on the matter. I recognise that it is a complex issue that spans many different bodies, including the Planning Service, the ECU, the PPC, the WMU, environmental health, local councils, LRM, NIEA and a raft of legislation and regulation. I will provide all of those names

for the Hansard staff. Surely, with all of that legislation and all of the groups involved, someone somewhere had to take responsibility.

In conclusion, Sinn Féin is calling on the Assembly to support the motion and the amendment and to establish a public inquiry into what really took place at Mobuoy. When did it start, and how long had it been going on for? What exactly took place at the site? Where exactly did it take place, and is there anywhere else associated with or connected to the site? Why did it happen and why was it allowed to continue for so long, given the amount of non-compliance and complaints? Finally, who knew what, where and when?

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

Mr Boylan: Who allowed it to happen, and who was responsible? Sin a bhfuil le rá agam. That is all I have to say. I propose and support the motion on behalf of our party. Go raibh míle maith agat.

Mr Agnew: I beg to move the following amendment:

Insert after "west":

"and the rest of Northern Ireland, including the role unauthorised quarries and related planning enforcement issues played in facilitating environmental crime,".

I am delighted to move the amendment on behalf of the Green Party NI, and I thank the proposer of the motion for supporting the amendment.

With the scale of illegal dumping in Northern Ireland, it is unfathomable how such a level of criminality has been allowed to continue for so long. In 2004, the UK Environmental Law Association branded Northern Ireland the "dirty corner of the UK" and called on us to establish an independent environmental protection agency.

Is there something about Northern Ireland that makes us particularly criminal and particularly bad? I do not think there is something inherent. Yes, we certainly have a high level of organised crime, and the Mills report points to organised crime as being the cause of this criminality — I do not think there is any other way you could describe criminality at that level — but I believe that systematic failures and institutional neglect have facilitated waste crime in Northern Ireland. A lack of enforcement has left a hole for illegal

dumping to fill. Waste crime has not been given the attention that it deserves and has not been taken seriously. The Department has failed in its duty to enforce environmental and planning regulations, and the judiciary has failed to impose sufficient fines as a disincentive when convictions have been secured against those involved. The proceeds of waste crime are astronomical, so we need fines and sentences that act as a genuine deterrent.

We need to send out a message that crime does not pay by ensuring that the polluter does pay. We have to take this seriously because the financial, social and environmental costs are serious. The Mills report highlights the 516,000 tons of waste dumped illegally at Mobuoy and points to a minimum of £34.6 million in lost tax revenue. It is worth pointing out that that was lost from the Mobuoy site alone. Mills identifies a total of 26 illegal sites across Northern Ireland, and that is one of the reasons why, through the amendment, I seek to extend the motion beyond the north-west, where there is, of course, a particular problem. This is a problem, however, that is spread across Northern Ireland. Mills estimates that it will cost the taxpayer £250 million to clean up the problem of illegal waste dumping in Northern Ireland. Add to that the cost of lost tax income, the cost of investigation and, should it come to it, the cost of possible EU infraction proceedings. The question is whether we can recoup those costs. Will that happen? I certainly hope that the Department, along with other agencies, will ensure that, if possible, that is done. However, our record is not good, and, ultimately, the public paid the price for the unregulated mining of the Cavanacaw goldmine.

Prevention is better than cure, so we need to look at what failures led us to this situation. The fact is that illegal dumping, on the scale that it took place at Mobuoy, could not have occurred had the Department stopped unauthorised mineral extraction. One of the best phrases that I read, and I came across it in the Mills report, was from the Planning Service, which said that it took a "positive approach" to enforcement. The idea was that the service would not enforce its regulations if it were felt that there would be a detrimental impact on the economy. I cannot help but think that the £250 million clean-up cost will have a detrimental effect on our economy, particularly if it has to be paid from the public purse, as, unfortunately, may be the case. It seems to be a very political position for an enforcement agency to take, deciding that it will not enforce its regulations because of economic considerations. The

policy of positive enforcement has shown that DOE's Planning Service has positively failed to enforce the regulations that govern planning. This political decision-making reinforces the need for an independent environmental protection agency.

The failure to enforce planning has been further highlighted. I raised with the Minister the question of how many of the sites at Mobuoy that did not have planning permission did have discharge consents. Six of the unauthorised quarrying sites had discharge consents. You have to wonder why the operators felt that they could operate without planning permission but not without discharge consents. It sounds to me as though the Department enforces discharge regulations but has taken a lax attitude to planning, and we have had a culture of retrospective regulation of unauthorised sites. Planning has been taken very lightly by those in the mineral extraction industry.

5.15 pm

The EIA directive requires an environmental statement before any quarrying can take place. Yet, again, unauthorised quarries have been allowed to continue to operate without any sanction from the planning department and without any environmental statement. Why has the Department not been enforcing the EIA directive? In my view, this is a systematic failure of institutional neglect that has facilitated illegal dumping in Northern Ireland.

As well as the financial costs of the illegal dumping that has taken place, there are social and environmental costs. Again, if we look at the Mobuoy case, we see that the western edge of the dumping site stretches for 1.4 kilometres along the River Faughan, which is a special area of conservation. One kilometre downstream of the site is where two thirds of Derry's drinking water comes from. So, it is important to ensure that we keep those waterways clean for safe and clean drinking water and for the protection of people's health. The site also borders a special area of conservation with internationally important populations of Atlantic salmon and river otters. Indeed, the Department has shown poor performance with regard to the protection of special areas of conservation, with 33 out of 54 designated sites being in an unfavourable condition.

It is clear that we need a public inquiry across Northern Ireland to look at those issues and not just one site; indeed, not just the north-west, although I acknowledge the scale and the importance of looking at the illegal dumping in

that area. However, Mills identified 26 sites across Northern Ireland, and that might not be an exhaustive list.

We must look not just at the illegal dumping but at the failures of governance that have facilitated the criminality. Obviously, this is an issue that will take some time. I have this question for the Minister: will the problems of unauthorised quarrying be passed on with planning to local councils? I believe that this is a legacy that local councils will not want to inherit.

We need a review of mineral permissions as required by the habitats regulations, and we need to end the culture of retrospective regulation of planning applications for mineral extraction.

Back when the Northern Ireland Environment Agency was established, Arlene Foster said:

"I, and my party, take the role of environmental governance too seriously to externalise the organisation." — [Official Report, Bound Volume 31, p2, col 2].

Now, given that we have seen the failures of environmental governance in Northern Ireland, I and the Green Party take environmental governance too seriously to leave enforcement in the hands of those whose idea of positive enforcement is to positively ignore enforcement regulations.

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

Mr Agnew: We need an independent environmental planning agency, and I believe that a public inquiry into those issues would draw that conclusion.

Mrs Cameron: As a member of the Environment Committee, I support the motion. Illegal waste disposal is not only an unsightly blight on our landscape but has a further cost to society regarding health and wealth. Evidence suggests that the crime is not happening on an ad hoc basis but instead is connected with organised crime. It leads me to ask this question: when will law and order authorities in Northern Ireland get a grip on organised crime and those who profit from it?

Mr Humphrey: I am grateful to the Member for giving way. The Member makes a very salient point. Following the questions that were answered by Drew Harris at the Justice Committee only a couple of weeks ago around

the issue, does she agree that the full extension of the National Crime Agency to Northern Ireland, where it could deal with waste crime, drugs, black-market trading, human trafficking and paramilitary activity, is vital to the point that she just made? Should all parties in the House not be agreeing to the full extension of the National Crime Agency to Northern Ireland urgently?

Mr Deputy Speaker: The Member has an extra minute.

Mrs Cameron: I thank my colleague for that intervention, and I fully endorse his remarks.

Mr Eastwood: Will the Member give way?

Mrs Cameron: I want to continue, if you do not mind.

As we have seen with illegal fuel, not only is the number of arrests pitiful but those who are arrested end up with little or no punishment through custodial sentences. So, the message that is sent out to the perpetrators of organised crime is clear: profit is great and risks are low, so carry on regardless. Given that organised crime is widespread and convictions are few, it is not surprising that people will continue to seek and to exploit a system that appears to be overly complicated and does not work as it was intended.

The Mills report from last December highlighted that there are various weaknesses in the current system that allow criminals to take advantage of a system to make quick money. Mills noted that the current system of investigation is very weak and not fit for purpose. That is supported by the fact that locals in the north-west reported concerns about an illegal waste site up to six years before the site was properly investigated. Imagine reporting a criminal act and having to wait six years for that act to be investigated. Simply because the crime is of an environmental nature and is not against an individual person does not make it any less of a crime. I am also very concerned that the Mills report concluded that the penalties for that crime are neither robust nor reflect the serious nature of the crime. In fact, on reading the report, it appears to me that, more often than not, the punishment appears to be little more than a slap on the wrist, as opposed to a real deterrent.

Reducing our waste is a directive from the European Union. Yesterday, we noted how the average person in Northern Ireland makes

efforts to recycle waste and to use the right carrier bag etc. On the other hand, however, organised illegal dumping is allowed to go unchallenged. Frankly, that makes a mockery of ordinary individuals' efforts. Illegal waste disposal undermines the efforts of society as a whole to act responsibly with waste. It places people's jobs at risk in those companies and individuals who comply with the letter of the law in their profession and places the health of those who live around the illegal dump sites at risk. We need to act now to tighten up on the policies, procedures, investigations and prosecutions on those issues. The public need to feel confident that, when they report their concerns, those reports are taken seriously and investigated fully to determine whether there are cases to answer. When a person or company is convicted of acting illegally, we must also ensure that the sanction is seen to be appropriate to the crime. Only by doing that can we be seen to be doing the right thing on waste disposal. I support the motion.

Mr Eastwood: I was absolutely devastated and extremely angry when I saw the extent of this illegal activity on the outskirts of our city. It was clear to me and to anybody who looked at it that this was a highly organised and developed criminal enterprise and that those involved had been allowed to get away with vandalising and devastating our local environment for far too long. I was glad to see at that point — I think that it was on 5 June — that the then Minister Alex Attwood acted immediately to revoke the licence of one particular company on the site. The 'Spotlight' programme was very important. However, it did not break the story: this story had been running for quite a while.

I am very conscious that a criminal investigation is ongoing, but it was very disconcerting to find that some people who were featured in the 'Spotlight' programme seemed more concerned with the state of a green on a golf course than with the wildlife or drinking water in my area. I found that very disconcerting indeed. I think that it has to be remembered that, although it is clear that massive mistakes were made in the lead-up to this that never should have happened, the Minister will say, and has already said, that those mistakes were the result of systematic failings. He has already proposed, and will propose, I am sure, further changes in his Department to ensure that those types of failings never happen again.

It is true that those failings were not only in the NIEA or anywhere else but there was massive failure right across. The Justice Department needs to look how it has responded. The Member who has just left the Chamber told us

about the great work that the NCA could do in this field. Unfortunately, the Serious Organised Crime Agency (SOCA), the organisation that preceded the NCA, did absolutely nothing on waste crime in Northern Ireland and nothing to stop those kinds of activities happening.

Lord Morrow: So are you going to support the NCA?

Mr Eastwood: I will give way if you want.

Lord Morrow: No. I will speak on it later.

Mr Eastwood: Silent once again.

Mr I McCrea: Will the Member give way?

Mr Eastwood: Gladly.

Mr I McCrea: Maybe it is the Members on these Benches or those on the Benches opposite who are confused; I am sure that the Member will tell us. If SOCA did nothing, as the Member claimed, — I think that Mr Maginness nodded that that was the case — can he tell us whether that would be a good enough reason not to support the NCA if it had the power to deal with this? Surely we should work to ensure that the NCA has the power to deal with it rather than say that, just because SOCA did nothing, we are not going to support the NCA.

Mr Deputy Speaker: The Member has an extra minute. Can he come back to the debate and the issue?

Mr Eastwood: I will attempt to get back to the debate presently, Mr Deputy Speaker.

My party is very proud of its record in ensuring that, after a long period of misrule in policing in this part of the world, accountability was put into the policing structures in Northern Ireland. We will not stand over a situation where accountability is removed from local policing or any other type of policing in this part of the world. I know that the Members opposite would be very glad to see that happen, but we will not stand for it.

I will get back to the point, Mr Deputy Speaker. The Minister at the time, Alex Attwood, acted decisively and ensured that the company concerned lost its licence. Unfortunately, a lot of other people were silent on that at the time. There was understandable concern about job losses but very little concern about the impact that the waste would have on our environment. The manner in which some of the employees

were treated, not, I add, by the Department, left a lot to be desired. I am aware that I need to be careful not to stray into matters that are sub judice.

The Mills report was a robust, independent report on that activity. The Minister has been very public and open about the Mills report and said that he will act on its recommendations. I am sure that there will be announcements on that in the next number of weeks.

We have to be serious. If we want a proper public inquiry, let us have one. Let us have a proper public inquiry into every organisation that should be in charge of waste crime generally in Northern Ireland. Let us see everybody in the dock. Let us talk about fuel laundering and about the waste crime that has happened across Northern Ireland that should not have happened. It is clear to me and to anybody looking at it that this is highly organised crime that should not be allowed to continue and to profit on the back of people in Northern Ireland. The SDLP will not be found wanting when it comes to opening up any Department or organisation to full and proper scrutiny. I hope that everyone else will do the same.

Mr Elliott: I welcome the opportunity to speak in this debate. Mr Deputy Speaker, I recognise your words of caution at the start about the legalities of the matter. I wonder why the 'Spotlight' programme is mentioned in the motion, given that the problem was going on long before it. It has been debated in the Environment Committee and raised in questions here. Anyway, I am sure that there is a reason for that.

This is not new. Widespread illegal dumping throughout Northern Ireland has been going on for years. Coming from Fermanagh and South Tyrone, I know only too well the cost to the environment and to the community of huge amounts of waste material being dumped illegally. I know that there was an agreement between the Northern Ireland Executive and the Republic of Ireland Government to repatriate some of the waste and share the cost.

It appears to me that, for far too long, NIEA, and its predecessor the Environment and Heritage Service (EHS), has concentrated too much effort on minor discrepancies and picked easy targets to clamp down on. I am talking about building contractors who have stored material that they can use later on another site or farmers who have moved a small amount of soil from one field to another. At the same time, big-time criminals are allowed to make huge

amounts of money from the illegal dumping of waste.

5.30 pm

Resources have been targeted wrongly. I am aware of small businesses being closed because of the heavy-handedness of officialdom while millionaire criminals go unpunished. That has been a major fault with the process up to now. I hope that the Minister is taking action to resolve that, to turn the tables on those big-time criminals and not to concentrate as much on the easy pickings.

We also witness similar pollution dumps being created by fuel launderers, and there is no determined action to put such criminals out of business. They make millions on laundered fuel and dump the waste. Who has been caught? Who has been prosecuted? There are major questions to be answered.

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

Mr Humphrey referred to the benefits that the NCA could achieve. Some parties refuse to agree to the NCA working in Northern Ireland. I hope and am sure that, as with many other issues, those parties will come to their senses, realise the error of their ways and accept the National Crime Agency's work in Northern Ireland, as it has been accepted in the rest of the United Kingdom.

The motion and the amendment mention a public inquiry, and I am content to support the Minister considering a public inquiry. However, what will it inquire into? Mr Eastwood quite rightly referred to how wide-ranging and big that inquiry could become. A proper public inquiry into the illegal dumping of waste would need to be widespread. Let us not look at the small issues only. I do not know whether the Department of the Environment can afford such a huge task. The starting point is not a public inquiry; it is directing resources properly into investigating big-time criminals and making sure that they are caught at source. I am aware of reports of huge amounts of dumping, but there was a reluctance and a delay in acting to clamp down on that, whereas the Department is quick to move on small amounts of dumping and minor discrepancies. There must be a balance and proper targeting.

Mr Flanagan: The Member talks about millionaire criminals being behind some schemes. Some schemes are operating in Fermanagh, where materials from former British Army barracks have been dumped illegally and

are not being addressed by the Environment Agency. The Member spoke about the Environment Agency's "reluctance" to deal with these issues. I raised them with the Environment Agency and cannot get it to respond. Does he share my concerns over that?

Mr Deputy Speaker: The Member has an extra minute.

Mr Elliott: I welcome the Member's intervention. I do not think that the army dumped material. I understand that contractors were paid to take it away and dispose of it properly. If contractors cannot do that, it is entirely up to them. Of course, the IRA was quick to make loads of waste material in past years by trying to bomb the bases and other such establishments out of Northern Ireland. I do not think that the Member has anything great to crow about in that some people in his party were responsible for destroying parts of Northern Ireland.

Ms Lo: Waste crime is not new to Northern Ireland, but the illegal dump at Mobouy Road that 'Spotlight' highlighted was on a scale that we have never encountered previously. The estimated amount of illegally deposited waste is over 500,000 tons. Such a volume is staggering, and its close proximity to the River Faughan is very concerning. Although early readings from the river have not shown any significant impact, it will need to be continually assessed to determine the longer-term impact.

The comprehensive Mills report on the illegal dumping at Mobouy sets out a list of useful recommendations, which I hope are being implemented by the Department. A disturbing finding shows that reports about noxious smells in the area were made to the NIEA in December 2007 but no action was taken. As others Members have said, this crime could have been stopped six years ago had it been investigated at the time. I understand that the clean-up of the site has begun and experts engaged to determine the best option for dealing with the waste. We may have to leave it in situ.

We know from a freedom of information request that the NIEA's spending on recruitment agencies has more than doubled in two years. Has the impact of replacing a large proportion of permanent staff with temporary workers been assessed? The Mills review states that not all regulatory officers possess the right aptitudes. We should ascertain whether that has had a detrimental effect on the agency's

effectiveness. If there is to be a public inquiry, perhaps that should be included in the terms of reference.

The Mills review makes the point that some existing powers granted to the NIEA by the Waste and Contaminated Land (Northern Ireland) Order 1997 appear to have been underused or not used at all. Surely all the powers granted by the Order should be used to fight criminality. A recent FOI request asked how often the NIEA had used powers under the Regulation of Investigatory Powers Act 2000, which allows public bodies to carry out surveillance and investigation. It seems that some RIPA powers have not been used in over two years. Has the NIEA abandoned that tool for investigating crime?

We need to tackle environmental crimes more effectively. We need to deal with the fragmented regulatory system in which our government officials work by taking a more joined-up approach across and within Departments. Having discussed the scale of criminality in the waste industry with my party colleague the Justice Minister, I know that he is clear that there is a sizeable criminal element in the Northern Ireland waste industry and that, unfortunately, a proportion of those involved have links to organised crime and paramilitaries. I understand that Minister Ford has held discussions with the Environment Minister on how best to tackle this.

I have to mention again that there is a real issue over the inability of the National Crime Agency to operate here in devolved areas, including environmental crime. If we are serious about tackling organised criminality, including that in the waste industry, we need to utilise all the resources and expertise available. Not having the NCA for political reasons harms our efforts.

I support the call for a public inquiry, but we must not assume that that alone will solve the problem of illegal waste disposal. We need to reflect on the lessons that we have learnt and the practical measures that we must take to ensure that further incidents are prevented. I support the motion and the amendment.

Lord Morrow: If the House is to be taken seriously on tackling crime, it will have to change its forte a bit. I noticed that, when Mr Eastwood was challenged about the lack of support his party gives to the creation, establishment and working of the NCA here, he got very prickly. He then failed to elaborate in any great detail on why his party took that stance, other than to say that, because SOCA

did not succeed, the NCA would not succeed. I think that that was the implication.

The motion before us probably does not go far enough. That said, we, as a party, will support it so far as it goes. The illegal disposal of waste has become a very big issue, and I suspect the revelations to date are but the tip of the iceberg, whether it is the disposal of the type of waste that prompted this motion, the remnants left from diesel laundering or plastic bag disposal. This House took very definite action against plastic bags but, when it comes to dealing with a crime of this scale, we just do not seem to be up for it.

Mr Agnew: I thank the Member for giving way. To his list of areas that we need to tackle, would he agree that we need to look at unauthorised quarrying as another arm that facilitated this crime?

Lord Morrow: I am a strong supporter of the rule of law, whether in south Armagh, which is now recognised as one of the diesel-laundering territories, in quarrying or the disposal of waste that has been imported from another country and dumped here. I assure the Member and the House that I fully support all efforts in the drive against that sort of activity. I want to make that clear, and I hope that the Member accepts that. I do not care where the illegal activity is going on; I support the rule of law.

We cannot be half-hearted about this. Unfortunately, in the House, no matter what issue we debate, whether it is illegal dumping or human trafficking, everybody will stand up and say that they are opposed to it, but then you wait for the row of "buts". You will hear 40 or 50 "buts" as to why they cannot go the distance. We have heard the "but" about why they cannot support the NCA, yet the absence of the NCA operating here in Northern Ireland blunts the drive against this sort of activity.

We had waste imported from the Republic of Ireland to my constituency of Fermanagh and South Tyrone, particularly in the south Tyrone area. I will be fair: the Minister at that time, Mr Attwood, took action to ensure that that waste was repatriated to where it had come from. However, I suspect that none of us will ever fully appreciate and understand the cost incurred — that is not his fault; I am not laying blame at his door — not only in pounds and pence but in hurt to the environment. We can take the environment seriously, or we can play about with it. We can all say that we are great environmentalists but, when it comes to the bit, are we?

I lifted a very useful paper provided in the Library, which states that a key intervention should be:

"To create a more robust regulatory service and regime which is designed to deal with criminality at all levels."

Is that what we are doing? I suspect not. I am a wee bit tired of listening to people who stand up and ask for criminals to be released from prison and for some of our play parks to be named after criminals but who tell the House today, "Oh, we are all opposed to criminality. We are, to be sure". They are not fooling the general public one little bit. If we are going to take the issue of the disposal of waste seriously, I suspect that there will be some hurt and pain.

When we hear about the diesel-laundering plants, do we ever hear of anybody being arrested? It escapes me if we do. I do not hear of any arrests. I wonder why nobody is arrested for operating the diesel-laundering plants. Surely to goodness, they cannot all be run by bogeymen — anonymous individuals who just melt into the environment. When the powers that be catch up with them, they are not there. Why are they not there? Where have they gone? There is a duty on the House and those of us who call ourselves legislators to be totally, not partially, on the side of those who enforce the law in this country. Until we get to that stage, we are not going to make progress. If there are unpleasant and difficult decisions to take, whether on diesel laundering, waste disposal or human trafficking, we must take them; I do not care what the crime is. The half-hearted stance that the Assembly has taken to date on a whole lot of these issues is to be deplored, and I regret that.

5.45 pm

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

Lord Morrow: I will, and I implore the House to be a bit more sincere. Only then will we get more respect from those who put us here.

Mr Milne: Go raibh maith agat, a LeasCheann Comhairle. I support the motion and the amendment. In moving the motion, my colleague, Mr Boylan, outlined the background of the issue in some detail and the rationale for bringing it before the House today. I want to focus my contribution on the need to move beyond the 'Spotlight' programme and the review by Mr Christopher Mills and to restore

public confidence. Equally, I want to acknowledge the contribution that both have made in bringing the issue to the fore.

The review and the media attention on the issue have exposed the scale of the illegal dumping and the catalogue of failures by the NIEA. The lack of joined-up thinking by the various agencies in the Department seems hard to believe. It would appear that confusion reigned when it came to responsibility, and in the aftermath of the Mills report there is a dire need for a robust change in NIEA. Now is the time for the Minister of the Environment to consider the establishment of an independent environment protection agency.

Over the past number of years, we have had many excellent initiatives aimed at encouraging recycling and waste reduction. Recycling centres and the blue household bins have been a huge success, and great efforts have been made at council level to work towards and meet EU landfill targets. Discoveries such as the site on the Mobuoy Road fly in the face of this positive work and leave questions as to whether the targets have been achieved or whether we are now further behind than ever before.

The Mills review is a detailed and informative piece of work, but its findings raise many unanswered questions. Why, for instance, despite all the warning signs, numerous complaints and a long history of non-compliance, did the site remain operational for so long? Why were the companies who were able to tender so low not scrutinised more? What are the consequences now of disturbing this waste material, and could the process of moving it be more environmentally damaging? What, ultimately, will be the cost to the public purse, and where will the money come from?

Crucially, if, as is suggested in the Mills report and that of Professor Sharon Turner and Ciara Brennan, the current conditions in the waste industry are wide open for exploitation by organised criminals, there is every reason to be concerned that the problem extends far beyond the Campsie site. Given the inadequacies in the Department's approach to date, how can the public have any confidence that Operation Sycamore will be any more effective than NIEA?

We need to tackle the issue of small and large-scale illegal dumping. If the NIEA cannot or will not deal with fly-tipping on rural roads, what faith can people have that it will deal effectively with large-scale operations such as the one we are discussing today? We need openness and transparency now, and we need to give people

and groups the opportunity to come forward and have an input. The best way to do that is through an independent inquiry.

Mr I McCrea: As my colleagues have said, we will support the motion even though, as Lord Morrow said, it probably does not go far enough.

I agree with Tom Elliott who said that, as all Members know, this has been going on for many years. It is not a new thing that has just happened because 'Spotlight' got hold of some information and decided to do a programme on it. It has been going on across Northern Ireland for many years, in my constituency and in other constituencies that have been blighted by this issue. However, whilst we accept that this is a problem in our society, the issue around how we deal with the clean-up has not been given enough focus. Most Members around here have been on councils during some part of their career and will know that, when those issues come before councils, they are very delicate and difficult to overcome. Under the Waste and Contaminated Land (Northern Ireland) Order 1997, councils have the option to clean up a site but have no legal sanction to allow them to go after the person responsible or, indeed, the landowner, if they are not aware of who carried it out. The difficulty is the cost that that brings to ratepayers. That point is sometimes lost when this is debated. On the other side, under the same Order, the Department has the power to take the legal action, clean it up and then pass the costs on to those responsible. It is important that we consider that as we debate this.

It was not during his tenure, but the Minister will be aware that, just over a year ago, the fly-tipping pilot was introduced with local government and the Department. As far as I am aware, about half the councils came on board, and that allowed councils to deal with the minor fly-tipping issues and the Department to deal with the more sinister types that Members have referred to, such as the tipping of waste and, indeed, fuel laundering. If the Minister has more information on that, he could give it to us, because I believe that a review is due at the end of this month. The outcome of the review should be that the Department fully resources any future process because, if it does not, the other 50% of the councils that were involved will be looking at whether or not this will have the proper resources and, unfortunately, if not, I feel that it will go backwards rather than forwards. It is important that, as we deal with illegal dumping — a number of colleagues around the Chamber referred to the NCA — it is not enough for us,

as an Assembly, to pick sides of the House to support this or not. It is too important that we get to grips with the issue of the assets of the people who are responsible for this. Therefore, I support the motion.

Mr A Maginness: Like others, I was very shocked by the revelations in the 'Spotlight' programme. Of course, the programme merely highlighted what we had known before, but, nonetheless, the visual impact of it was quite devastating and shocking to everybody who viewed it. It highlighted the skill and the resources that criminals put into a criminal enterprise such as the illegal dumping of waste, and it illustrates the huge profits that there are in such criminal activity. Of course, that is an unintended consequence of the measures that we have taken in this society and throughout Europe to deal with the problem of waste.

The key policy driver has been to reduce waste in Northern Ireland and across Europe, and that is achieved through the landfill tax. However, the use of lowest cost tenders makes it easy for criminals posing as legitimate waste contractors to undercut legitimate businesses. One of the ill effects of these criminal enterprises is to undermine honest, hard-working people who are involved in the legitimate side of this business.

Mr I McCrea: Will the Member give way?

Mr A Maginness: Yes, I will.

Mr I McCrea: The Member makes a very important point. Will he not also accept that, as other Members have said, the lack of prosecutions does not really put fear into those people, who are intelligent criminals who really know what they are doing? Their lack of fear of prosecution allows them to undercut people.

Mr A Maginness: The Member has either been reading my script or scanning my brain, because that is exactly what I was going to say. *[Laughter.]* I agree with Mrs Cameron's particularly forceful comments on dealing with the criminals. First, the detection rates are too low. Secondly, after the laborious efforts of the Environment Agency and all the rest — the police and so forth — when people are brought to court, the penalties imposed are grossly inadequate. The monetary penalties have to be severe. I am not concerned about imprisonment, because I do not think that it works for this sort of crime. The greed is such that they prefer to go to prison, stash their money away and reap the benefits when they come out. The important thing is for the courts

to realise the damage being caused to the environment and the extent of the profit being made by the criminal gangs.

There is a paramilitary element in all of this. Of that, I am quite certain. Not only do we have criminal gangs, we have criminal gangs with a paramilitary dimension, and who knows what paramilitary activity the money is being used for? We have a very dangerous situation that needs to be tackled.

I commend the previous Minister. When the situation was exposed, he acted quickly, revoked the licence and set about trying to address the issue. Of course, half a million tons of waste had been disposed of illegally, which is a massive amount. As ordinary citizens, we have to pay the price for cleaning that up. It is an extraordinary situation.

We must learn the lessons. As Mr Eastwood said, if there is to be an inquiry, let us make it a thorough and widespread one that covers all the areas mentioned during the debate. We must get to the very root of the problem, tackle the criminality and use our best efforts to bring the criminals to book. I think that, collectively, we can do that. There is enough goodwill and collective effort here to support the Minister, the Department and the Executive in having a coordinated and comprehensive attack on this crime, which does so much damage to our society and our environment.

Mr Durkan (The Minister of the Environment): Mr Deputy Speaker, thank you for the opportunity to respond to the debate.

I fully understand the concerns that have been voiced about waste crime. It is a serious and widespread problem here in the North and elsewhere. The real and potential damage to the environment from the type of waste dumping uncovered at Campsie is enormous. The financial loss to government, legitimate businesses and taxpayers is immense, as those moneys go to line the pockets of criminals who have nothing to offer and are fully intent on furthering their self-interest.

What I could not understand before today is why Members were proposing that there should be a further inquiry into the problem. As they are well aware, a full and independent review has been conducted and a full criminal investigation is under way.

6.00 pm

Last June, when my predecessor received the results of an unprecedented investigation into allegations of large-scale criminal offending involving the disposal of waste, he took decisive action, which I must say, as Mr Eastwood did, was criticised by some in this House. In fact, it was criticised by those who tabled the motion today. In fact, up until the airing of 'Spotlight', Sinn Féin's interest in this issue was minimal, or maybe it had more of an interest than it let on.

One of the first things that Mr Attwood did was to instigate an immediate and independent review. He appointed the former chief executive of the Welsh Environment Agency, Chris Mills, to undertake the review. Chris Mills had the experience and credentials to be able to critically review the circumstances of the problem and recommend how to deal with it. Mr Mills carried out his review and presented his report to me in December. Members have seen it, or, at least, have access to it because I released it only a few days after receiving it to allow public debate on its important findings. The findings are comprehensive and the recommendations are comprehensive to ensure improvements in tackling waste criminality and waste dumping. In my view, it will, as the motion states, ensure that public confidence is restored.

A further study, as called for in the motion, is not essential and could simply be a distraction and a waste of public money. As Members will know, setting up a statutory inquiry, if that is what those who tabled the motion are calling for, will undoubtedly require substantial financial resources to pay for the panel, legal costs, expenses for witnesses and the like, and the staff resources needed to service the inquiry. It will also take time to conduct the inquiry, and experience shows us that these inquiries take considerable time to complete. We do not have that luxury. So, the key question is this: what would another inquiry produce beyond what has been produced by the Mills report and will be produced through the live criminal investigation? I venture that it would not add much of significance. What we need to do is devote our resources to taking immediate action and implementing the Mills report findings, not divert them into producing a review of a review, and to assisting in the criminal investigation in any way we can.

As I said during Question Time last week, when I got the Mills report, I directed my officials to prepare plans to implement the report's recommendations. I will outline those plans when I issue my response to the report later this month. However, as I said, time is of the essence. While the report findings are being

assessed, I have committed to a major sustained effort to tackle the serious, widespread problems in Northern Ireland waste management and to fix them.

A key theme in the report is that the various government bodies involved — the Department, NIEA and local councils — need to strengthen the way that they work together. That needs to be in everything from stopping waste being created in the first place to properly regulating and managing the waste that is created and driving criminality out of our waste sector. That is why I am working closely with Terry A'Hearn, chief executive of NIEA, to drive major change in the way that the agency works. The agency is now working much more closely with local councils to ensure a strong combination in the way that councils manage their waste and the way that NIEA regulates and enforces waste work. That will help all waste operators to understand that central and local government are working together and expecting major improved performance and full compliance.

I am also looking to ramp up partnerships with business to stop waste being created in the first place, by treating their so-called waste as the valuable resource that it is. That will help their bottom line. This will reduce the supply of waste for criminals.

I am developing a better regulation Bill so that good, compliant businesses are freed of pointless red tape and regulatory resources can be redirected to those who do not comply. That is an issue that Mr Elliott touched on.

A review of key legislative powers, such as who is a fit person to hold a waste licence, is also under way. I have also increased the number of enforcement experts in the NIEA environmental crime unit and I have increased the number of waste crime investigations.

In the context of Mr Agnew's amendment, I will say that the DOE planning enforcement policy allows for unauthorised development to be remedied in a number of ways, including by way of a retrospective planning application. Those applications include mitigation, assessment and conditions that allow development to be carried out in acceptable manner. Where development is —

Mr Agnew: Will the Minister give way?

Mr Durkan: I do not have time, Steven; sorry.

Where development is considered unacceptable, formal enforcement action will commence. I also emphasise that there are a

number of enforcement cases and applications relating to Mobuoy Road, which the Department is taking forward with the environmental crime unit in the NIEA. I am not going to stand here and try to defend the indefensible. Huge mistakes have been made, and they were referred to today. It is important that we learn from those mistakes and ensure that they never happen again. Huge gaps have appeared, and it is important that we do not allow them to exist to be exploited again.

Recently, I announced that minerals and planning were among my top priorities. To that end, I have allocated more resources to the team in planning headquarters that is dealing with minerals. Believe me, it has plenty to do. In response to your earlier question, Mr Agnew, I am determined that that is done before the transfer of planning to councils.

Work has commenced between Planning Service and the environmental crime unit to look at unauthorised quarries, identify common concerns, share information and target resources better.

I will respond to some of the points that other Members raised. Mr Boylan stated that the only gap in the Mills review was in whether there were any other illegal dumping sites in the area. If that is the only gap, I have to wonder why Mr Boylan is calling for this further report. Maybe he is calling for it in the vain hope that I will refuse it. Mr Boylan said:

"alarm bells should have been ringing".

He also said that the failings to respond to those alarm bells highlight systemic failure. Certainly. He asked why it happened. My answer is that it happened because gaps exist, and, where gaps exist in legislation, regulation and enforcement, there will always be those who are willing, ready and able to exploit them for their own gain. It is up to us to close those gaps. Organised criminal gangs have run rings round the responsible authorities, and we will never make it as easy for them to do so again.

In the green corner, Mr Agnew said that we had been described as the "dirty corner". As always, Mr Agnew raised some very pertinent points. He said that waste crime of this extent could not have occurred had action been taken on unauthorised extraction. I agree. Those working in planning at that time must ask themselves why none was taken, and we must ask them, too. Mr Agnew said that the clean-up could possibly cost £250 million. That is the highest figure I have heard yet. I do not think that this problem needs to be exaggerated; it is

big enough. However, like him, I would certainly like to see the polluter pay.

Mrs Cameron spoke in disbelief about the fact that no action was taken over six years between the irregularities at the site being reported and the point at which they were investigated. Hopefully, that is recognition that any positive action that has been taken has been taken by an SDLP Environment Minister.

Mr Eastwood referred to employees who have been treated with the same disdain as the environment. Just this week, I was contacted by a contractor who is still owed thousands of pounds by this company.

Mr Elliott referred to the fact that this was an issue before 'Spotlight', which is true. He, like Mr Eastwood, also referred to fuel laundering. I have met the Justice Minister on that issue and on the need for more stringent sentences to act as a better deterrent against that type of crime. He questioned who would pick up the Bill for the further inquiry. I will need to get extra resources from the Executive for that, and I look forward to all-party support in my attempts to do so. We cannot afford to throw more money into a hole in the ground, if you will pardon the expression.

Ms Lo spoke of possible paramilitary involvement. Lord Morrow referred to the positive and firm action that the House has taken against plastic bags. I am sorry that he has left, because I would have loved to remind him that it is all carrier bags and not just plastic bags. *[Laughter.]* We need to be realistic. Widespread, trans-sector problems cannot be fixed overnight; the BBC 'Spotlight' programme simply confirms that. I am tackling these problems head on with actions that address problems throughout the system. I am not taking the easy way out by putting in place a few piecemeal actions and pretending that that will sort the problems. I am doing what I can now to overhaul the system and will use the findings and recommendations of the Mills report to guide me on what more I can do to make the waste sector a legitimate and economically strong one.

In my view, setting up another inquiry could delay any real action. However, my approach, and that of my predecessor, is grounded in openness and transparency. In the interests of openness and transparency, I will not, in principle, oppose the call for the public inquiry before us today. However, I will make three points in conclusion.

I must reiterate my view that I see little of value being added to the action taken to date — the action that I have pledged and the live criminal investigation. In fact, it may serve only to divert resources, take more time and delay taking the critical action needed to address the problem. If a meaningful public inquiry is to be established, it must go much wider than illegal landfill sites. It must include, as a couple of Members mentioned, fuel laundering and other waste crime and focus on the organised criminals behind it all. No stone must be left unturned.

As I said, I hope that I will have the support of all in the House when I go to Executive colleagues to seek funding for that more comprehensive approach. I am mindful that the Executive have already committed £1.5 million, which we have spent on removing the waste at Mobuoy that posed an immediate health risk, and to employ 10 additional enforcement experts, who are fighting waste crime across the North.

In the interim, I will not sit on my hands doing nothing. I will continue to drive forward the recommendations for change and learn the lessons in the independent Mills report. Mr Deputy Speaker, my message to the waste criminals is simple and the same as your message will be to me: your time is up.

Mr Deputy Speaker: Well anticipated.

Mr Agnew: I thank all Members, including the Minister, for their contributions to the debate. A few Members, including Mr McCrea, Lord Morrow and the Minister, suggested that, if we are to have a public inquiry, the motion does not go far enough. The intention of the amendment was to broaden it out. Other issues such as fuel laundering have been raised. I lend my support to those who have called for wider issues, such as waste crime, environmental crime and organised crime, to be included in the inquiry. Involvement in those activities must be investigated fully and, to quote the Minister:

"No stone must be left unturned."

A number of issues have been identified, many from the Mills report. The systematic failures that have led us here have been mentioned as has the lack of enforcement of existing legislation. Problems with our existing structures were mentioned, and someone pointed out the failure of our judiciary to impose sufficient sanctions to act as a real deterrent to these crimes.

6.15 pm

We face a number of problems. We need to take measures to prevent such crimes in the future, and I welcome the comments of the Minister and of Mr Eastwood that these failures will not be allowed to happen again. I hope that that transpires. I also welcome the Minister's statement that I picked up during his speech that mineral extraction at Lough Neagh, which is taking place but has not been authorised, is to be investigated.

There is no doubt that a clean-up operation will be costly. I thought that my figure of £250 million came from the Mills report. I will have to check it, but I did not think that it was an exaggeration. The costs will be significant, and we will have to see whether we can recoup them. It is unlikely that we will recoup them all, so we have to accept that there will be a cost to the public purse. That is regrettable, and we must learn lessons from that.

The debate about the NCA came up again. The issue stretches into many debates, but we have to look at it. It is an issue for the police and the Justice Minister. In the absence of the National Crime Agency, what alternative does Northern Ireland have to fill that gap? It is regrettable that SOCA, the predecessor to the NCA, did not take waste crime seriously. Lord Morrow said that the motion does not go far enough. He said that there was a hint of not only organised crime but paramilitary crime. He spoke of the need to condemn and, indeed, to fully pursue paramilitary criminals. He will certainly get my support and that of the Green Party NI. I welcome Lord Morrow's commitment to the protection of the environment. As he said, all crime should be fully investigated.

It is right that we take environmental crime seriously, and Mr Eastwood pointed out the impact on the wildlife in his constituency and to the drinking water supplied to his constituents. We should remember that, when we talk about the environment, it is not an abstract idea and that the environment is simply where we live — from the house that we live in to the planet that we live on.

The Minister mentioned better regulation. Better regulation is regulation that includes enforcement. That has been lacking, and it needs to follow. It is fantastic if the regulations can be improved, but, if we enforce the regulations that we have, we will see improvements. The Minister raised the issue of retrospective planning applications, and it is true that there are certain permissions for

unauthorised development. It is clear that the EIA directive does not allow development to take place before an environmental statement has been made, and it should not take place before planning permission is given. I urge the Minister to look at this issue because, if he is to say that development —

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

Mr Agnew: — on the scale of quarrying can take place, people will question whether development on the scale of fracking can take place without permission. We need to ensure that large-scale development only takes —

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

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Beidh mé ag labhairt ar son an rúin. I will speak in support of the motion and the amendment. I thank everyone who contributed to the debate. It has been an important and interesting debate, which is of obvious public interest. The illegal waste may be situated in the north-west, but, from the contributions today, it is obvious that the problem has implications throughout Ireland and beyond.

I have absolutely no doubt that the Minister is well aware of the concerns, issues and questions that surround the matter. Indeed, his contribution today reinforced that. I have no doubt that he is working very hard to try to get to grips with the situation, but I do not think that it serves the debate well for him to question Sinn Féin's motivation for calling for a further inquiry and whether it took the 'Spotlight' programme to bring the problem to our attention. I think that our members on the Committee were highlighting the issue well in advance of the 'Spotlight' programme airing. The programme, in my opinion, had an impact on public opinion and public confidence, and that is why I think that an inquiry would be of particular relevance.

In proposing the motion, Cathal Boylan outlined the main issues, the implications of the Mills report, which is a good report, and, indeed, the 'Spotlight' programme. Other Members also spoke about the 'Spotlight' programme. His outlining of the need for a public inquiry, or an inquiry beyond the inquiries that we have had to date, was about bringing clarity to the issue. We have to accept that there is still a degree of confusion around the issue. There is ample space, and that space is being well filled by people who continue to speculate about the

nature of the problem, how the problem came to exist and how it is being resolved. We have no problem with supporting the amendment, because there may be other issues that need to be explored. However, the reason why we zeroed in on the north-west is because, in our opinion, good work has been done but there is still part of the job to be completed.

We have had a wide-ranging debate, and there have been suggestions that any inquiry should be extended to include fuel laundering and human trafficking. I know that the Minister obviously does not want to get into human trafficking, but a whole range of things was mentioned. We even had an examination of the NCA and its impact. Sometimes there can be an inquiry into everything, but you achieve nothing, and I do not think that any of us wants to see that.

I do not think that calling for a public inquiry — the definition and style of that inquiry is something that can be negotiated and discussed — undermines in any way what I consider to be an excellent report by Mr Mills on the failings over many years. Other Members and the Minister talked about that report's findings. I acknowledge the fact that the Minister is not standing in opposition to an inquiry. Indeed, he is in line with the Derry City Council approach. The council has also approved the need for a further inquiry, because, in fairness, I do not think that the Mills report's terms of reference were broad enough.

The Minister who commissioned the report set good terms of reference — no one is doubting that — but, on reading them, the inquiry's ability to call witnesses from beyond a certain Department was not very clear. Indeed, a number of contributors, among them Mr Eastwood, said that there may be Justice issues interwoven in this that meant that Mr Mills might not have been allowed to speak to people. It is not clear from the report whether he did or not. All those things have an impact, and that is why we feel that, whatever form the inquiry takes, it should be broader and allow the Minister to explore all the issues.

I am mindful of the fact that there is a PSNI investigation under way, and no one wants to impinge on that, but a criminal investigation in this instance, almost by its very definition, will not tackle many of the issues. It is looking just at whether there was criminal wrongdoing, whereas we know from the Mills report and from local knowledge that there were many failings, and not all of them criminally negligent. Therefore, an inquiry will help us to cover all the

issues. I believe that the clarity required can only be brought about in that way.

The Mills report and even the PSNI investigation are site-specific. They do not go beyond that. We have heard it confirmed that, over a long number of years, there was opportunity after opportunity to prevent this from happening but the immediate and necessary steps were not taken.

That is one of the issues that an inquiry can explore. Evidence has emerged that diligent officials and members of the public brought this matter to people's attention. People should have acted accordingly but did not.

In the contributions of Alban Maginness and Ian Milne, the issue of low-cost tendering was mentioned. Many now speculate that that was, perhaps, one of the causes of the whole issue. Perhaps there should have been something in place. If, in year 1, a council agrees a tender for a certain amount and, in year 2, the tender goes well below that, there should be a red flag system to bring that out. The Mills report achieved many things, but it did not get to the core of the problem. There are questions to be asked about when this should have been detected, who should have detected it and what steps will be put in place to ensure that it will not happen again. The people responsible must be made aware that they failed in their responsibilities.

I do not think that this should be a process of seeking out individuals to make them scapegoats. However, when there are failures in a system or process, we have to ascertain how the system failed, when it failed and who should have been responsible for keeping it right. That is the whole issue of accountability. None of us should be fearful of accountability. If people are responsible, they should be held responsible and that responsibility should be identified. I do not want to take this debate to the NCA, but that is one of the issues about it: where there is no accountability, people can act in whatever way they feel like. This is a case of that. People were not held accountable and felt that they could do whatever they wanted.

A number of people identified specific instances, and, indeed, the Minister referred to them. One of the things that is missing in all this — the Minister addressed this — is that the scrutiny was not what it should have been. There is absolutely no doubt about that. Most people want to know how 500,000 tons of waste could be dumped and no one seemed to notice. It is not as though it was a small or inconsiderable amount; it was a massive

amount and yet no one saw it. The 'Spotlight' programme identified a number of things. I do not think that the Mills report got into it, but there were instances of physical structures appearing practically overnight on the site without planning permission, yet no approach was made and nobody asked, "What is this about?". If someone had asked that simple question, they might have found the whole illegal dump in their midst. That is one of the reasons for the motion.

6.30 pm

In our opinion, there are still questions that need to be answered. The Minister is aware that this is a big issue in and around the north-west, particularly in Derry city. It has filled social media sites, and there have been all sorts of rumours and speculation. While that continues, clarity will not be brought to the issue. One of the big issues that people ask about is whether there are undetected sites still out there. Many people speculate that there are, perhaps without foundation. That is why an inquiry is needed.

Mr Attwood: I thank the Member for giving way. I apologise that I have not heard much of the debate; I have been involved in other matters. Does the Member agree that, when it comes to this site and other possible sites, the involvement of organised crime on the island of Ireland cannot be ruled out?

Mr McCartney: I do not think that anything can be ruled out, but that is what the inquiry should establish.

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

Mr McCartney: Apologies.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly recognises the issues raised in the recently broadcast BBC 'Spotlight' investigation into illegal waste disposal and other irregularities; and calls on the Minister of the Environment to establish an independent public inquiry into waste disposal in the north-west and the rest of Northern Ireland, including the role unauthorised quarries and related planning enforcement issues played in facilitating environmental crime, to ensure that public confidence is restored and to allay concerns that other illegal waste disposal sites remain undetected.

Motion made:

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

Adjournment

School Absenteeism: North Antrim

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

Mr Swann: I thank the Minister and the Members from North Antrim for remaining for the debate. We have had Adjournment debates relating to North Antrim recently regarding leisure facilities, hotel provision and such, but it is with disappointment that I talk about the concern over school absenteeism in the North Antrim constituency. I wanted this debate in the Minister's presence because, in the figures for the post-primary schools where attendance is less than 85%, two of the top 10 worst offending electoral wards in Northern Ireland unfortunately fall in my constituency of North Antrim. The third worst is Ballee in Ballymena, and the ninth is Bushmills in the Moyle. As anybody in the House knows, both are large Protestant working-class areas. I do not want to make this a debate about the political significance of that, but it is significant and is a reason. This is a concern — a selfish concern — because both those areas fall within my constituency and that of the Members present. That is why I thought that it was important to raise it today.

Regular school attendance and educational attainment are inextricably linked. Likewise, poor attendance equates to poor results. Poor educational attendance leads to low self-esteem and increases the likelihood of students dropping out. It further boosts those not in employment, education or training services. Persistent offenders are seven times more likely to be out of a job and not in education or training when they leave school, and that is of particular interest to me in my role as Chair of the Employment and Learning Committee. I know that the Department for Employment and Learning puts a lot of detail and a lot of expense into challenging NEETs in our society. Therefore, if we can get school attendance sorted and get those basic skills, attainment and self-esteem instilled in our pupils at an early age, we can crack that concern at a later level.

In real terms, the 2011-12 absence rates in Northern Ireland primary and post-primary schools are, on average, nine days missed for each pupil at primary school and 13 at post-primary school. Although overall attendance levels have improved, the Northern Ireland rates are still double those for England. To put that into perspective, of the 300,000 schoolchildren in Northern Ireland, 20,000 are missing at least six weeks of lessons each year, and of the 20,000 pupils who are persistently absent, less than one fifth are referred to the authorities. Now, I am not saying that that is the answer, but it is certainly an avenue that we have to look at. However, there is a greater impact and responsibility on parents in the community in general and on politicians, because non-attendance not only wastes money but affects a child's long-term prospects. It amounts to £22 million a year in lost career opportunities.

A 2004 report on improving pupil attendance at school considered the effectiveness of attendance management practices in schools. The report raised concerns about a lack of strategic perspective in relation to improving school attendance and said that there was a need for the better dissemination of good practice and a more effective use of attendance data. The report recommended that the education and library boards and the Department needed to develop a more strategic perspective by outlining their aims, objectives and targets in relation to improving school attendance. I am aware that the Department has launched 'Attendance Guidance and Absence Recording by Schools', which came into effect in 2013-14. I am sure that we are waiting for the rolling out of the data that comes from that.

One of the recommendations and one of the things that I have seen personally as a school governor is the involvement of the educational welfare support service. We have seen that, where that is present, its effects can be very good. However, what we have seen specifically in the North Eastern Education and Library Board is a continual rotation of those officers, meaning that one-to-one family support is not there and is not being provided. Therefore, there is a breakdown there as well.

Another intervention that can be enhanced is the family nurse practitioner. That is an intervention from birth on a one-to-one basis with families. A pilot in the Western Trust area has proven successful in improving the attendance of pupils further down the line. That pilot has been so successful in the Western Trust that it has been expanded into the

Southern Trust. I now ask the Minister to seek support from his ministerial colleagues to expand it or put the provision in place to bring it into the Northern Trust.

The other alternative is the inclusion of multi-agency support teams (MASTs), which could be further rolled out and enhanced. I know that, when pupils find it difficult to attend in class and catch on what is going on, they find it difficult to keep up with the class. Then, enrolment and attendance start to suffer. If we can get interventions there at an early age — that is really where the Education role comes in, working in conjunction with Health — from birth onwards, there can be improvement. It is not an organisation that I often quote, but it is the Jesuits who say, if they get a boy from nought to seven, they will give you the man. If the education and health systems in Northern Ireland could provide that support for families and young people from nought to seven and instil in them the benefits of education and the attainments that can be achieved, there is an opportunity from seven onwards.

It would be remiss of me not to declare an interest as a governor of Ballee Community High School, as well as Cambridge House Grammar School in Ballymena. There is currently uncertainty over Ballee. It is actually in the third worst ward for over 85% post-primary school attendance. That is really the crux of the matter. With such low attendance rates in Ballee at present, I have concerns that, if Ballee school actually closes, parents who are not encouraging, the community or the young people who see no educational gain in attending Ballee will see no further advantage in having to travel somewhere else in the town to gain an educational experience. It is really about putting in a collective response from the Education and Health Departments, families, the community and ourselves as elected representatives to provide the support that is needed.

I want to finish on a positive note. While I am raising concerns about attendance in Ballee and Bushmills, I want to pay tribute to the excellent schools in North Antrim that have fantastic educational provision and attendance rates for their pupils, who really gain and benefit from attending some of the most excellent schools in Northern Ireland. I just wanted to put on record my concerns about low attendance rates in those two specific areas of North Antrim.

Mr Storey: When I saw the topic on the Order Paper, I was a wee bit confused about what it was to do with. I thought initially that it was to

do with the absenteeism of Ulster Unionist representation in North Antrim. Then I realised that it was about absenteeism at school.

Clearly, of course, some of this follows on from the Northern Ireland Audit Office's report 'Improving Pupil Attendance at School' and its follow-up report. It was very useful in that it set a context for the issue of school attendance. Certainly, as Chair of the Education Committee and someone who has taken a keen interest in that field, I am glad that the Minister is here this evening, and I appreciate the fact that he has taken the time to be here to respond to the debate. The issue of absenteeism as set out in the report is very clear. It has a number of facets and problems. I have to say that it is not an issue that we should take out on schools as criticism, but rather an issue on which we should have informative discussions with schools to see how we can improve the situation. As we all know, schools face many challenges. There are many challenges outside schools that unfortunately become part and parcel of what happens in the school environment.

Obviously, the report has not come to the Education Committee. Because of protocol, it is currently with the PAC, as is the convention of the House. When I look at the issues that are raised in it, I know that there are undoubtedly issues that the Minister will take on board seriously when the report is presented to him. I just want to refer to two case studies that were done. One was in East Londonderry, and the other was Cullybackey College in our own North Antrim constituency.

The case study on Ballysally, in particular, describes a school — I have visited Ballysally on a number of occasions — that has shown exemplary leadership in dealing with a number of issues. The school is in an area of high social deprivation. I struggle with using that term because I think that it stigmatises the area, which is undeserved. The area has many economic challenges, but, because of the leadership shown in the school by the principal, his senior staff and the community, there has been a marked improvement not only in attendance but in the interaction between parents and the school. The school offers breakfast clubs and has become a member of the Ballysally integrated nurturing programme. I thank the Minister because his Department has become more and more involved in nurturing, which, in many respects, is being led by Ballysally and Holy Family. Those schools have been exceptional leaders on that. So there are examples of interventions that clearly bring improvements.

I then looked at the report on the North Eastern Education and Library Board by the education welfare service that governs the area. The analysis of the NEELB data reflects an overall consistent pattern of attendance in all school types over the past four academic years. I do not want to underestimate the Member's concerns, but we have to set this in context: compared with other education and library boards, the North Eastern Education and Library Board has the lowest overall absence in the primary sector. The Member is right: in the post-primary sector, NEELB performed at the same level as two other boards — 93.2% — and better than the two remaining boards, which recorded the highest overall absence. In the special schools sector, overall absence was lowest in the North Eastern Education and Library Board.

Compared with England and Wales, unauthorised absences were higher in Northern Ireland than in any other region. An analysis of free school meal entitlement suggested that absence tends to be higher in more disadvantaged areas that experience multiple levels of deprivation. Attendance levels of less than 85% at primary school reflect the fact that 19.5% of the pupil population had absence levels of more than 15%. You have to ask this question: what are we doing about it? I wait to hear the response. The Audit Office report is, in fact, a comparison with a previous report from a number of years ago and admits that some progress has been made.

From the work that my DUP colleagues in North Antrim and I are involved in through the Bushmills education forum, I know that the issue has been identified by a group of people who have an interest in education in Bushmills, which is one of the areas that the Member referred to. The new principal of Dunluce is making a concerted effort, and I pay tribute to him and his staff for the way that they have focused on this and other issues.

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

Mr Storey: We need to work together to ensure continuous improvement rather than using this as another issue to cause unnecessary concern and criticism.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I thank the Member for securing the debate. As a member of the Public Accounts Committee, I look forward, as do other Committee members, to considering the report

further and coming up with recommendations for the Department.

It is clear that absenteeism is, to a large degree, linked statistically to deprivation and to the free school meal entitlement rate. It does not stand alone. In figures that I uncovered for Ballymena town, there is a direct link between the ward in which a pupil is brought up and the school that they go to.

6.45 pm

There is an array of reasons for non-attendance at schools. When I was at school, it was referred to as "scheming off" school during the day, but it is obviously much more serious than that. When you delve into the many reasons, you find that there could be bullying, health problems and problems that are school-related or non-school-related. So, it is not just an issue between the four walls of any particular school.

A Member was talking to me the other day and referred to an example that they had heard of in which a number of children skipped primary school on one day every week. When the school staff looked into it, they established that that class had a test on this day every week and those three pupils were always bottom of the class, so they wanted to avoid the embarrassment of that situation. Following that, the school took action and there were no further tests. It is key that parents and teachers are engaged. Sometimes, the problem can be staring them in the face.

Parents and guardians have a legal responsibility to ensure that children attend school. However, a more holistic approach is needed, and the focus should be on groups with traditionally poor attendance records. Initiatives such as breakfast clubs have been referred to. They are absolutely brilliant in trying to get pupils to engage in school and, to be fair, to get pupils to appreciate that schools provide them with not only education. It is about reducing the gap, as well, between parents and the school. There needs to be a relationship there, where parents and teachers work together to meet the needs of the student. Parents should understand that, although they leave pupils at the school gate, they should feel welcome and move beyond the school gate to engage with staff. They should also know that the education of their child or children is not just an issue for teachers; it is an issue for parents. Developing that understanding between staff and parents is absolutely crucial.

Attendance levels are improving, but we cannot be complacent. The Department has set up an

attendance working group to develop practical guidance in this area and has overseen improvements in attendance. However, I agree with the proposer who secured the debate and referred to the issue of NEETs that early intervention is key and poor attendance clearly increases the risk of poor outcomes in the longer term.

The DUP Member for North Antrim referred to the case studies. Certainly, when you look at Ballysally, you see that there are some fantastic examples, including free breakfast and a lads and dads group, which is a good example of how parents are being brought in to their children's education, helping to develop the holistic approach to education that I referred to earlier.

We need to focus a resource on the greatest need. Members have referred to certain schools where absenteeism is a particular problem. I agree with the Minister, in his general approach to education, that we should focus the resource on the greatest need regarding this issue.

Mr Frew: It took me some time and the Member who secured the debate to speak before I realised the exact angle from which he was coming. I appreciate that it is worth having a debate to bring focus and to interrogate the issues. What should come out of the debate is that, while there are pockets of concern, north Antrim is no worse or no better than anywhere else in the Province. We would not want the message to go out that north Antrim is worse than anywhere else. Of course, we in the Chamber are associated with north Antrim. We care deeply and passionately for north Antrim, so it will always be our focus to debate the issues that are in, around and centred on north Antrim.

The two wards that the Member raised were Ballee and Bushmills. I have some understanding of the pressures and issues in Ballee. I spent a lot of my youth growing up in Drumtara, which is one of the largest estates in the Ballee ward.

So, I know at first hand the deprivation issues and the issues with the worth that some of our people and families attribute to education. That has to change, but it is not just an educational problem. One of the main reasons why people are absent from school is illness. So, this is not just a school or an educational problem — it is a societal problem. It is about issues such as illness, bullying, which the Member referred to, or family issues or pressures. It concerns something that happened the night before. The

confidence of the family and the person, behavioural problems and the genuine value that is placed on education and results deeply concern me.

So, I know at first hand the issues and problems in Ballee. I must say that some of the people from that area have had tremendous success and have really shown that, despite global issues, if you like, you can still get a proper, decent and well-rounded education out of that area and, indeed, in the schools around that area, as many have done.

I would also like to talk about Bushmills because that was the other area that was mentioned. My colleagues in the DUP and I have been part of the Bushmills education project, which has been going on now for some time. It was designed to grasp the nettle and to interrogate the issue and problem that those involved in the project see in Bushmills. That is that some do really well at school but others can leave school without the basic skills. Why is there such a wide spectrum of ability and results at the end of their school life?

The project is looking at that carefully and is scrutinising the detail. It has everybody involved. I must say that that has been a very good exercise, and I commend the people who are involved. Instead of turning their face away from the issue, they are grasping it and grappling with it head on. They do some great work. For example, a Just 4 Parents programme is held in Dunseverick Primary School, and there has been lots of work around the Bushmills young people's charter on education, with conversations with young people across Dunseverick, Bushmills and Ballytober primary schools. Not only the schoolchildren but teachers, the police force, the health service and social services are all involved, as are parents. It is vital that all that is linked up and that everybody sees the value of education.

Mr Storey: Will the Member give way?

Mr Frew: Yes, I will.

Mr Storey: Would the Member also accept that other organisations, such as Barnardo's and Save the Children, did work in Ballee, Bushmills and other parts of North Antrim that has been exceptionally beneficial to that engagement with parents and younger children and to the educational process generally?

Mr Frew: Yes, and that brings me to my point, and I thank the Member for it. There has to be

a holistic approach to this. Schools, principals and, for that matter, teachers cannot solve this issue on their own. It has to be a societal thing, and everybody must come on board. With that and with the collective, I think that we can inspire young people to learn, to go to school and to value what it means to have an education. If we get the value and the essential need for education implanted into the mindset of young people, their parents and their grandparents — some of this goes across more than one generation — we will be doing well.

Again, I congratulate the Member who proposed the topic.

Mr D McIlveen: I, too, welcome the opportunity to speak on this topic, and I congratulate the Member for bringing it to the House. It is relevant that we have this debate today. I have used this analogy before, but as elected Members who have, at times, to deal with quite a heavy workload, we can sometimes be compared with someone who got into their car, reversed and banged into something. I am sure that we have all had that experience. Hopefully, it is not another car, because then you will have to get the police involved. However, you banged into an inanimate object, and you think that it was not that big a bump and you drive off. You are driving down the road, and 10 minutes later you think, "Maybe I should get out and check what the damage actually is". You then realise that it was actually worse than you thought. My reason for making that analogy is that, sometimes, when we hear about things happening, it can easily go in one ear and out the other, and it does not seem too big a deal. However, when you look at the figures and more people talk to you, you realise that it was a bigger problem than you first thought.

I welcome the approach taken by the North Eastern Education and Library Board, but one statistic has been left out today. Although the percentage of enrolments is lowest in the North Eastern Education and Library Board area, the percentage of absenteeism is greatest. Another equally important statistic has been missed: in 2012-13, the North Eastern Education and Library Board also had the highest number of prosecutions for absenteeism. That is relevant.

I take on board what Mr McKay and Mr Frew said: of course, there is a wide range of reasons why young people do not want to attend school, and we have to be sensitive to that. However, I can only speak from my own experience of going to school when there were only two reasons why you would not be at

school. The first was if you could convince your parents that you were sick enough not to go to school; the second was that you went somewhere else when they thought that you were at school. If they got word that that was going on, saying that there would be hell to pay would be an understatement. We have to get back to parental responsibility. Perhaps there is a generational change, even from my day, which does not seem too long ago. Perhaps we have to give more encouragement and incentives to parents to make sure that they do not fall into the trap of facilitating absenteeism.

The question that must be asked is what is the North Eastern Education and Library Board doing. Is its approach correct? I believe that it is, because sometimes you require enforcement to deal with issues. I pay tribute to the back-office staff in the North Eastern Education and Library Board, who I know are hugely overworked. As pressure increases on them to deliver an enforcement angle, they find their resources increasingly stretched. I have spoken to workers in the North Eastern Education and Library Board, and, quite honestly, and I say this directly to you, Minister, they are really pushed, under-resourced and struggling with the pressures on their time.

Mr Frew: I thank the Member for giving way. I take his point on enforcement and what schools can do, but a report published in May 2012 found that more than 40% of schools surveyed did not have an attendance policy and that only 64% of schools had a target for attendance included in their school development plan. Does the Member agree that that is something that needs to be done by the school so that it can measure the problem and drive targets?

Mr D McIlveen: I absolutely take on board what my colleague said and agree wholeheartedly. I do not want to get to the end of my contribution today only for people to take from it that parental responsibility is the only thing needed to deal with this problem. Of course schools have to deal with the issue as well, and a holistic approach has to be taken.

The Bushmills educational forum has been mentioned on a number of occasions. It is an excellent example of a community uniting to see better educational achievement. I am working closely with the wider community association to acquire the old police station in the village, and I hope that, if it achieves that new facility, it can do bigger and better things than it is already doing.

I welcome the motion and look forward to what the Minister has to say.

7.00 pm

Mr O'Dowd (The Minister of Education):

Thank you, a LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil le Robin Swann as an díospóireacht seo a thabhairt chun tosaigh inniu, mar tugann sé deis domh mo sheasamh ar fhreastal scoile daltaí a leagan amach.

I thank Robin Swann for securing the debate as it gives me the opportunity to set out my position on pupil attendance. In 2004, the Audit Office published a report on pupil attendance, and a follow-up report was published on 25 February 2014. A number of Members mentioned that, and I understand that there is a hearing before the Public Accounts Committee tomorrow on that matter. Therefore, it would be improper of me to respond directly to the report ahead of the hearing. As a former Chairperson of the Public Accounts Committee, I do not want to do that.

My Department has a legislative framework that sets out the responsibilities of parents, schools and the education and library boards. In fairness, Members mentioned the responsibilities of all three. I welcome the tone of the debate; Members pointed out the challenges faced by schools, families and the boards but also the responsibilities of all three and, indeed, my Department in ensuring that young people attend school.

If children are to reach their educational potential, it is vital that, first and foremost, they attend school. So under article 45 of the Education and Libraries Order 1986, there is a legal responsibility on parents and guardians to ensure that their children attend school. My policy, Every School a Good School, identified that pupils achieve more when their parents take an active interest in their education by supporting and encouraging them and setting high, but achievable, expectations and aspirations.

Parental engagement is essential, as is community engagement. I welcome the initiative taken by the Bushmills educational partnership, which is a very good project. The indications are that it is delivering a change of attitudes and change for young people in that area. I often call on local representatives and communities to take responsibility and, without doubt, responsibility has been taken in this case. I also note that the North Eastern Education and Library Board is looking at similar projects in other areas, so there is a clear benefit to that.

I launched the Education Works media campaign, comprising posters and newspaper advertisements, in an attempt to highlight to parents the importance of their role in education and that it is not simply the responsibility of a school or someone else. Parental responsibility is vital, and in the latest ad campaigns, we have widened that to include grandparents, aunts and uncles or whoever is the mainstay in the family so that they play a role. My Department reinforced this message in 'Attendance Matters: A Parent's Guide', which is available on the Department's website. It emphasises the role of parents and their legal responsibilities.

Schools can drive changes that bring about better outcomes for all their pupils. The Education (School Development Plans) Regulations 2010 require schools to include a summary and evaluation of their strategies for promoting and managing attendance in their school development plan. No doubt the figures that Mr Frew read out from the Audit Office report will be scrutinised by the Public Accounts Committee in relation to the responsibilities of schools for their school development plans.

My Department's 2013 guidance recommends that every school should have an attendance policy that is approved and endorsed by its board of governors. Schools should have defined roles and responsibilities for staff, pupils and parents, and these should be clearly communicated. Schools should have a strong strategy for promoting attendance along with clearly defined targets. Attendance and targets should be placed on the agenda of each board of governors meeting.

Education and library boards have statutory duties on attendance. These are taken forward through the work of the education welfare service, and Members commented on that. Staff in that service are there to support pupils, parents and schools if there is a cause for concern or if a pupil's attendance is less than 85%. I expect schools to refer all pupils whom they feel require support to the education welfare service. The earlier we know about the issue, the earlier we can put the right support in place. Indeed, Mr McKay mentioned the unique circumstances surrounding the absence from primary school of three young children because of a test on a certain day. Matters such as that and the reasons why children are not attending school should be identified early. Simple measures can be put in place to reassure children that their attendance at school is important and that no one is there to undermine them; everyone is there to support them.

Mr Storey: Will the Minister give way?

Mr O'Dowd: Yes.

Mr Storey: It would be remiss of us, Minister, not to mention Elluminate. I should have mentioned it earlier. You are well aware of it, and you will hopefully soon clarify the position on it. Elluminate is another element of the debate on children and young people who have particular medical needs. There is provision in place, and, if that could be underpinned in the same statutory way in which other things are, it would help the general debate on the reasons why we have absenteeism in schools.

Mr O'Dowd: Indeed. Elluminate is in place for children who have valid reasons, many of them medical, for being off school. I am a supporter of the Elluminate project. I have set up a body between the unions and employers to iron out any difficulties with Elluminate, and I hope that they reach a successful conclusion to their discussions very shortly.

The overall attendance rate at primary schools is 95%. In the North Antrim area, it is 96%. At post-primary schools, the overall rate is 92.9%. In the North Antrim area, it sits at around 93.3%. Therefore, the attendance rate in both sectors in North Antrim is marginally higher. However, there are schools that are skewing the figures, and when you look at those schools — I will not rehearse their names — there are areas for concern. When we take a more detailed look at the statistics, we see which schools have had a notable decrease or a notable increase in their attendance levels over time. Schools are already working with one another and their communities. I want to see a partnership approach taken on the issue of attendance. Schools working in similar circumstances across the jurisdiction can learn from one another. Overall attendance rates mask deeper problems in particular areas and communities, and Members touched on that. If a child is not attending school regularly, there may be an issue in the family home that will require support for the family or the child. Alternatively, there may be a broader lack of ambition in the community for education. That is a societal responsibility, and it falls on us collectively to ensure that we support all communities and raise awareness of the benefits of education to everyone.

As a number of Members said, there is a clear link between deprivation and school attendance. The data shows that attendance rates tend to be lower in schools with high levels of free school meals entitlement. North Antrim is no different. For example, in its post-primary schools in which less than 10% of pupils were entitled to free school meals, the

overall absence rate was 4.3%, compared with an alarming 11.7% in schools with more than 40% of free school meals entitlement. That trend is mirrored across the North overall, where post-primary schools with less than 10% of pupils entitled to free school meals had an overall absence rate of 4.5%, and those with more than 40% of pupils entitled to free school meals had an absence rate of 9.9%. Therefore, much is required to address the problem.

As has been said, each and every one of us, including parents, carers, teachers, public figures and the wider community, has a key role to play in ensuring the best outcomes for our children and young people. No one can argue with the point that, if our children and young people are not in school, they will not benefit from the opportunities provided to learn. There is also a higher risk of those children who are not in school becoming involved in antisocial behaviour, including criminal behaviour, and there is a danger of children falling under the attention of people who have no good intentions for them whatsoever. The safest place for children to be when not in the care of their parents is in school.

In the North Antrim area, individuals, including local representatives, are working together to improve attendance. As I said, I welcome that, and I mentioned one of the schemes. Research tells us that, although there is no single solution to the problem of school attendance in deprived areas, a range of strategies can be, and is being, applied to promote good attendance. Those include a positive school ethos and a culture of attendance; implementation of an attendance policy and targets; designated staff with roles and responsibilities; reward schemes for good attendance; and additional support for poor attendees.

The debate has been useful and has highlighted the concerns about school attendance, particularly in North Antrim. Good work is being done in the area by elected representatives, the community, the education and library board, etc, but we have to ensure that we continue to raise our attendance rate and that children who are most vulnerable to absenteeism from school are supported in their attendance at school by everyone concerned.

Adjourned at 7.09 pm.



Published by Authority of the Northern Ireland Assembly,
Belfast: The Stationery Office

and available from:

Online
www.tsoshop.co.uk

Mail, Telephone, Fax & E-mail

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ISSN 1463-7162

Daily Editions: Single copies £5, Annual subscriptions £325
Bound Volumes of Debates are issued periodically during the session: Single copies: £90

Printed in Northern Ireland by The Stationery Office Limited
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