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Northern Ireland Assembly

Tuesday 18 February 2014

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

Members observed two minutes' silence.

Ministerial Statements

North/South Ministerial Council: Trade and Business Development

Mrs Foster (The Minister of Enterprise, Trade and Investment): With your permission, Mr Speaker, I wish to make a statement in compliance with section 52 of the Northern Ireland Act 1998 regarding a meeting of the North/South Ministerial Council (NSMC) in trade and business development sectoral format. The meeting was held in the offices of the North/South Ministerial Council in Armagh on Wednesday 22 January 2014.

The Executive were represented by me in my capacity as Minister of Enterprise, Trade and Investment and by John O'Dowd MLA, Minister of Education. The Irish Government were represented by Richard Bruton TD, Minister for Jobs, Enterprise and Innovation. The statement has been agreed with the Minister of Education, and I make it on behalf of us both.

Ministers discussed a number of priorities in their respective sectoral areas and noted that these will be contained in a report to be considered at a future NSMC institutional meeting as part of the ongoing review of sectoral priorities.

The Council welcomed the presentation by officials from the Department of Enterprise, Trade and Investment and the Department of Jobs, Enterprise and Innovation on Horizon 2020; the EU framework programme for research and innovation 2014-2020; and the plans in place to strengthen collaboration between the jurisdictions under the programme to maximise mutual benefit.

The Council received a presentation from Martin Cronin, chairperson, and Thomas Hunter McGowan, chief executive officer, on InterTradelreland's performance and business activities, including information on performance against its 2013 business plan targets and highlights from its trade and innovation

programmes and business and economic research activities in 2013.

The Council noted that, during 2013, InterTradelreland had exceeded its targets and delivered an 8:1 return on investment; assisted 56 first-time innovators and 56 first-time exporters; delivered 9% efficiency savings; and delivered a total business value of £56.4 million.

The Council approved InterTradelreland's 2014 business plan and recommended that the 2014 budget provision for InterTradelreland should be £9,126,720. The Council approved InterTradelreland's 2014-2016 corporate plan, which has been prepared in accordance with guidance issued by the two Finance Departments. The Council noted InterTradelreland's annual report and accounts for 2012 and welcomed that the accounts were certified without qualification by the Comptrollers and Auditors General. Ministers noted that the certified 2012 annual report and accounts have been laid before the Northern Ireland Assembly and the Houses of the Oireachtas.

Ministers welcomed the recent publication of InterTradelreland's report, 'Access to Finance for Growth in SMEs on the Island of Ireland' and the insight offered by it on the financial ecosystem for small and medium-sized enterprises (SMEs) in Northern Ireland and Ireland. The Council noted among the key findings of that report that the demand for finance is now at least as important as the supply of finance for SMEs. The identification of a lack of diversity in the SME financing landscape was noted as was the pressure on working capital posed by late payments and cash flow management. It was also noted that a significant majority of businesses that apply for new credit — 91% for all and 84% for loans only in quarter 4 of 2012 — are successful in whole or in part.

The Council noted that the report focuses on three key areas — information, financial capability and development of venture capital

and angel investors — and noted that 13 key recommendations have been proposed to develop a more diverse funding landscape in both jurisdictions. Ministers welcomed the fact that InterTradelreland will take forward recommendations of the report through liaison with relevant Departments and stakeholders.

I commend the statement to the Assembly.

Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh maith agat, a Cheann Comhairle. Mo bhúiochas leis an Aire as a ráiteas. I will comment on the approval of InterTradelreland's business plan and the budget provision for InterTradelreland. In the past three years, the budget has been £10,134,000 for 2011; £9,822,000 for 2012; and £9,507,000 for 2013. Against the background of a reducing budget, we heard last Thursday from ETI officials about the significant role that InterTradelreland has played in being the catalyst for the drawdown, potentially, I hope, of Horizon 2020 funding. Can the Minister give us some detail on what representation she has made to or, indeed, what collaboration she has had with the Irish Government in regard to the protection or enhancement of InterTradelreland's budget, with a special view to an increased role in drawdown of EU funding?

Mrs Foster: I thank the Chairperson for his question. As he will know, we here in Northern Ireland and the Government of the Republic of Ireland have monetary pressures on budgets, and he rightly pointed to the fact that we have a decreasing budget over this past period. I am very proud of what has been achieved despite the fact that we have had a decreasing budget. I think that the facts speak for themselves, and I outlined them through the return that we have been able to achieve from the budget.

He will know that a lot of collaborative work is ongoing on the Horizon 2020 programme. I am very pleased that officials were with the Committee just last week about this issue. We will need to set our own target for Northern Ireland, which will be at least double the target for framework programme 7 (FP7). It has not been settled on at present. We will work collaboratively where it makes sense for Northern Ireland, and we will work with other jurisdictions where it makes sense for Northern Ireland. So, it is not just about InterTradelreland's budget. It is about the Department itself taking on the burden of really pushing forward on Horizon 2020, and we in the Department take on that burden very willingly.

The Chairperson will know the work that has gone on in getting ready for that programme.

Mr Dunne: I thank the Minister, and I welcome her back from her travels. She is welcome back home after her mission and all the commitment that she has shown in selling Northern Ireland business throughout the world. Following your recent tripartite visit to Singapore, what business opportunities can we expect in engineering and aircraft manufacturing for Northern Ireland and the Republic of Ireland?

Mrs Foster: I know that the Member takes a particular interest in that sector, and I am very pleased to tell him that we had a very successful trade mission to Singapore. It was the first of its kind, and it worked very well for one simple reason, which was that we complemented each other in the skills and abilities of our workforce, and we brought different things to the party.

In respect of Northern Ireland, our very strong engineering legacy and innovative future played a key role, and I was able to speak very proudly about the supply chain that we have developed here not just for Bombardier but for other major tier 1 and tier 2 companies across the world. There are 50 companies involved in an engineering supply chain. I am very proud of that, and we will continue to work to support those companies as they look for global opportunities.

The Republic of Ireland looked at a different sector. They had a services company out with them, along with a leasing company and Dublin Airport Authority, and they looked more at the maintenance, repair and overhaul sector. So, we complemented each other in what we were doing. It was a very successful trade mission, and we look forward to the contacts that were made and the networking that we engaged in coming to fruition in the coming months.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. I thank the Minister for her statement. Given that SMEs across Ireland are particularly reliant on island-wide trade, has NSMC considered, or can NSMC consider, the development of a border economic development zone, as has been proposed by the Centre for Cross Border Studies recently?

Mrs Foster: It would be for each of the Ministers to consider whether that would be of help to each of their jurisdictions. As regards SMEs and the work that we carry out in the

North/South Ministerial Council and through InterTradelreland, the Member would be well advised to look at the work that we have been pushing forward through Acumen, for example. It is a trade programme that has been very successful. It was designed to stimulate cross-border businesses for SMEs; probably for most of them, for the first time exporting into a new market. A total of 81 new projects were initiated in 2013. I think that that is a very significant number, and I am sure that he welcomes that and the work that InterTradelreland does.

Mrs Overend: I thank the Minister for her statement. Looking forward, it is important that we improve Northern Ireland's ability to draw down European funding for innovation. We saw the Republic of Ireland being particularly successful in that regard with FP7. We are gearing towards Horizon 2020, and I appreciate that the Minister is looking at that. Can the Minister give us a breakdown in regard to the targets that she details for InterTradelreland between the Republic of Ireland and Northern Ireland, and can she expand on the collaboration strengthening plans and how Northern Ireland could benefit from those?

Mrs Foster: I do not have the breakdown of figures in front of me, but I am happy to write to the Member afterwards. What I can say about collaboration is that it has been shown that, when both jurisdictions collaborated in relation to FP7, we had a very high rate of success. We should have cognisance of that when we look to Horizon 2020, and that is what we will be doing. For me, it is very important that we let industry and academia know that we are here to facilitate their engagement in Horizon 2020. In particular, the points of contact that have been set up, under the leadership of Simon Grattan from my Department, to take forward Horizon 2020 will be very important, because they are people from industry and from academia who can drive forward applications to Horizon 2020. I think that that is the way to go: to be hands-on with industry and academia and not just expect it to happen, but, instead, to try to be very much involved in pushing forward the applications.

Mr Lunn: I am on the same track, Minister. I understand from a recent speech that Colette Fitzgerald gave that the disparity between the amounts drawn down for research and innovation between the North and the South is quite stark. Many millions have been drawn down in the South, but the figure up here is about €25,000, most of which went to Bombardier. Will the Minister comment on that

and perhaps expand on her previous answer as to how we are going to promote the scheme more effectively?

10.45 am

Mrs Foster: I have to say to the Member that it is nowhere near €25,000. I think that we drew down nearly €60 million in respect of FP7 in collaboration with other colleges and what have you, so I do not know where the figure of €25,000 has come from. He will, of course, recognise that the Republic of Ireland is a sovereign state with a population of 5.5 million. We are a region of the United Kingdom with 1.8 million, so I would have expected the Republic of Ireland to have drawn down more from FP7 than Northern Ireland.

Mr Anderson: I thank the Minister for her statement today. I see that Tourism Ireland is putting great effort —

Mrs Foster: Tourism Ireland?

Mr Anderson: Tourism Ireland.

Mrs Foster: We are on InterTradelreland.

Mr Allister: Wrong question. It is the other bit of paper.

Mr Anderson: Sorry, yes. I got my questions mixed up.

In recent weeks, I have met representatives of InterTradelreland, and they indicated to me that there has been some sort of a weakness in the take-up of programmes in certain areas in Northern Ireland. What is the indication of the level of demand for programmes that are run by InterTradelreland?

Mrs Foster: I note that it is the case in the Republic of Ireland as well that there are some regions that do not have as high a take-up for programmes as, perhaps, in the border regions. I suppose that it is natural that InterTradelreland has more of an impact on the border region than it does in Cork or Kerry in the Republic of Ireland. I know that we in Northern Ireland would like to see more companies in the northern part of Northern Ireland taking up its programmes. It has in the past had workshops in places such as Ballymena and Coleraine, and I encourage it again, from my perspective, to make sure that all of Northern Ireland knows about the potential and possibility to get involved in InterTradelreland programmes.

Mr A Maginness: I thank the Minister for her statement. It was a most interesting statement, and one that highlights the good work being done between North and South. If I may be indulged, Mr Speaker, I congratulate the Minister on her involvement in the Singapore trip with the Irish and British Governments to get investment for these islands. I think that is important and the right way forward.

What I found most interesting in the report were the 13 recommendations for SME funding. Would the Minister like to expand a little bit on that? It seems to me to be an interesting way forward for SMEs.

Mrs Foster: I found the access to finance report from InterTradelreland comforting, in many ways, because it chimes with a lot of the work that has been going on in Northern Ireland, particularly the access to finance work that the economic advisory group has been carrying out. A lot of the findings have corroborated each other, so we have seen that all the myths about over-demand and not enough supply are not actually right and that demand is as big a problem as supply in relation to banks. I think that was quite surprising for some people, but, as I said, it is nothing new if you look at the other reports that have come out recently.

I was pleased that the report was able to get some of the information from our banks in Northern Ireland, which, frankly, we have been waiting on for quite some time. The Finance Minister and I have been asking for data from banks in relation to different sectors around Northern Ireland, and they have struggled to provide that information to us through the British Bankers' Association. However, InterTradelreland was able to access some of that information, and that is new. It is interesting to look at the sectors that come out on top again, and for us it is the agri-sector again. There is no surprise there, but it is pleasing to see that the banks are recognising the growth of the agrifood sector and the need to finance it. What we will do is collate the information that we have from the economic advisory group, the access to finance group and, of course, the joint ministerial task force that has been set up between Westminster and Ministers. Simon Hamilton and I will look at that information. We will also look at ways in which we can influence banks nationally to make a difference here in Northern Ireland. All that reporting and information is useful only if we use it. I think that we will do that in the coming months.

Mr Douglas: I thank the Minister for her statement. I certainly concur with the previous questioner in relation to her visit to Singapore, which was very successful. She is certainly aware of the growing social enterprise movement in Northern Ireland. Is there work and a role for her Department in trying to encourage and support social enterprises to develop new markets in the Republic of Ireland?

Mrs Foster: Absolutely. I know that the social economy is very important to the Member who asked the question and, indeed, other Members around the House. I think that people are starting to realise the worth of that sector and the fact that it does more than just get people jobs, which in and of itself, of course, is very important, but it brings a social good to the particular areas where it is based and the work that it carries out.

The Department, in and of itself and through Invest Northern Ireland, is engaged in helping social enterprises to develop new markets. Of course, InterTradelreland will be able to assist through some of its programmes. I very much encourage social enterprises that are looking to the Republic for the first time to look at programmes such as Acumen or FUSION — or Elevate for that matter, which, of course, helps microbusinesses to grow more quickly than perhaps they would otherwise. I encourage them to look at those programmes and indeed to work through Invest Northern Ireland.

Mr Rogers: I thank the Minister for her statement. I, too, acknowledge the work that she is doing. The key word that she used was "complementary". Work here and in Dublin and London has a complementary nature.

With regard to InterTradelreland, its particular target of increased North/South participation in the EU research and development programme and the drawdown under Horizon 2020, if we compare the South's drawdown, which they hope will be €1.4 billion, with ours, which we hope will be €100 million, does the Minister believe that our targets are ambitious enough?

Mrs Foster: Our targets have to be ambitious. I think that they are ambitious enough. I recognise that the targets in the Republic of Ireland are very ambitious. However, we need to have targets that are challenging, but realisable. I think that they are realisable targets. I know that, given the infrastructure that we have put in and around Horizon 2020, we will work very hard to achieve those targets and will do so collaboratively.

Mr Allister: I note the reference to venture capital. I would like the Minister to elaborate a little bit. Is it the situation that InterTradelreland sees itself as simply a promoter of the concept of venture capital, or does InterTradelreland, at all, anticipate being a player in venture capital? If it were to be the latter, which might be surprising, would that be on the same basis as has been practised primarily by Invest NI — that of being a subordinated investor with private industry — or would it be on a different basis?

Mrs Foster: I thank the Member for his question. Indeed, one of the areas that the access to finance report majored on was the fact that we did not have enough angel investors or venture capital on the island of Ireland as a whole and, of course, particularly in Northern Ireland. Last year, InterTradelreland facilitated a venture capital conference, which really brought together a number of capital funds and angel networks to look at whether there were opportunities for them here. That was held here in Belfast. I do not foresee InterTradelreland setting up its own venture capital or angel investor scheme, frankly, because it does not have the money to do so. It will however facilitate, try to educate on and promote the different types of debt, equity and financing arrangements that are available in the market. I think that it is right that it does that, because one of the report's findings was that financial education is needed not just for institutions but for businesses and small businesses. We recognise that that can be a real challenge for small businesses, because, a lot of the time, they rely on overdrafts for their working capital. We want to try to help with some of that financial education work, and we will take that forward not just through InterTradelreland but in the Department.

North/South Ministerial Council: Tourism

Mrs Foster (The Minister of Enterprise, Trade and Investment): With your permission, Mr Speaker, and in compliance with section 52 of the Northern Ireland Act 1998, I wish to make a statement regarding a meeting of the North/South Ministerial Council (NSMC) in tourism sectoral format. The meeting was held in Armagh on the 22 January 2014.

Minister Carál Ní Chuilín MLA and I represented the Northern Ireland Executive. The Irish Government were represented by Leo Varadkar, Minister for Transport, Tourism and Sport. I chaired the meeting. The statement

has been agreed with Minister Ní Chuilín, and I am making it on behalf of us both.

Ministers discussed various priorities for the tourism sector and noted that those will be contained in a report to be considered at a future NSMC institutional meeting as part of the ongoing review of sectoral priorities.

The Council noted that a major review of tourism policy is under way in Ireland, as is a review of the Northern Ireland Tourist Board (NITB) and wider structures. Cooperation on a possible joint 2023 Rugby World Cup bid was welcomed.

Tourism Ireland chairperson, Mr Brian Ambrose, and its chief executive officer, Mr Niall Gibbons, updated Ministers on the work of the Tourism Ireland board, including implementation of the 2013 business plan and the development of the corporate plan 2014-16. They also reviewed the progress made on Tourism Ireland's specific, measurable, achievable, realistic and timely — SMART — objective performance goals for 2013 in the following areas: growing visitor numbers to Ireland and Northern Ireland; maximising tourism benefits from key events in 2013; improving competitive interest ranking in source overseas markets; and improving organisational efficiency.

Ministers were updated on the various board meetings that have taken place since the previous NSMC meeting. The most recent board meeting was held during December at the Crumlin Road Gaol in Belfast. Members of the boards of Tourism Ireland and the Northern Ireland Tourist Board met senior executives from both organisations on-board the SS Nomadic to discuss matters of interest and areas for collaboration relating to tourism in Northern Ireland. Members of the Tourism Ireland and the Northern Ireland Tourist Board management teams gave a joint presentation on the forthcoming Giro d'Italia.

The Council noted the marketing campaign highlights for 2013, particularly the worldwide campaigns for the UK City of Culture 2013. In 2014, Tourism Ireland will leverage the launch of Giro d'Italia 2014 as new news and will continue to optimise and grow the prominence of Titanic Belfast and the Giant's Causeway as key visitor attractions.

Ministers approved Tourism Ireland's corporate plan for 2014-16 and noted that it aims to continue to deliver on increasing tourism to the island of Ireland and supporting Northern Ireland to realise its tourism potential. In

approving Tourism Ireland's business plan 2014, Ministers recommended the budget provision for 2014 of €58.029 million, which is £49.905 million.

Ministers approved the reappointment of Niall Gibbons as the chief executive officer of Tourism Ireland, subject to the new contract being agreed with the Finance Departments.

The Council agreed to meet again in tourism sectoral format in autumn 2014. I commend the statement to the Assembly.

Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire as a ráiteas. I thank the Minister for her statement. The Enterprise, Trade and Investment Committee has been made aware of the review of the Northern Ireland Tourist Board. However, the Minister might wish to provide more detail on the — this is referred to in the statement — major review of tourism policy in Ireland. I ask that she provide us with the detail on what is being reviewed at a strategic level across Ireland. Will the Northern Ireland Tourist Board review form part of a wider review? How does Tourism Ireland fit into it?

Mrs Foster: The Irish Government, in the form of Leo Varadkar, wrote to me some time ago indicating that they intended to carry out a policy review of tourism in their jurisdiction.

He wrote to let me know that that was the case. By that stage, we had already indicated that we wanted to review the Northern Ireland Tourist Board. However, the two are not linked; they are each separate reviews taking place at the same time. I suppose that will provide each of us with an impetus to see what the other is doing. However, his is about policy, whereas mine relates to Northern Ireland Tourist Board efficiency and effectiveness and how it delivers, whether there are any synergies with Invest Northern Ireland and whether we could do things better. Given the Northern Ireland Tourist Board's role during the past couple of years and the very good job that it has done, now is a good time to review it. I look forward to receiving the results of that review, I think, by the end of next month, March.

11.00 am

Mr Dunne: I thank the Minister for her statement. What opportunities for increased flights, which are critical for the development of tourism, exist for Belfast International Airport

and, indeed, George Best Belfast City Airport so that we could see new operators coming in and out of the Province?

Mrs Foster: That is a very timely question, because, just yesterday, I had a meeting with Belfast International Airport and one of its carriers. I hope that we will be able to make some announcements in the near future on new routes. Obviously, it is critical, and I have said on record many times that, if we want to see more tourists coming to Northern Ireland, we need to have more direct access.

Canada remains for me very much a key area from where I would like to see direct access come in, and we continue to make progress in that market. Of course, we want to see more connectivity through Belfast, either through the international airport or the city airport, with European destinations.

We will continue to work with the airports, because, at the end of the day, this is a matter for the airports. We can deal with air passenger duty (APD) with our colleagues in Westminster, we can talk with Tourism Ireland about the marketing that can be put around any new routes, and we can be as positive as we possibly can, but, at the end of the day, it is for Belfast International Airport and Belfast City Airport to put their best foot forward. I assure them that, when they do, I will be right beside them to make sure that we can deliver on those routes.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle, agus gabhaim buíochas leis an Aire as ucht a ráitis. I thank the Minister for her statement, which refers to the review of tourism policy in the South and the review of the Tourist Board in the North. Will the Minister enlighten us on the discussions that she has had with her counterpart in the South, Leo Varadkar TD, on the overall organisational structures of the tourism organisations across Ireland that are responsible for the promotion and development of tourism? There is a perception that, for a small island, we have far too many organisations charged with promoting and developing the tourism sector here and that if rationalisation were to take place, greater improvements could be made.

Mrs Foster: I hope that the Member is not suggesting that we get rid of Tourism Ireland and just have the Northern Ireland Tourist Board promoting Northern Ireland. Maybe he is. Maybe that is what he would like to see happening. If that is the case, he should write

immediately to Mr Varadkar and make his views very clearly known.

As I said, the tourism policy review in the Republic of Ireland is just that: it is a policy review, and they are looking — being a sovereign government, they are entitled to do this — at how they set out their policy for tourism. We, on the other hand, are looking at the Northern Ireland Tourist Board, its structures, its effectiveness, its efficiency and how it can work better with other agencies in Northern Ireland so that we can sell Northern Ireland to the rest of the world and look at it as a plc that we work very closely with. Just this morning, I was at a business ambassadors' breakfast in the city centre. I was very pleased to be with Visit Belfast, the Northern Ireland Tourist Board and Invest Northern Ireland. They are all working together with a single point of view, which is to sell Northern Ireland as a place to come to, visit and to invest and do business in. That is what I want to see happening.

Mrs Overend: I thank the Minister for her statement. I note that a cross-border working group has been set up and will report back to the Governments and will then consider moving forward to submit a formal application to host the Rugby World Cup in 2023. Does the Minister agree that, if we move forward with a joint bid, it is very important that the issue of flags, emblems and anthems for the Ireland rugby team must be sorted out satisfactorily? Was that raised at the meeting?

Mrs Foster: No, it was not raised at the meeting because we are just at the very start of a journey that, I think, everybody in both jurisdictions is quite excited about. We believe that if we are successful in bringing the Rugby World Cup to both jurisdictions in 2023, it will make a huge difference in how people view the island and in our tourism potential. Frankly, as a rugby fan, I am very excited about the prospect as well.

The issue of flags and emblems and the Irish Rugby Football Union (IRFU) obviously caused some people in Northern Ireland concern, and we hope that when Ireland is playing in Northern Ireland, Northern Ireland's position in the United Kingdom will be respected; and, of course, when we are playing in the Republic of Ireland, the Republic of Ireland's position will be respected. A bid for the Rugby World Cup is absolutely nothing to do with flags and emblems; it is to do with sport. Therefore, we respect the constitutional position of both countries, but we go ahead and move together

to ensure that we can bring the Rugby World Cup here in 2023.

Mr Lunn: I see the reference in your statement to the Giro d'Italia, Minister, and congratulations again on obtaining this very prestigious event for Northern Ireland. What is your comment on the current proposal that perhaps we should refrain from displaying election posters, flags, emblems or murals along the route for the duration of the Giro d'Italia, just to sell Northern Ireland even more effectively?

Mrs Foster: I have noted the ongoing discussion around this issue. Let me be very clear. As regards election posters, my party colleague, our deputy leader, has already indicated that we would be more than happy for election posters to be taken down across Northern Ireland, because, frankly, we do not need election posters to get the vote out. So, that much is very clear.

However, I have noted the comments of the Alliance Party in relation to flags and murals. Let me say this: does the Member really think that pronouncements from this Chamber will solve the issues around murals and flags in working-class areas across Northern Ireland, or does he think that it would be better to encourage communities to deal with the issues? I commend the work that has been going on in various communities. Indeed, my colleague Mr Douglas, a Member for East Belfast, informs me that an effective programme called The Writing is not on the Wall has been happening in east Belfast, for example, where they have managed to take away some of the paramilitary murals and put up murals to C S Lewis and others. I welcome that, because I hope that the Member is not suggesting that we get rid of murals completely. Because murals are actually —

Mr Lunn: No, I did not.

Mrs Foster: Well, actually, if he listens back to what he said, he said get rid of murals. Murals are part of a cultural expression across Belfast and Northern Ireland, and I think that it would be sad if visitors to Northern Ireland could not engage in appreciating the rich cultural heritage that we have here. Paramilitary murals should of course be taken down; they should never have gone up. However, I must say that pronouncements from here will not solve that; working with communities will. I commend those in the House who work with the communities to try to solve those problems.

Mr Frew: My question relates to the Wild Atlantic Way, which is being heavily promoted in the Republic of Ireland, and rightly so because it is a beautiful part of the Republic. What can be done to ensure that tourists who travel the Wild Atlantic Way travel on across the border to the gorgeous Causeway coast, the most beautiful part of Europe and maybe even the world? *[Laughter.]*

Mrs Foster: Never known to understate his case, Mr Frew brings it forward again. We have, of course, spoken to Tourism Ireland about this issue. The Wild Atlantic Way seems to be the key element of the Republic of Ireland's tourism message to the world over the next 12 months or so. We are keen that people who take the Wild Atlantic Way to Donegal move over into Londonderry and across into Antrim and Down to appreciate what we have to offer here in Northern Ireland. So, yes, we have discussed that issue, and Tourism Ireland is very much aware of it.

Mr Anderson: I thank the Minister for her statement. I see that Tourism Ireland is putting great effort into greening a series of buildings throughout the world for St Patrick's Day. I look forward to many of those buildings being turned orange for 12 July. What is Tourism Ireland doing to promote places such as Armagh, Downpatrick and Slemish, which are regions that can be marketed throughout the world as the home of St Patrick?

Mrs Foster: As I have said on a couple of occasions this year, we need to get behind what is happening with St Patrick and Christian heritage and start looking for different ways to draw people into Armagh, Slemish and Downpatrick and, indeed, right up into Strangford and Bangor. I noticed today that most of the Irish Cabinet are away for St Patrick's Day on a world tour — I think that that is how it was described in 'The Irish News' — and we have such a good product here with St Patrick that we should invite everybody to come here for St Patrick's Day instead and get involved in walking trips and the pilgrim walking trail. I look forward to talking to Members about the whole area of Christian heritage and to working with them to make the St Patrick story a real and tangible one for Northern Ireland.

Mr A Maginness: I thank the Minister for her statement. I note that the Tourism Ireland board met in Crumlin Road Gaol in my constituency of North Belfast. I thoroughly approve of that and commend it as a venue for meetings of other public bodies. The statement mentions growing visitor numbers to Ireland

and Northern Ireland. Will the Minister expand on that? Are numbers actually growing, or is there still a problem with a decline in visitors to Ireland, North and South?

Mrs Foster: The Northern Ireland figures, for tourists from Great Britain, are continuing to rise, and we are very pleased about that. That has taken a lot of work, and the UK City of Culture, the World Police and Fire Games and the G8 summit last year raised our profile with our colleagues in Great Britain. Overall, visitors from outside Northern Ireland increased by 7% last year, which we welcome. However, there is always much more to do, and we look forward to working with colleagues in Tourism Ireland and the Northern Ireland Tourist Board to make sure that those figures continue to rise. We have Programme for Government targets to hit, and it is important that we do so.

Mr Douglas: I thank the Minister for her statement. Mr Speaker, you hosted a smashing dinner here last night with the New Zealand High Commissioner, Sir Lockwood Smith, at which he talked about the importance of establishing strong economic and tourist links with Northern Ireland. Has the Minister had any assurances that we will host a major rugby match in Northern Ireland during the 2023 Rugby World Cup, particularly involving teams such as New Zealand — the All Blacks — which is one of my favourite teams?

Mrs Foster: Given the weekend that is in it, you cannot say that. Surely not. My ministerial colleague — to be fair — and I have been saying that we want to ensure that major teams not only play games in Northern Ireland but are also based in Northern Ireland. It is not just about the games that will come here. There have been discussions about the facilities that we have, and will have, by 2023. However, it is also very important that some of the major teams are based up here as well, and that is a key element of our participation in the bid. You would expect me to say that.

Mr Campbell: The Minister announced in her statement a budget of almost £50 million for next year. Will she assure the House that progress will continue to be made on specifically marketing Northern Ireland, whether through Tourism Ireland or the NITB, from major marketing programmes at the top end of the scale and right down to the product that is on sale at NITB-supported shops in Northern Ireland?

11.15 am

Mrs Foster: I think that I know what point the Member is making, particularly in his latter comments. I assure him that I will continue to stress to Tourism Ireland that we need standout, particularly in the Great Britain market. I think that it is fair to say that things work well when we appeal to our colleagues in the rest of the United Kingdom. It is very important that Tourism Ireland, in its messaging, gives Northern Ireland standout. To be fair, my colleague the Minister in the Republic of Ireland, Leo Varadkar, made that very point about parts of the regions of the Republic of Ireland as well. He said that they were not getting the standout they feel that they should get and that Dublin does get. We will continue to make that point.

It will come as no surprise to the Member that I have no control over airport shops, but I wish that they had a more balanced approach to the merchandise that they sell. There is little point in putting on sale items made in various other parts of the world and none from Northern Ireland.

Mrs McKeivitt: I thank the Minister for her statement and welcome the efforts to increase routes to Belfast airports, as she mentioned in a previous answer. As the Minister is aware, more than six million visitors arrive in Dublin Airport every year. Given that Ministers have approved Tourism Ireland's corporate plan for 2014-16, how does she aim to increase tourism to the island and attract to the North, particularly south Down, a fraction of the visitors to Dublin?

Mrs Foster: It is very important that we work with the tour operators to make sure that Northern Ireland is on the agenda of visitors arriving on the island through Dublin. We have engaged in that in the German, French and other markets. We believe that, if we are able to get on the major tour operators' agendas, we will be able to draw visitors to Northern Ireland when they are on organised tours of the island.

The Member is right to mention south Down. It is important that all of Northern Ireland benefits from visitors to the island.

Mr Rogers: I thank the Minister for her answers so far. I also congratulate her on the Giro d'Italia and the meeting that we had about it.

What are the Northern Ireland Tourist Board and Tourism Ireland doing to optimise and grow the prominence of all parts of Northern Ireland? In particular, what are they doing to ensure that the Giro d'Italia becomes a legacy event rather

than just a one-off and gets to places such as south Down, which Percy French thought was the nicest part of Ireland?

Mrs Foster: As the Member knows, we have had a conversation about the Giro d'Italia and its legacy. An event called the gran fondo takes place after the Giro d'Italia, usually a year later. I am keen that areas that have not benefited directly from the Giro d'Italia — I say "directly" because I am sure that there are businesses around the Province that will benefit indirectly wherever they are located — will benefit from the gran fondo. I look forward to continuing discussions with the Member on that issue.

Mr Allister: The Minister suggested that there has been a constant upturn in tourist numbers. Why is it that the statistics published by her Department on 6 February record:

"a 2% fall in the estimated number of overnight visits by external visitors for holiday purposes in the first 9 months of 2013"?

Does the Minister see any link between the downturn in visitor numbers and the fact that the Northern Ireland Tourist Board is prohibited from promoting Northern Ireland outside the Province?

Mrs Foster: Of course, the Northern Ireland Tourist Board has been prohibited from promoting Northern Ireland outside of the island since 1998. Under the Belfast Agreement, its remit extends to the Republic of Ireland and Northern Ireland. That is where we are. I did not vote for it and neither did he, but we have to deal with the reality that is in front of us.

The Northern Ireland Tourist Board will continue to work collaboratively with Tourism Ireland. I am keen that it does so. As regards external visitors, the number has risen by 7% and associated expenditure by 5% compared with the same period last year. That is due largely to an increase in visitors from Great Britain, which has increased by 14% on the same period last year.

I think that is because I have been clear with Tourism Ireland that we need standout in the Great Britain market for Northern Ireland. I make no apology for that because it is right, in the United Kingdom, that we are given standout in that market. It is bearing dividends.

Executive Committee Business

Budget Bill: Further Consideration Stage

Mr Hamilton (The Minister of Finance and Personnel): I beg to move

That the Further Consideration Stage of the Budget Bill [NIA 32/11-15] be agreed.

Mr Speaker: As no amendments have been tabled, there is no opportunity to discuss the Budget Bill today. Members will, of course, be able to have a full debate at Final Stage. The Further Consideration Stage of the Bill is, therefore, concluded. The Bill stands referred to the Speaker.

Tobacco Retailers Bill: Final Stage

Mr Poots (The Minister of Health, Social Services and Public Safety): I beg to move

That the Tobacco Retailers Bill [NIA 19/11-15] do now pass.

The main purpose of the Bill is to ensure that the minimum-age-of-sale policy for tobacco products is more rigorously applied by retailers. That will be achieved by introducing tougher measures for non-compliance.

It is a well-known fact that the majority of smokers take up smoking before they reach adulthood. Most will have tried their first cigarette and many will have become addicted before they are of legal age to purchase tobacco products. There are many reasons why young people start smoking in spite of being aware of the dangers. There is the smoking behaviour of those who surround them on a daily basis; parents, siblings and friends are major influences. External influences such as the media and promotion by tobacco manufacturers also have an impact.

We are all aware of the statistics related to smoking. However, it is worthwhile to remind ourselves that in Northern Ireland today more than 357,000 adults are smokers. That represents 25% of the population. Over 80% of those smokers took up the habit when still in their teens. The latest research shows that 8% of 11- to 16-year-olds are smokers. Northern Ireland has the highest smoking prevalence in the United Kingdom. Every year, about 2,300 people in Northern Ireland die from smoking-

related illnesses. That is about 45 people per week. Each year, there are 17,000 tobacco-related admissions to hospital, and the estimated hospital costs of treating tobacco-related diseases are in the region of £164 million each year.

As is the case with many public health issues, the burden of illness and death associated with tobacco use falls most heavily on those living in areas of social and economic deprivation. However, it is also true that no section of our society is completely immune to the harmful effects of tobacco. Given the widespread damage caused by smoking, it is incumbent on us as legislators to ensure that we do everything in our power to prevent people from becoming addicted to this lethal habit.

As Minister of Health, Social Services and Public Safety, I want to further discourage the unlawful sale of cigarettes to young people as much as possible. Much has already been done to tackle the problem of young people taking up smoking. For example, we banned the sale of tobacco from vending machines, thereby preventing young people from going into business premises and other places to buy cigarettes from unsupervised sources. In 2012, we prohibited displays of tobacco products in large shops, and we will apply that to all shops from April 2015. The aim of that measure is primarily to ensure that children will no longer be exposed to brightly lit gantries that contain glamorous images of tobacco products.

Members will be aware that on Monday 3 February the Assembly passed a legislative consent motion on a tobacco-related amendment that was tabled by the Department of Health to the Children and Families Bill at Westminster. The amendment concerned the retail packaging of tobacco products, more commonly referred to as "standardised packaging". The amendment provided the Secretary of State with regulation-making powers on a UK-wide basis. Those regulations may impose requirements in relation to the appearance of, and markings on, the external packaging of tobacco products as well as the internal packaging and any wrappers of such products. The aim of that measure is to close off that form of tobacco advertising, thereby helping to further prevent the uptake of smoking by children and young people.

The Assembly's agreement to the legislative consent motion is another important step in protecting our children from exposure to tobacco promotion through branded packaging, and it will also ensure a consistent UK-wide approach to action on the issue. However,

whilst a great deal of progress has been made, we need to strengthen our efforts if future generations are to live free from the illness and disability caused by tobacco addiction. That is why the aim of the Tobacco Retailers Bill is to further reduce the number of young people who smoke by restricting the availability of cigarettes to them. It also targets tobacco retailers who break the law by selling cigarettes to those under the age of 18. The inclusion of powers to deal with proxy purchasing also targets unscrupulous adults who buy tobacco products on behalf of children.

I have no doubt that the vast majority of retailers are conscientious and law-abiding. However, the evidence shows that shops continue to be the main source of tobacco for under-18s. The Bill will provide a strong deterrent to retailers on selling tobacco to under-18s and will create an effective enforcement tool for local councils. Most importantly, the Bill will help to reduce the number of young people who take up smoking and, ultimately, help to save lives in Northern Ireland.

Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a Cheann Comhairle. On behalf of the Committee, I welcome the Final Stage of the Bill.

The Bill is very welcome and timely. Having looked closely at the Bill and what it has to offer, the Committee is confident that it will take us another step forward in tackling underage smoking and, hence, protect the health of our children and young people. It will do that by introducing stricter sanctions against those retailers who continue to sell tobacco to under-18s, thereby ensuring that the minimum-age-of-sale policy is more rigorously applied by retailers.

The Bill has been significantly improved and strengthened by the amendments that the Health Committee persuaded the Department to make. The Committee's detailed scrutiny led to it recommending that the Department make amendments to a significant number of the 26 clauses in the Bill. Again, I thank the Minister for his cooperative approach and for taking on board the Committee's recommendations.

There are a number of amendments that have been made that deserve particular mention because of their importance to the Bill. An amendment was made to bring forward a new clause 1 to create a registration authority that

must maintain a register of persons who are carrying on tobacco businesses.

The original clause 1 proposed that there would be 26 separate registers, one for each council area. The Committee was concerned that the lack of a centralised registration system could result in information not being shared between councils as efficiently as it could be. In particular, members were concerned that details of people convicted of, or given fixed penalty notices for, tobacco offences and people convicted of illicit tobacco offences would not be routinely shared between the councils. The Committee therefore asked the Department to explore having a central register. The Department agreed to do so, and that amendment significantly strengthens the Bill.

Another important amendment was about who can apply to register as a tobacco retailer. That was a significant issue, which was discussed at length by the Committee. We took the view that, given the responsibility involved in selling tobacco, somebody who has a serious conviction for selling illicit tobacco should be prevented from registering as a tobacco retailer.

11.30 am

After consideration, the Department proposed an amendment to clause 4, whereby a person who has been convicted of an illicit tobacco offence resulting in a custodial sentence, whether suspended or not, shall not be allowed to register as a tobacco retailer for a period of five years from the date of the conviction. Again, this is a significant change to the Bill that will tighten up the procedures around who is allowed to register as a tobacco retailer.

Another key set of amendments related to the threshold for a court to be able to impose either a restricted premises order or restricted sales order. The original Bill stated that three offences committed in three years will result in a restricted premises order or restricted sales order. However, given the frequency of test-purchasing exercises, the Committee suggested that three offences in five years would be more realistic for securing a restricted premises order or a restricted sales order and would also act as a better deterrent. The Department concurred with the Committee's thinking on the issue. We welcome the amendments that are reflected in clauses 5 and 6.

I will conclude by saying that the Committee is very pleased to see the Bill come to Final Stage. The protection of children and young people's health is everyone's business. I think

that the Assembly can congratulate itself on getting the Bill onto the statute book.

Mr Wells: Imagine a situation in which a Minister came before the House and announced a brand new product called tobacco that he or she was going to bring in from the United States. He or she would sell it to the Assembly as follows, "This new product will kill 2,300 people a year in Northern Ireland. It will cost the health service an extra £190 million a year to treat those afflicted by this product called tobacco. It will mean that several hundred people a year will die agonisingly painful and slow deaths from lung cancer. It will greatly increase the incidence of heart disease and chronic obstructive pulmonary disease." Would anyone in the Assembly for one moment support the introduction of that product? Well, that is exactly what we have.

We have an epidemic of smoking in Northern Ireland. We still have 24% of the people of this Province smoking. The figure for manual labourers is 31%. It is proving extremely difficult to get those numbers number down. The sad reality is that, in Northern Ireland, the smoking industry has to recruit 2,300 people every year simply to replace those who die from their product. In the rest of the United Kingdom, it has to recruit 100,000 new people a year to replace those who have died from tobacco consumption. The reality is that over 80% of those who they recruit are young people who, legally, are not supposed to be smoking tobacco at all. Therefore, I strongly welcome this legislation, which will make it difficult to obtain tobacco either through directly purchasing it in a shop or through getting others to do it on their behalf by proxy purchase.

I congratulate both the Minister and the departmental officials for the way in which they worked with the Committee on this issue. When all parties in the Health Committee decided to make our legislation as strong as possible in the UK context, we were pushing at an open door. What we have today is the best legislation to protect our young people from this awful habit. When we put realistic or at all sensible proposals to the officials, they came back with an attitude of, "The answer is yes. Now, what is the question?" I have to say that I am used to other Committees in the Assembly, where the attitude is, "The answer is no. Now, what is the question?" However, DHSSPS officials were presumably told by the Minister and the permanent secretary to go in and work with the Committee, and they did so. Therefore, the Committee unanimously supports the proposal.

It is very seldom that I congratulate Mr McGimpsey, but he, previous direct rule Ministers and now the present Minister have all introduced a succession of measures to make smoking unattractive to the people of Northern Ireland. To those who say that this is a case of the nanny state and is unacceptable — I wonder why they are not here today — I say that the tide is inexorable. It is very clear that there has been a sea change in society's views on smoking.

Mr McCallister: Will the Member give way?

Mr Wells: I certainly will.

Mr McCallister: I support the Member's views on smoking and all the measures that have been taken against tobacco. However, I remind him that most of the people who have said that this is a case of the nanny state are his party colleagues.

Mr Wells: Yes, and I think they, by their absence this morning, realise that the tide is, indeed, inexorable. They have always made it very clear that their opposition is based not on health issues but on employment issues. They are defending their constituents' jobs. They do not want anyone, for one moment, to be encouraged to smoke, whether they are under 18 or otherwise. They are defending their constituents and economic welfare, particularly that in Ballymena. They realise, and all rational people realise, that the tide is inexorable.

Since the previous debate on the subject, we have had a vote in the House of Commons on the prohibition of smoking in cars with children — it was almost four to one in favour of that measure being introduced. I think that it is absolutely inevitable that we, in Northern Ireland, will go the same way, and rightly so. It is absolutely inexplicable to me that anyone would smoke in a vehicle with young children present, particularly their own children. I cannot understand why anyone would do it. So, the sooner we move towards that situation, the better.

There are, of course, the naysayers, or, as someone called them, the pseudoJeremiahs, who say that you cannot enforce that. We could not have enforced the ban on smoking in restaurants and public houses — the public houses, by the way, which I do not go to. We could not have done that. However, when you see loyalist paramilitaries on the Shankill Road, with studs in their ears, tattoos on their arms and scars on their faces, standing out on the Shankill Road smoking because they know that

they are not allowed to smoke in the local bar, the Rangers supporters club, it tells you something. It tells you that the community is enforcing this. The community has decided that it is totally unacceptable and is self-policing.

Therefore, we have not had to have police or environmental health officers raiding bars and restaurants in Northern Ireland. That has not happened, because the law set public opinion on this issue and the people, as a community, believe that this is the right thing to do and have self-policed. Therefore, I believe that, with this legislation — with what the Minister is doing and, hopefully, with the ban on smoking in cars with children — people will realise that it is simply wrong. You will get 99% compliance, because people will realise that the law is setting public opinion.

Therefore, this is all going in the right way. I congratulate the Minister on this legislation. It could not come soon enough, and I totally support what he is trying to do.

Mr P Ramsey: Let me apologise on behalf of Fearghal McKinney, a member of the Health Committee, who is unable to make the debate due to a family bereavement.

I welcome the opportunity to speak on behalf of the SDLP in the Final Stage of the Tobacco Retailers Bill and to express our support for it. This legislation will no doubt work towards curbing the number of our young people who smoke and will tackle the illegal trade in cigarettes. I am impressed with the Minister's approach to this and, without deviating from the subject, to the misuse and abuse of alcohol on the streets of Northern Ireland, particularly after the Odyssey Arena event. As legislators and civic leaders, I think that we all have a duty to do our utmost to try to curb this unfortunate illness that we have in alcohol abuse.

The Health Committee's work and its detailed scrutiny of the Bill led, as other Members said, to a significant amount of amendments to the Bill's 26 initial clauses. The result of that collaboration between the Committee and the Department is a more robust and effective piece of legislation. It is obvious that the Committee has spent a considerable amount of time deliberating on this and on coming through with a consensus that it is meaningful for us, as legislators, so that we can try to attack the actions of so many of our young people who are smoking and who think that it is OK.

However, we must remember why the Bill and the suite of mechanisms that it provides for are so timely. Other Members referenced the

number of deaths in Northern Ireland that are directly related to smoking. Some 2,300 people die every year, as Jim Wells said, from heart disease, asthma and other chronic illnesses that are clearly the result of smoking.

As the Minister outlined, 80% of smokers started smoking in their teenage years. As a former smoker, I can clearly see, thankfully, after a number of years, the benefits to me of getting off cigarettes. I also see the benefits for other people who have given up cigarettes, who may otherwise have had a recurrence of a chronic illness such as asthma. Over time, you see a gradual benefit.

The Bill is important because peer pressure, particularly among young people and children, is immense across our society. They think that it is grand to have a few cigarettes. Young girls in particular think that it is OK because it will help with dieting. They think it will reduce their weight and help to keep it down.

We have to get the message out. Although this Bill is aimed at the illegal selling of cigarettes, it is important that we have the education, awareness programmes and early intervention in primary and post-primary schools that are so important in having an impact on discouraging young people from what we all know to be an awful habit. If we can put statutory measures in place now, it will reduce the availability of cigarettes to younger people. Clearly, that will lessen the likelihood of people taking up a smoking habit in their teenage years and into their 20s and 30s. That is when they develop chronic illnesses.

To tackle the clear prevalence of smoking-related illness, much of the Committee's scrutiny of the Bill revolved around the creation of registers containing details of tobacco retailers. Originally, 26 registers were intended for implementation; one for each district. Those registers would facilitate transparency. Any individual who was not sure about a distributor could look up the pertaining register and ascertain whether that retailer was registered. The Committee noted inconsistency in that model regarding accessibility. Sometimes, along district borders, it may not be instantly comprehensible which district a certain retailer may be located within. That confusion could be further compounded by the new council model, which would alter the district areas. The Department and the Public Health Agency should certainly examine that.

The issue of duplication was also raised by the Committee. One tobacco retailer may own multiple premises and, at each, the degree of

legality to which they sell tobacco products could vary. The Committee was very concerned that there may not be an appropriate level of information between 26 different registers and, as a result, misdemeanours may fall and be lost. To rectify this, the Committee proposed a central register and the creation of a registration authority. With such a system, anyone who is concerned about a retailer can simply log on, type in the relevant details and see for themselves whether an individual is registered. Not only would that Committee proposal be much more effective, but it would be much more cost effective and efficient. Indeed, the Committee heard evidence about how much the creation of registers can cost and agreed that a central register simply made common sense.

There were other issues about the level of detail contained in the register. Some on the Committee wished for a larger amount of detail to be present. However, the risks of such a level of detail were well documented by the Department. Not only would incorrect information potentially affect the business of a retailer but, as has been suggested, if notices of penalties and convictions were published, there may be human rights issues involved. For the above reasons, the Committee was content to follow departmental advice on that issue.

Another area of discussion, which the Chair mentioned, surrounded the viability of amendment No 4. The Committee suggested that it would be plausible to impose a restriction on obtaining a tobacco licence on any individual who had already been convicted of an illicit tobacco sale. The Department raised issues on that amendment as, naturally, there are varying degrees of criminality in that regard. After discussion with the Department, it was concluded that any person who had been convicted of an illicit tobacco offence carrying a custodial sentence will be prohibited from obtaining a tobacco licence for five years. Clearly, the Committee and, I think, the House will be content with that proposal.

This is a fitting example of how successful Statutory Committee and departmental collaboration can make sense, going forward. Hopefully, the Bill will go a long way towards helping to stop young people taking up smoking. The bottom line, from my knowledge of the Committee's work and listening to some of the debates, is that it is important for the next generation and the one after that that we, as legislators, try to make a difference and ensure that we invest now in programmes and legislation that will save the health service serious money in the future because of the

number of deaths and the people who will absolutely take chronic illness as a result of smoking. We are delighted to support the Bill.

11.45 am

Mr Beggs: First, I declare an interest in that my dad is a local councillor, and he will be required, through his council, to take part in the enactment of some of the regulations that will flow from the Bill.

On behalf of the Ulster Unionist Party, I support the Tobacco Retailers Bill as amended. As others said, the Bill has been greatly improved as a result of detailed scrutiny by the Health Committee, during which a number of gaps in the original draft legislation were filled. I also welcome the fact that the officials and the Minister listened to the force of argument from the Committee, which has greatly improved the Bill.

As others said, some 2,300 people a year die directly as a result of smoking. The majority of those people take up this highly addictive habit in their teenage years. Smoking is extremely addictive, which is why it is important that we try to protect our young people. We are failing our young people and our community if we do not provide increased protection. A considerable number of people under the age of 18 smoke, so it is right that we introduce this legislation to put tougher regulations around tobacco retailers.

Like Mr Ramsey, I believe that it is important that we do not create a situation whereby illegal tobacco sales take off. A range of agencies will be required to ensure that illegal business does not undermine legitimate business that operates under the law and under the new legislation. That is an important aspect that must be taken on board by relevant government agencies.

On selling or handling illegal tobacco, officials initially told the Committee that the Bill did not differentiate between categories of tobacco — for example, whether tax had been paid on it or it was counterfeit. Originally, the Bill did not contain proposals to take account of the sale or handling of illegal tobacco and whether someone should have a sales order imposed or should be considered for a tobacco retailing licence. It would be ridiculous if councils were forced to grant tobacco retailing licences to people who had been convicted of selling illegal tobacco and perhaps even convicted of handling millions of pounds of illegal cigarettes. I raised that at Committee Stage, and I am pleased that I convinced the Committee to

pursue the Department on the issue. Initially, we were told that, legally, the issue could not be taken into consideration because it involved reserved matters. However, the Committee pursued the issue, and I am pleased that the Minister and the Department changed their mind. That allowed a significant change to occur, which I think greatly enhances the Bill and puts a very strong message out there that anyone who handles illegal tobacco sales — such as, according to recent media reports, illegal tobacco sales in the Ballymena area — puts in jeopardy, if convicted, their ability to sell tobacco at all. It is important that the issue of illegal tobacco sales is included in the Bill because it sends a very strong message to those who have been handling illegal tobacco.

Why is that important? If people are prepared to sell illegal tobacco, they are, in the first instance, breaking the law, and I know from my involvement with the Northern Ireland Audit Office that, if people are prepared to break the law in one area, they are more likely to break the law in others. So I would argue that, with those who are prepared to sell illegal tobacco, there is an increased risk that they would be willing to sell tobacco to underage people for personal profit. Young people's health is at risk from the greed of individuals who want to profit by selling illegal tobacco through retail outlets. If we can ban the sale of tobacco from retail outlets to those who are under 18 years of age, it will become increasingly difficult to access tobacco, and fewer young people will, therefore, take up this highly addictive habit. In clause 4, which was mentioned, convictions for selling illegal tobacco can be taken into consideration when deciding whether to grant a licence at all. That is a very powerful message.

The Committee also heard that a limited number of test purchases occur each year. Test purchasing is normally an exercise undertaken as part of a concentrated effort over a period in each council area, but very few people have ever been caught on a number of occasions. Given the number of test purchases, to catch someone three times in three years meant that there had to be 100% failure each year because there was probably only one test purchase.

Consequently, when I asked an environmental health officer whether the ability to gain convictions would be improved were there to be three tests in five rather than three years, I was pleased when he acknowledged in evidence to the Committee that it would. The Committee supported that view, as, ultimately, did the Minister, and a significant change was made to the Bill, which will make it easier for local

councils to gain convictions. That will increase the pressure on tobacco retailers to take particular cognisance of the issue and ensure that their staff do not put at risk the ability to sell tobacco. It is a positive message that everyone will have to take greater care when selling tobacco.

Originally, the fine for obstructing an authorised officer was to be £1,000. I disagreed with that because taking a £1,000 fine might mean that a tobacco retailer could profit by a much greater amount through avoiding losing his licence. It was important to increase the fine for obstructing an officer trying to gain access to evidence that could lead to a conviction. I am pleased that, following lobbying by the Committee, the Minister agreed to increase the fine to a much more substantial £5,000. Hopefully, in future, authorised officers will be able to gain access and find the necessary evidence to do their job.

Like others, I agree that education is important as we go forward. We must ensure that, through our school curriculum and in our health service, preventative work is given increased importance. Information about the dangers to individuals' health should also be made available through our colleges and universities. It is not just about the number of deaths occurring in Northern Ireland; it is about the number of people whose quality of life is greatly reduced because they have been smokers or because they continue to smoke. It is important that everyone becomes fully aware of the dangers to their health and how smoking could adversely affect them in the future.

The positive message is, of course, that, if someone stops smoking sooner, significant improvements can occur. We need to promote an ongoing educational message, and we need this new legislation. As others and I mentioned, we also need further scrutiny of those who are prepared to profit from selling illegal tobacco in Northern Ireland. Illegal tobacco is frequently sold to young people as well as adults, and those prepared to sell it are simply interested in profit, not health.

I continue to support the Bill. I am very pleased about the significant changes made to it, and I hope that it will help to save lives.

Mr McCarthy: I support the Minister, the Chairperson and Deputy Chairperson of the Health Committee and other members of the Committee, and I welcome the Final Stage. As I see it, there is no need to recite the reasons why the legislation is important and worthy of support or to re-examine the worthy

amendments made to it. I want, however, to place on record my thanks for and recognition of the work of Health Department officials and our Committee members and staff for the constructive manner in which the Bill was advanced and strengthened. Also, I pay tribute to other interested parties who came to our Committee, including retailers, councils, anti-smoking groups, our Assembly research people, of course, and, indeed, others.

I want to take this opportunity to place this Bill, which will shortly become law, in a wider context; that is, our efforts to combat the scourge of smoking in our society. As others said, we are all very aware of the impact that smoking has on the health of individuals in Northern Ireland. Some 2,300 deaths take place because of smoking, which, in turn, creates untold suffering for families and leads to collateral damage on others, including vulnerable people such as our children. The consequences of lives cut short or problems of ill health have wider repercussions on public spending, including pressures on our already overstretched health service. There are also consequences for our economy through lost production and productivity across the whole of our economy.

We can address the problems of smoking through a range of measures, and this legislation will surely play its part. We can educate people on the effects of tobacco through strong public health messages. I also pay tribute to the Public Health Agency for its work, and I pay tribute to other groups, such as the one that uses the cancer bus, which made a visit to Stormont a couple of weeks ago, and others who travel to communities across Northern Ireland to spread the message. We can influence the price of tobacco through taxes and other levies, and I believe that that can help smokers to quit the habit. Pat Ramsey said that he used to be a smoker, and I was, too. I can remember that, when the price of fags went up, I used to say, "I am not paying that". Unfortunately, I did until I caught myself on later on. Thankfully, after 30 years' smoke free, I am fine and healthy and all the rest of it.

We can regulate the sale of tobacco. This includes measures such as the Tobacco Retailers Bill. This builds on work to regulate tobacco displays in shops and the recent LCM regarding plain packaging. We have regulated the ability to smoke in public places, including many buildings, workplaces and pubs, and who could deny that these measures have created a much more pleasant environment for everyone in our society? There is now an active debate on whether parents or others should be allowed

to smoke in cars when a child is present, and I pay tribute to the dedication of our Deputy Chair in his contribution this morning on this. I hope that we can, in a very short time, follow the actions from across the water and implement this. The answer to the question of smoking in cars where a child or children are present is obvious, and I support any measures that keep our young people safe and in a clean environment. So it is important that we seek to build on this Bill and regard it as part of a much wider package of reforms.

I do, however, get concerned about an issue that the Deputy Chair mentioned. There are people who seek to cast doubt on the wisdom of these measures or who cite concerns that, somehow, some unscrupulous people will find a way around these measures to engage in illicit tobacco sales. Those are not legitimate reasons for not proceeding with tighter regulation, and, if people break the law and engage in organised criminality, it should fall to the police and the criminal justice system to take the necessary action.

In conclusion, the Assembly is continuing to play a major part in creating a more healthy population in Northern Ireland, and I am proud to be part of the Health Committee that is going in that direction. I sincerely hope that everyone will continue to play their part in convincing our young people to ignore tobacco products in the first place. On behalf of the Alliance Party, I support this Final Stage of the Bill this morning.

Mr Dunne: I, too, as a member of the Health Committee, welcome this legislation on tobacco retailers.

12.00 noon

The main benefit is that the legislation will mean tougher sanctions against retailers that sell tobacco to under-18s. That is a positive development. The enforcement of that has lacked real teeth and is something that councils will need to monitor. It is vital that councils get the necessary resources to carry out the additional work involved. The 11 councils will have to maintain a register and then feed that centrally into the Public Health Agency, which the Committee recognised as the best body to carry out such a responsibility. That will eliminate a lot of duplication and additional work for councils. We welcome that; it is a very positive move.

The new councils will have to take on the responsibility and, as I have said, will need the necessary resources to carry it out and

implement the resulting changes. As a former councillor, I know the workload that environmental health officers in councils have. This will give them even more responsibility. It is important that they are given the additional resources to carry out their duties. A lot of the surveillance that will be carried out on premises will take time and effort. It will be risk-based. Where they feel that there is real risk, they will carry out surveillance and visits. So, it is important that we recognise that councils need to give the necessary support to the environmental health officers to carry out that necessary work.

Another important fact that we welcome is that proxy purchasers, people who willingly buy tobacco for under-18s, will now be subject to the risk of prosecution. That is a welcome development and something that we all think will be positive.

In conclusion, I welcome the legislation. If it does anything to assist in reducing the 2,300 deaths in Northern Ireland, it will be a positive move. I commend the work of the Committee. It has been interesting legislation to work on. We certainly commend the support of the Minister.

Mr McCallister: Listening to the debate, I am reminded of one of the best reasons why the Assembly should only ever grant accelerated passage in exceptional circumstances. Look at the work that the Committee did and the engagement it had with the Department; a Department that was, to be fair, receptive to how to improve the legislation. Mr Beggs talked about the amendments that he felt particularly strongly about. The legislation is better for that work. When we debate accelerated passage, we should remember that that is why we should do it only in the most limited circumstances. This legislation is better for having gone through the processes of the Assembly.

The statistics speak volumes about why we have to continue the fight against the scourge of tobacco and smoking. The unnecessary deaths from smoking, the lives ruined and the health ruined is why we have to keep up the fight and — I say this to the Minister — keep on looking at other ways in which we can improve things and tackle this scourge.

Mr Wells rightly pointed out that Michael McGimpsey, when Minister of Health, did excellent work on this. Minister Poots, I am glad to say, has continued that work. We need to keep doing that until we eventually make Northern Ireland a smoke-free place to live and work. That is something that we should always

be striving for: to rid ourselves totally of the scourge of tobacco.

My views on the wider issue of smoking in cars, especially with children, are well known. I pushed the Minister on that before, back in autumn 2011. I know that the rest of the DUP who are not just as enthusiastic about the measures have, seemingly, been frightened off by Mr Wells. Those are areas that we should look at and make progress on, and it is important to do that. Mr Wells was right when he talked about the difference that banning smoking in pubs and restaurants has made. I know that he is not a regular visitor to pubs, but it makes a huge difference to people's health. I am not quite sure how he ended up outside a pub on the Shankill Road. One can only assume that his satnav sent him to the wrong location and that he was really looking for Kilkeel harbour. *[Laughter.]* All those measures have made, and will make, a difference. That is why I am pleased that the Committee, the Minister and the Assembly are pushing hard to rid Northern Ireland of the scourge of tobacco and the serious illnesses and death that it brings to our people.

Mr Poots (The Minister of Health, Social Services and Public Safety): I thank the Members who contributed to the debate; I also thank them for their positive remarks and support for the Bill. What is clear from today's debate is that no one wishes to see young people taking up smoking. The burden that tobacco use inflicts on our society is felt by everyone, and although much progress has been made, we need to make further inroads against smoking.

I will turn to some of the specific issues raised during the debate. A number of Members referred to the work of the Committee. Let me be very clear: I want to work with Committees when it comes to legislating because we in the Department do not believe that we have all the good ideas. We will bring forward legislation based on the information that we have available and the consultations and so forth that we do, but, very often, Members working on the ground will introduce a different aspect or a new idea, and we will want to work with Members if that enhances legislation. I hope that this is a model for future health legislation and that we can continue to work closely with the Committee for the benefit of all the people of Northern Ireland.

A number of Members raised issues. Mr Beggs raised an issue about test purchasing over the three-year period. One thousand four hundred and eight premises have been visited, with 15%

caught selling to under-18s. There have been 78 written warnings, 83 formal cautions and 79 prosecutions. The latest fines are about £500 per retailer. That is between 2010 and 2013, so considerable work has been done.

Gordon Dunne was looking for extra funding for councils. I thought that he had retired from the council, but he is still fighting the good fight for local authorities. The Department will provide funding for the establishment of the central register. For the maintenance of the register, officials have been in regular discussions with the tobacco task group, which represents councils' environmental health officers. They do not anticipate that additional funding will be required to enforce the Tobacco Retailers Bill. That is due to bedding down on smoke-free legislation, which means that funding allocated for its enforcement can now be directed towards the enforcement of the Tobacco Retailers Bill.

Ms McLaughlin and Mr Ramsey raised the issue of the central register rather than the original council register. It makes absolute common sense that we go down the centralised registration system, which will be accessible to all via a public-facing website. In addition to offering a more practical solution to the public, a centralised system will allow district council staff to verify easily whether multiple retailers are operating premises in other council areas. That function will be beneficial for the sharing of information on relevant offences that could lead to applications for banning orders.

Mr Wells and Mr McCallister raised the issue of banning smoking in cars, and indeed Mr McCallister raised a debate on that issue in 2011. I have written to Executive colleagues — it has been there for some time — on a range of options regarding smoking in private vehicles, which would include legislation after public consultation and plans to address the issue in the near future. I will focus on progressing this Bill through the Assembly, but I am also monitoring the situation at Westminster closely.

When it comes to banning smoking in cars, I do not see where the nanny state comes in. If there are children in a car, who has the right to blow smoke into that car and allow smoke to stay in that car, which has the potential to damage children's health? We will make interventions on behalf of children when people do not behave appropriately in a whole range of circumstances, and I do not see how this can be any different.

Any adult who smokes in a car with a child in it is behaving irresponsibly. People will say,

"Where does it stop? Will you stop smoking in people's dwellings where there are children?" I do not think we can enforce that, but, again, it is wholly inappropriate for adults to smoke in premises with young people there, be it in their own homes, in their cars or elsewhere.

Mr Wells and Mr McCallister will be pleased to know that I was investing in their constituency in the recent past and was in a restaurant having a nice meal with my wife. We and another couple with us were commenting on the fact that the air was so clean because there was no smoke in the restaurant. I can remember going to restaurants where we were sitting with our children and, between courses, the person beside them was blowing smoke over us and our children, which I did not want, but could do nothing about. That has been a major benefit. I should say that Mr Wells will probably not frequent the premises because they have the word "steakhouse" on them somewhere — *[Laughter.]* — but Mr McCallister will be very pleased to know that it is somewhere near Rathfriland. A good steak will not do you any harm, Jim.

The restriction of illicit tobacco is primarily a matter for HMRC. I am concerned about the availability of contraband tobacco, which provides an accessible source of tobacco for young people and for many others. In fact, there are all sorts of figures bandied about, but we believe that anything between 20% and 30% of tobacco in Northern Ireland is illicit tobacco. I have a major issue with that, because it is something that we in the Assembly do not have that much power to deal with. I think that the Westminster Government need to invest very heavily in supporting HMRC to clamp down on the illicit tobacco trade here in Northern Ireland. If we are to challenge that figure of 25% who smoke and we have 20% to 30% of people using illicit tobacco, which is as cheap as £2 per packet, the taxation that is applied as a disincentive to people to smoke does not apply to that group of people, because they can get it for a price that is affordable.

We need to clamp down on that. We need to drive out of business the criminals who are selling illicit tobacco and who are very often ploughing the money that they make from that illicit tobacco into other criminal and, indeed, terrorist activities, and ensure that we can take a stronger stance on tobacco. HMRC really needs to step up to the mark on that issue and demonstrate that it is going to take on the criminal empires that are supplying tobacco right across the community in Northern Ireland, particularly in our deprived areas where health inequalities are much greater.

I will conclude by taking the opportunity to thank the Health Committee for its keen interest in and support for the Bill. It is important to acknowledge that work. I would also like to say that many volunteer charity workers have willingly given up their time to engage in work to raise issues about tobacco and the potential damage that it causes. We should acknowledge the charitable organisations as well.

Mr Wells: Will the Member give way?

Mr Poots: Yes, certainly.

Mr Wells: The Member is quite rightly thanking those from the NGOs who gave evidence. May I place on record the gratitude of the Committee to his staff, who were so flexible in how they dealt with it? I have been around this Building for far too many years and, I must say, I frequently encounter negative officials from various Departments who are there to block and put up as many obstacles as possible in front of a Committee. What I appreciated about this legislation was not only that, when the Committee suggested something sensible, your staff were very quick to support us, but, secondly, that when something that we were proposing was not practical, they were also very swift to come back to us and explain exactly why those suggestions could not be included in legislation.

We all found that a very pleasant experience. We hope that we have set a precedent not only for us in dealing with the Minister's Department, but for other Committees.

12.15 pm

Mr Poots: I welcome and appreciate Mr Wells's comments. I know that staff will appreciate them. I will ensure that they are passed on. I am pleased that the Committee found the staff so responsive and helpful in dealing with the issue.

Mr Allister: Will the Minister give way?

Mr Poots: Yes.

Mr Allister: Could I take the Minister back to the point that he has just made about illegal imports of tobacco? Is he at all concerned that, for example, Trading Standards Service, which does not come under his Department, but DETI, has no authority in that regard? Is there a lacuna in the system as to who in fact has statutory responsibility to investigate apart from

HMRC? Is there not a need for local oversight in that regard? Is Trading Standards Service not the body that should investigate that?

Mr Poots: The Member has certainly raised a valid point. I would be very happy to raise the issue with the Department of Enterprise, Trade and Investment as to whether Trading Standards Service could operate in that field and could assist us in that or whether it is purely a matter that is dealt with by our colleagues at Westminster. I will raise that issue on the Member's behalf.

I would like to think that, as a result of the legislation, lives will be saved in Northern Ireland. Young people who would otherwise have been tempted to buy illicit tobacco, or those who would be tempted to buy it on their behalf, will be deterred. Once again, I am grateful to all who have contributed to moving this piece of important legislation forward.

Question put and agreed to.

Resolved:

That the Tobacco Retailers Bill [NIA 19/11-15] do now pass.

Private Members' Business

School Pupils: Adequate Nourishment

Mr Speaker: Order, Members. The next item on the Order Paper is a motion on nourishment in schools. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. One amendment has been accepted and is selected on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who speak will have five minutes.

Ms Maeve McLaughlin: I beg to move

That this Assembly recognises that research clearly shows that proper nourishment benefits a child's ability to learn; and calls upon the Minister of Education to explore, via a pilot programme if necessary, what steps can be taken to ensure that children coming into schools in the mornings are adequately prepared to benefit from the lessons they will receive.

Go raibh maith agat, a Cheann Comhairle. I support and propose the motion on a critical issue. As I move the motion, we reflect on the severe reality of our relationship with food and its impact on physical and mental health. Today, we have heard played out in the local media the awful tragedies of the untimely deaths of a number of young people from particular eating disorders. I want to take the opportunity to send our condolences to the families of Laurence Nugent, Danielle O'Neill and indeed to the families of others in our communities and society who have lost their lives as a result of those particular illnesses.

It is not acceptable to hear family members on the local airwaves today indicating that there is a lack of services and knowledge to signpost assistance and help for their young people. It is simply not acceptable. I appeal to the Health Minister in particular to work in cooperation with the Department of Education to ensure that those situations and horrific incidents do not happen again.

With regard to the motion, it is clear that, from September 2013, schools must adopt a whole-school approach to the provision of food to pupils and to the teaching of healthy eating.

Since the launch of the food in schools policy, which I commend and which is a joint document from the Department of Education and the Department of Health, we have seen the Public Health Agency's 'Fitter Future for All' document, spanning 2012-2022.

From 2005-06 to 2011-12, the percentage of those in year 8 who are overweight or obese has increased from 27% to 31%. That is quite a stark figure by anybody's reading. The research demonstrates that children who are obese are more at risk of being obese as adults and of developing a range of related health problems.

Some 166,000 children here eat school meals every day. Over 325,000 children and young people are enrolled in our schools, and they receive up to six hours' schooling a day for 190 days of the year. Health and education agencies have funded a number of breakfast clubs, which is very much welcome. In 2011-12, almost 200 breakfast clubs were supported in the extended schools programme. The Department of Education will, rightly, extend the criteria for free school meals by September 2014, adding 15,000 children to that eligibility. In 2012-13, the Department of Education allocated funding of over £3 million to support the implementation of the statements that are required to ensure that pupils are presented with healthy options and encouraged — this is important — to eat healthily.

In October 2012, the 'Belfast Telegraph' ran a story on the rising number of children who go to school hungry because there is a lack of money and, sometimes, a lack of parental interest. That is a damning indictment on our society. Some 79% of teachers claimed that their pupils turned up to lessons hungry, and 55% said that those numbers here had increased in the past year.

In the North, one in five boys and one in four girls in primary 1 is overweight or obese. It is calculated that treating obesity-related illnesses will cost the Department of Health £90 million over the next two decades. Obesity-related deaths will have a total lifetime economic cost of £340 million.

The food in schools policy, which is welcome and which I referred to, sets out how schools can work with key partners to continually improve the quality of food that is provided in a school setting. The Department of Education and the Department of Health here have worked closely with schools, key partners, organisations and agencies over several years to try to improve the nutritional standard of the

food that is provided in our schools. It is vital, therefore, that our children and young people develop the knowledge and skills to allow them to eat healthily and to make healthy choices not just in school but outside it. The primary and post-primary curriculum now provides opportunities for young people to gain the necessary skills for that.

A healthier breakfast club provides an opportunity for pupils and staff to eat breakfast in a stimulating environment. That has a positive impact on pupils' concentration and, indeed, on their performance throughout the day. Research carried out by the then Health Promotion Agency for its 'Eating for Health?' survey showed that almost one third of 12- to 17-year-old girls did not eat breakfast during the school week. It is important, therefore, that we do all in our power, within and external to, our gift, whether by way of a pilot programme, a pilot scheme or whatever means necessary, to ensure that nourishment in schools is very firmly on our political agenda.

Mr Moutray: I beg to move the following amendment

Leave out all after "learn;" and insert

"welcomes the initiatives taken to date on the issue through the introduction of breakfast clubs and the work of the education catering services of the education and library boards; and calls upon the Minister of Education to explore what further action can be taken to ensure that children come to school ready to benefit from the lessons they receive."

At the outset, I apologise for the Chair of the Committee's unavoidable absence this afternoon.

As my party's amendment highlights, we accept the research that shows that proper nourishment benefits a child's ability to learn. Indeed, the need for a school meals service, which has been an integral part of the education landscape for many years, came about in the first instance as a result of schools and educationalists seeing at first hand the negative impact on children's learning of poor and necessitous children coming to school. It is also clear from research that children who have breakfast before coming to school are more receptive to learning than those who do not.

In the light of that research, over the years the school meals service has developed a range of responses to the changing needs. From talking to those who have worked in the service for

many years, I know that those developments have taken place at times against policy backgrounds that saw no value in having the service at all. During the days of direct rule, the Department was keen to see that a school meals service was not an integral part of the educational service and tried on a number of occasions to abandon it. Thankfully, that is no longer the policy, and I commend the Minister and his counterpart in the Department of Health, Social Services and Public Safety for producing a coordinated approach to the whole issue of nutrition. It is now clear and accepted that the service plays a vital role in improving educational outcomes for children.

The debate offers me an opportunity to pay tribute to the staff who work in the service. School dinner ladies and, in more recent times, the men are an important part of the school landscape. For many children, those staff contribute not only to the healthy eating agenda but are an important part of the pastoral care aspect of the school community. As Members, we do not recognise often enough the importance of such ancillary staff to education. From my experience as a parent and a school governor, I know how important those staff are. Many staff have given a lifetime of service to their community. I also commend the Northern Ireland School Caterers Association (NISCA) founded in 2002 with the aim of promoting the service, improving the quality of school meals and celebrating the achievement of those schools that are at the forefront of providing a high-quality service for children. Indeed, NISCA has been instrumental in assisting the Department to develop its current approach to nutrition. Members should take time to look at the association's website to see examples of some of the initiatives that are under way for International School Meals Day on 6 March. It is evident that the service sees itself as a key partner in the battle to improve educational outcomes for children.

The education catering services of the education and library boards are the largest food providers in these islands. The service provides 300,000 meals daily to children in all types of schools. Although many are cooked on the premises, the boards operate one of the largest operations for the transport of cooked food anywhere on these islands. Furthermore, the quality and choice of the food that is now available in many kitchens is greatly improved since my time at school, and the service attracts many well-qualified and talented staff. The annual budget for the service is in excess of £30 million.

Most of the current initiatives for food and nutrition have emanated from within the service, and it is evident that most of the ideas for any future change lie within the expertise of the staff who work in the service. One of the most important recent initiatives has been the establishment of breakfast clubs in many schools. One of the facts in our education system is that, once something is in school, parents take it for granted that it has always been part of the school system. Breakfast clubs are a good example of that. They are a relatively recent addition to the education scene and have tended to be funded on an ad hoc basis from earmarked funds. Many principals tell me that they now see them as an important and integral part of the educational landscape of a good school, yet not all schools have them. Research about them has been very positive. We know that they make a difference, but, as yet, they are not part of the way that the Department does things. What is even more startling is that the Minister's Department is unable to tell us how many breakfast clubs are in operation in schools in Northern Ireland. It does not hold those figures, yet, according to the motion, we are now to look at what more we can do and institute another pilot. That is so typical of how the Department approaches change and improvement that I sometimes think that it suffers from a collective short attention span. No sooner has it come up with one idea and instituted a pilot than it casts it aside for the next fad. The floors of Rathgael are littered with half-baked, half-thought-out and half-implemented policies. So before we go trying for the next big idea, we should fund existing strategies that we know work and make them available in all schools. That would be a simple, cost-effective way to make change.

12.30 pm

Let us ask the experts on nutrition — the education catering staff — what we need to do. Let us fully implement initiatives such as breakfast clubs that we know make a difference. Let us develop the beginnings of a coordinated approach on the issue and work closely with our partners in health to implement a properly coordinated early years approach rather than play pass the parcel around 0-6 services. Let us join the integrated services approach to need rather than leaving health to do all the heavy lifting. If we put into action, in a systematic manner, a whole-school approach to nutrition, it will make a difference to educational outcomes for our children, particularly those from our most disadvantaged communities.

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

The debate stood suspended.

The sitting was suspended at 12.32 pm.

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

2.00 pm

Oral Answers to Questions

Justice

Haass Proposals: Costs

1. **Mr Nesbitt** asked the Minister of Justice what estimates have been made regarding the potential cost to his Department of implementing the Haass proposals. (AQO 5570/11-15)

Mr Ford (The Minister of Justice): As I explained to him at the last Question Time, my Department has not done an assessment of the cost implications because we do not have full worked-out arrangements agreed by the five parties to know what it is possible to implement. It is fairly safe to say that there will be additional costs involved in establishing a body such as the historical investigations unit (HIU) and a subsequent need for additional resources. It is also very clear that, at present, significant costs for dealing with the past fall on the Department of Justice and create a very significant pressure on the institutions in the justice system that deal with the needs of the present day. That is why it is vital that we deal with the past on economic as well as moral grounds.

Mr Nesbitt: I thank the Minister for his answer. Leaving aside the proposals that came out of the failed Haass process, does the Minister accept that the status quo is not tenable, and, if so, what ideas does he have to deal with the pressures? I am thinking particularly of legacy Coroners' Courts and article 2 compliance under the European Convention on Human Rights. What additional resources and timeline does he envisage for putting that right?

Mr Ford: I appreciate the Member's questions. I am not sure that I agree with the premise that the Haass process failed, given that some of us have been spending several hours a week this year trying to make the process tie together. It is absolutely clear that, if we do not have the historical investigations unit, the Department of Justice will need to do significant work, which is already under way in preparatory form, to deal with issues around the fact that coroners' inquests have been held to be not article 2 compliant in a number of recent judicial reviews (JRs). So there are fundamental issues that the

Executive will have to address in a joined-up way to deal with some of those points, and it is absolutely clear that anything we do in that area, whether under the Haass process or something separate, will require considerable investment.

Mr Lyttle: Does the Minister agree that there will be significant financial and human costs in not addressing the issues of flags, parades and the past and that the British and Irish Governments must take their responsibility in resourcing and showing leadership in addressing those issues?

Mr Ford: Yes. I am grateful for that question. It is absolutely clear that there will be very significant human costs if we fail to find a system that works properly to deal with the past. Problems have been occurring in the Historical Enquiries Team (HET), the Office of the Police Ombudsman and with legacy inquests. A new way of joining up those processes, as was suggested could happen through the HIU as part of the Haass process, would give us major opportunities to move forward. It is also incumbent on the British Government and the Irish Government to recognise the role that they played in the past and their responsibilities to assist financially as we seek a comprehensive process to deal with those problems.

Mr Allister: Has the Minister given any thought to the cost to innocent victims' quest for justice arising from the foolish Haass proposal that, as an alternative, they could have a self-serving Provo version of the truth about why their relatives were murdered? As Justice Minister, should he not be at the forefront of making paramount the attainment of justice, such as that obtained recently by the Proctor family, even after 30 years?

Mr Ford: I am not sure that I entirely recognise the description that Mr Allister gives, in his usual eloquent way, of the outcome of the Haass process. The way I read those discussions, and I was part of those discussions, was that what we were looking at was the opportunity to get justice where that is possible. However, in some cases, families that will not be able to get justice after many years will want information. If that provides some measure of comfort to those bereaved in the Troubles — if they can get information where they cannot get justice — I will certainly not deprive them of that opportunity.

Mr Principal Deputy Speaker: Dr Alasdair McDonnell is not in his place.

Youth Justice Review

3. **Mr McCartney** asked the Minister of Justice, in light of the recent publication of the Criminal Justice Inspection report into the youth justice review, what steps has his Department taken to ensure that the targets set by the Programme for Government 2011-15 are met. (AQO 5572/11-15)

Mr Ford: The publication of the youth justice review in 2011 provided me with the opportunity to refine and improve the way that we deal with children and young people who come into contact with the criminal justice system in Northern Ireland. The importance that I placed on seeing through the changes was reflected by the fact that we set a target for implementation in the Programme for Government.

The first step that I took was to ensure transparency and accountability of the process through the publication of an implementation plan in October 2012. That set out how that work would be taken forward and provided an undertaking to provide regular updates to the Justice Committee and other stakeholders. The most recent update was published on 29 January. It showed that the great majority of recommendations have been implemented, substantially implemented or advanced as far as possible pending legislative changes.

Progress has been significant but the process of reform continues, not simply in order to meet our Programme for Government target but because we want a youth justice system that is fit for purpose and that delivers the best possible outcomes for children and young people, their families and the victims it deals with. By rightly focusing on outcomes in his report, the chief inspector of criminal justice recognised that the process will take time. I am committed to ensuring that it succeeds.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Thank you very much, Mr Principal Deputy Speaker, and I thank the Minister for his answer. Is the Minister satisfied that the implementation plan is robust enough? Will he perhaps outline the timescale for the legislative changes?

Mr Ford: I certainly believe that the plans that we have are robust enough. Mr McCartney and the other members of the Justice Committee will have seen the detail of those plans and that good progress has been made. The reality is that a number of issues are involved in the Department's legislative programme and, as

vice-Chair of the Committee, the Member will be well aware of the legislative burden that sits before the Committee. I certainly believe that, as we look towards things like statutory time limits in the youth court, we will see significant progress during this Assembly mandate.

Mr Kinahan: Will the Minister outline in detail some of the steps that have been taken to initiate work on the 12% of sub-recommendations that the Criminal Justice Inspection (CJI) has reported there has been no progress on to date and maybe highlight those that will be more difficult to achieve?

Mr Ford: I am not sure that I should thank Mr Kinahan for a question that asks me to outline the difficulties rather than the successes. As I said in my main answer, part of it relates to the issue of where legislative change is required and where we cannot implement those particular aspects purely by administrative processes.

Very significant work has been done to speed up the youth court, for example, which remains to be underpinned by legislation in the future. To some extent, that is where we have not seen change. Similarly, we have administratively removed all under-18s from Hydebank Wood prison but have not yet legislated to make that fundamental. That is an area in which there is still a lot of work to be done to underpin the good work that is in progress.

Mr Dickson: Minister, will you give the House some examples of where the changes and the implementation of the review have made a real difference to young people?

Mr Ford: I would not like to suggest that I have a complete authoritative list, pleasant though it would be to go through it, but a lot of different work has been done by a number of different agencies. For example, the rolling out of police discretion has created greater opportunities to dispose of matters quickly. There is also the wider issue of the youth engagement clinics that have led to part of the speeding up justice programme and learning the lessons, both good and bad, from Hull, where a group of people visited. Of course, part of this also fits into the wider Delivering Social Change programme that affects the whole of the Executive, and the Public Prosecution Service (PPS) has also done good work in improving how it communicates with children and young people. In all those examples, a number of different agencies have stepped forward and made major changes on their own behalf.

Legal Aid: Constable Reynolds Case

4. **Mr Elliott** asked the Minister of Justice whether both defendants in the court case regarding the death of Constable Reynolds received legal aid. (AQO 5573/11-15)

Mr Ford: It is a fundamental principle within the criminal justice system that those without the means to pay for legal representation shall be afforded it by the state. That ensures that the state complies with its obligations under the Human Rights Act. I can confirm that both defendants in the case were granted legal aid.

Mr Elliott: I appreciate the brevity of the Minister's response, but could he outline how much legal aid was offered to those representing the defendants? Also, is it appropriate that, in cases such as this, representation of senior counsel would be available where, effectively, there is no full criminal trial?

Mr Ford: The problem is that nobody is entirely sure whether there will be a full criminal trial or a plea of guilt at the point when decisions are made about awarding legal aid. Figures are made available where legal aid is incurred in criminal cases. The amount paid, to date, in the Magistrates' Court was approximately £5,400, with, so far, only £2,000 paid towards the Crown Court costs. That will increase significantly when the final bills come in. It is one of those issues where, unless you know for certain how a case will be disposed of, it is not possible to say that legal aid is not required to that extent.

Mr Principal Deputy Speaker: Before calling for supplementaries, I point out that the original question from Mr Elliott makes a specific reference to the death of a police officer and supplementaries have to address it in that context only. Will Members indicate if they still wish to be called? OK.

Legal Aid: Job Losses

5. **Mr Lynch** asked the Minister of Justice for his assessment of the extent of the job losses and redundancies resulting from the proposed cuts to legal aid. (AQO 5574/11-15)

6. **Mr A Maginness** asked the Minister of Justice to outline any impact assessment made of the future viability of solicitors' firms arising out of the implementation of options for change under the review of the Legal Aid for Crown

Court Proceedings (Costs) Rules (Northern Ireland) 2005. (AQO 5575/11-15)

Mr Ford: Mr Principal Deputy Speaker, with permission, I will take questions 5 and 6 together.

In advance of publishing any consultation relating to legal aid reform, including that on Crown Court fees, my Department assesses the potential impacts of the proposals. The assessment in this case concluded that there was no evidence to suggest that there would be any adverse impact on legal firms.

On the basis of the information currently available, there is no evidence that my proposed reforms to legal aid will result in job losses or redundancies. However, as part of the consultation process, I have invited stakeholders to submit their views on the proposals and, where consultees may be aware of additional data on the subject, to submit any additional evidence regarding their impact.

I acknowledge that these reforms may require practitioners to consider more efficient business models and to adapt. However, the nature of legal aid reform is such that there is a long lead-in time for reductions to take effect, allowing firms to adjust their practices.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his answer. During the consultation, I met a number of solicitors, particularly those who practice family law, and they are very concerned that the most recent proposals will affect the most vulnerable. As the Minister is aware, the Department commissioned a report by Queen's University on the legal needs of children and young people. Should he not wait for the findings of that report before implementing these cuts?

Mr Ford: The difficulty is that, faced with the financial position we are in, with significant expenditure on legal aid beyond budget — this year something in excess of £100 million against a budget of £75 million — it is simply not possible to wait for the outcome of all the evidence before it is necessary to make those financial changes.

Like Mr Lynch, I met a group of family lawyers. There is certainly an issue that has to be addressed that perhaps the fullest possible account was not taken of when formulating the original proposals. The evidence that they put to my officials and me is being reconsidered. Clearly, significant issues are dealt with in

family law matters, but the fundamental issue is that legal aid reform is necessary and the costs continue to significantly exceed the budget despite the cuts made over recent years.

Mr A Maginness: I thank the Minister for his answer, but I just wonder whether he is living in the real world in suggesting that there would be no or little impact on firms of solicitors. The cuts in 2011 amounted to at least 30%, if not more, and now the Department is proposing cuts in the region of 30% to 40%. I agree with the Minister that there need to be reductions in legal aid, but how can he seriously suggest that there would be virtually no impact upon the profession?

2.15 pm

Mr Ford: The unfortunate issue that I address back to Mr Maginness's legal colleagues is that few of them have been able to give us the detailed figures on what the impact would be. In a recent article in 'The Irish News' by a solicitor, it was estimated that some 60% of solicitors receive less than £20,000 per annum from legal aid. That is a relatively small proportion of the income of the average practice, and there is a small number of solicitors' firms that gain significant income from criminal defence work. However, they are the people who have the most opportunity to adjust their business models to ensure that they take the changes into account.

The simple reality is that, even excluding the very high-cost cases, the average cost of a Crown Court case in Northern Ireland is still double the cost of one in England or Wales. That is unsustainable.

It is also the case that the Law Society, in seeking to encourage inward investment, has publicised the fact that it believes that back-office costs are significantly cheaper in Northern Ireland than they are elsewhere. They cannot, on that basis, justify having higher remuneration.

Mr Beggs: Why is the review of the reduction in legal aid not part of a wider review of the justice system, looking at delays and inefficiencies in our courts involving the PPS and the police?

Mr Ford: Looking at the cost of legal aid is a specific area with specific responsibilities. However, it sits alongside the wider work of reform, which is speeding up cases, reducing the backlog of cases that are waiting in court and having better joining up between the police, the PPS, the Court Service and the judiciary

with better case management all the way through. Those issues of efficiency are being addressed, but that does not alter the fundamental fact that legal aid in Northern Ireland is significantly more expensive than it is elsewhere.

Mr F McCann: Go raibh maith agat, a Príomh-LeasCheann Comhairle. I thank the Minister for his answers thus far. Does he accept the need for an independent examination of the impact of proposed changes to civil legal aid?

Mr Ford: It would be easier to have an independent examination if those who are making the case that there is an impact were prepared to give the Department of Justice the necessary figures on which to make such an assessment. So far, despite many requests, those figures have not been forthcoming.

Ms McCorley: Go raibh maith agat, a Príomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. Does the Minister agree that the principles of innocent until proven guilty and the right to a fair trial are cornerstones of the justice system and that any more slashing of legal aid budgets will ultimately reduce the time that defence lawyers can spend on cases and will inevitably lead to increases in miscarriages of justice?

Mr Ford: The answer is yes and no. On the principle of innocence until proven guilty, the answer is an absolute yes. However, suggesting that what is being done to trim the cost of legal aid in Northern Ireland to a point at which it will still be more expensive than comparable jurisdictions is not something that I recognise as fundamentally undermining that right.

Modern Slavery Bill

7. **Ms McGahan** asked the Minister of Justice what implications the Modern Slavery Bill will have for the Human Trafficking and Exploitation (Further Provision and Support for Victims) Bill. (AQO 5576/11-15)

Mr Ford: The Home Secretary's Modern Slavery Bill sets out a number of legislative proposals that are intended to strengthen the response to slavery and human trafficking.

The provisions in the Bill currently extend only to England and Wales. However, officials in my Department have worked with their counterparts in the Home Office on the content of the Bill and have produced a consultation

document for Northern Ireland that takes account of the Home Secretary's Bill.

I am consulting on a range of proposals to strengthen our response to human trafficking and slavery. My proposals would simplify existing legislation in Northern Ireland, enhance the sentencing regime, introduce new civil orders, improve data capture and extend the scope of the anti-slavery commissioner proposed in the Modern Slavery Bill to Northern Ireland.

Subject to consultation, my strong preference is to bring forward any new provisions through Northern Ireland legislation where that is possible. Lord Morrow and I have discussed my proposals and agree that they broadly complement and reinforce measures in the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill. We also agreed in principle that, subject to the outcome of consultation and timing, there may be scope for certain provisions to be incorporated into his Bill. There may also be a need for some subsequent amendments to his Bill.

Ms McGahan: Go raibh maith agat. I thank the Minister for his response. Can the Minister give a timeline for the passage of both Bills?

Mr Ford: I appreciate Ms McGahan's point. She might be better to look to her colleagues or other members of the Justice Committee to determine that. The reality is that, if we are to ensure that Northern Ireland legislation ties in with what is proposed by the Home Office, where, we understand, legislation will only be making progress through Westminster shortly before the summer recess, it may be necessary that, although the Committee will potentially have completed its work shortly after Easter, we defer Consideration Stage in this place to ensure that we get amendments that tie in.

That is the kind of point that I discussed with Lord Morrow. I believe that, if we did that, we would see legislation in Northern Ireland in place as fast as in the other two jurisdictions in the UK. However, it is clearly a matter of ensuring that we get the best possible fight against human trafficking and slavery. If a few weeks' delay are required to get that done properly, I believe that that will be beneficial.

Mr Givan: Is the Minister now prepared, or in a position, to come on board with Lord Morrow, in particular around clause 6, which criminalises those who buy sexual services? We could lead in the United Kingdom, and that clause could be

replicated in the Modern Slavery Bill that is going through the Westminster Parliament. We could join the Nordic countries, the French socialists and the Dáil, which, led by Pádraig Mac Lochlainn, Sinn Féin's TD for Donegal, is unanimously supporting this clause. We could make a powerful statement, leading on behalf of the United Kingdom.

Mr Ford: It has come to something when we get a Sinn Féin TD praised by the Chair of the Justice Committee, but I suppose that there is always a first.

It will come as no surprise to the Chair of the Committee or any other Member that I am not in a position to agree to clause 6. I think that it is a matter of public record — but I will happily repeat it — that there has been a significant meeting of minds between Lord Morrow and myself around many other aspects of his Bill. We are looking together at how we can join up the fight against human trafficking and slavery alongside what is being done elsewhere on these islands. However, I am afraid that I am yet to be persuaded of the merits of clause 6 as proposed.

Mr Principal Deputy Speaker: I call Mrs Sandra Overend.

Mrs Overend: No.

Mr Principal Deputy Speaker: I will move on and call Kieran McCarthy.

Mr McCarthy: You are very generous, Mr Deputy Speaker. Thank you very much indeed. In his answer to the original question, the Minister referred to potential changes to the sentencing regime. Can the Minister provide a bit more detail of what is in his mind and what he is proposing?

Mr Ford: I am beginning to wish that you had not let him in, Deputy Speaker.

Some Members: So are we.

Mr Ford: It is good that there is a meeting of minds between me and some Back-Bench DUP Members, anyway.

In previous legislation, we made, for example, human trafficking offences triable on indictment only and, recognising the seriousness of them, provided that they could no longer be tried in the Magistrates' Court. In looking at issues that go beyond the minimum requirements of the European mandate, we need to ensure that we

look at how that best fits in, for example, with enhanced sentencing for repeat offenders. I know that the Home Secretary is planning to have mandatory life sentences for repeat offenders on trafficking issues. I am not sure that that fits well with the current legislative arrangements in Northern Ireland. However, we clearly need to ensure that we treat all these offences seriously. That is an issue to be looked at as the consultation goes ahead both in England and Wales and here.

Mr Principal Deputy Speaker: I notify Members that question 10 has been withdrawn. Ms Maeve McLaughlin is not in her place, so I call Mr David McIlveen.

Farmwatch

9. **Mr D McIlveen** asked the Minister of Justice for his assessment of the Farmwatch scheme recently launched in Ballymena. (AQO 5578/11-15)

Mr Ford: I was pleased to attend the launch of the Farmwatch scheme in Ballymena, which is a joint initiative between Ballymena Policing and Community Safety Partnership (PCSP) and the Police Service of Northern Ireland. As the scheme was launched only on 31 January, it is too early to allow any meaningful assessment of it to be undertaken at this stage.

Mr D McIlveen: I thank the Minister for his answer, and I appreciate that we are quite new into the scheme. However, the Minister will be aware that these parasites who have been wreaking havoc on our farming community by stealing farm equipment that is worth huge sums operate largely under the shroud of darkness. Therefore, farmers who have signed up for the scheme may not always pick up or receive a text message in the middle of the night saying that thefts may be going on in their area. In the light of that, will the Minister assure the House and the farming community of Northern Ireland that, if a farmer discharges a legally held firearm in an act of reasonable force, they will be immune from prosecution?

Mr Ford: Mr McIlveen outlined the legal situation, of course, although the circumstances that he outlined would not, I suspect, fit into the precise position. The use of potentially lethal force is justified where there is a serious concern that life is at risk. It is not justified to prevent the theft of machinery. The important issue is that we use the mechanisms that we have. I appreciate the Member's point that people may not be reading their text messages at 2.00 am, although some MLAs appear to be

tweeting and sending text messages at that time. We will have to see how those issues can best be joined up. It is absolutely clear that we have seen Farmwatch in a number of areas in Northern Ireland having positive benefits. We need to see that we learn the lessons and apply them from one area to another.

Mr Rogers: I know, Minister, that it is a bit early for a complete evaluation, but in England the results of the Farmwatch scheme show that farmers who are part of it are less likely to be victims of crime than those who are not. Even from your initial observations of the Farmwatch scheme, do you have any plans to develop it across the North?

Mr Ford: I appreciate Mr Rogers's point. In fact, Mr McIlveen asked specifically about the Ballymena scheme, which was launched only a few weeks ago. I was at an event in Fintona, which was run by Omagh PCSP, about Farmwatch last year. Benefits have certainly been seen from that.

I think that we must also look at how the rural crime unit operates. Remember that that was established only at the Balmoral show last year. It brings together work that my Department, the police and NFU Mutual are doing. It looks at crime analysis and has a target to reduce rural crime by 3% in its first year. Given that we have not even seen the first year, we will have to look at that. However, there is a good indication of strong work being done in amassing the data. We now need to ensure that we get the data to show a downward trend. Unfortunately, we see spikes at times, because we are talking about a relatively rare crime. We also see a geographical variation across Northern Ireland. No doubt, there are more problems, particularly with machinery thefts, in police E and F districts than elsewhere. Those are the issues, and we must learn the lessons and apply them from one district to another.

Chief Constable: Appointment Process

11. **Mr Douglas** asked the Minister of Justice for an update on the appointment process for the Chief Constable. (AQO 5580/11-15)

Mr Ford: The process for appointing the Chief Constable of the Police Service of Northern Ireland falls to the Policing Board to establish and manage. I understand that the board members met to discuss the forthcoming process on 6 February and that at their March board meeting they plan to approve the specification for the post, including any skills or

experience that are required above the minimum criteria that the Minister Department of Justice sets.

Mr Principal Deputy Speaker: I am sorry; we are at the end of the period for listed questions. We will move on to topical questions.

Crime: Farming Community

1. **Ms McGahan** asked the Minister of Justice whether he acknowledges the very real concerns that crime levels are causing in the farming community, given that, in the past two years, almost 300 cattle have been stolen in Clogher valley in her constituency, without one arrest up to December 2013. (AQT 741/11-15)

Mr Ford: I certainly accept Ms McGahan's point; we just covered the issue in Mr McIlveen's question. I highlighted that there are particular problems in police E and F districts, which include her constituency. It is an issue on which work is ongoing by the police but on which further work is required on prevention. Any work that can assist, such as Farmwatch, which is the kind of work that is being done on fighting crime and encouraging vigilance by PCSPs, is to be welcomed.

Ms McGahan: Go raibh maith agat. I thank the Minister for his response, and I welcome PSNI initiatives to prevent crime in rural areas. However, as I stated, 300 cattle have been stolen, and there has not been one arrest. Does the Minister have any concerns about the PSNI's effectiveness in dealing with rural crime?

2.30 pm

Mr Ford: The reality, as we all know, is that crime cannot be dealt with solely by the police. A joined-up approach is required to fight crime, which includes ensuring that information is passed to the police, that people maintain vigilance and keep their eyes open, and that people work through bodies such as PCSPs to set up appropriate mechanisms. Clearly, we do not want any rural crime. Apart from anything else, it may cause animal welfare and health issues. Unfortunately, however, it is a reality. All that we can do is ensure that the police are provided with all the assistance that they can get from the wider community.

Chief Constable: Appointment Criteria

2. **Mr Boylan** asked the Minister of Justice whether he accepts that he made an error of judgement in the way that he handled the change of criteria for the appointment of the Chief Constable. (AQT 742/11-15)

Mr Ford: No. I carried out my functions entirely in accordance with the legislation, leaving the Policing Board to carry out its functions. I have done nothing wrong. I acted precisely as I should have.

Mr Boylan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. Does he not accept that it was a mistake not to consult or talk to the Policing Board in the first instance? Does he now accept that it is for the Policing Board to make the determination?

Mr Ford: I would really love to know how it is that I did not consult the Policing Board. This matter has been discussed between the DOJ and the board since May of last year.

Prisoners: Literacy and Numeracy

3. **Mr Dallat** asked the Minister of Justice whether he is aware that, once again, the vexed question of illiteracy and poor numeracy has raised its head in our society, and given that nowhere are there more people with problems with literacy and numeracy than in our prisons, whether he can shine a beacon of light into a corner of society that has failed up to 80% of people. (AQT 743/11-15)

Mr Ford: I am very happy to discuss that serious issue. Mr Dallat highlights a key issue in the reform of offenders. We all know that, if people leave prison with an education, family contacts, a house to go to and the opportunity of a job or further engagement in education, they are much less likely to reoffend than if they leave prison without any of those.

I am pleased to say that, following up on the prison review team's recommendation, we have been able to recognise that the Prison Service is not best placed to provide education. Short-term contracts have been in play since the beginning of the year to outsource education and skills provision. Clearly, further education colleges have the ability to provide education courses, enhance skills and look towards referral to the opportunity for jobs that result from that. I am very pleased that we have seen good work between my Department and the Department for Employment and Learning, resulting in a number of providers being in

place. We will see how those contracts work as we seek to expand them in future.

Mr Dallat: I welcome that good news. Will the Minister assure us that the pioneering work in literacy and numeracy that has been developed at Magilligan prison will continue and that, with the short-term contracts that he mentioned, he will ensure a long-term strategy of giving hope to people who were failed by the education system in a previous life so that they will emerge from prison with the capability of applying for and getting jobs?

Mr Ford: I suppose that I should not be surprised that an MLA for that constituency would highlight positive things about Magilligan prison. However, it is true, because staff from the North West Regional College have been involved at Magilligan over a significant period. We have certainly seen significant work developed around the general skills and education agenda.

Yesterday, I had the pleasure of going to Maghaberry — I am sorry that it was not Magilligan — to see the Braille unit and the work that is being done to provide children's books in Braille for a project in Malawi in East Africa. That is a very positive example of giving prisoners something constructive to do through learning new skills and providing something of real, tangible benefit to some of the poorest children in the world. I hope that there will be a further extension of that kind of work across all three establishments.

Pearse Jordan: Coronial System

4. **Mr Hazzard** asked the Minister of Justice to outline what steps his Department has taken in the aftermath of the recent Pearse Jordan inquest to ensure that the coronial system is article 2 compliant. (AQT 744/11-15)

Mr Ford: The answer to that is almost the same as the one that I gave to Mr Nesbitt. Significant work is being done to look at the lessons learned from the Jordan decision and, indeed, other court decisions, to ensure that we get our system functioning as best it can. I believe that the best way to do that would be through the historical inquiries unit proposed in the Haass report. However, should that not happen, work is under way in the Department of Justice to report to the Council of Ministers on how we should seek to address some of those issues. That work involves my staff and members of the judiciary under the leadership of the Lord Chief Justice.

Mr Hazzard: I thank the Minister for his answer. I understand that evidence must be provided to the European Court of Human Rights before April. What will the Minister do in the next eight weeks to meet those legal obligations?

Mr Ford: I appreciate Mr Hazzard's question, but I would rather not spell out the detail at this stage, save to say that informal liaison is under way between my staff and Council of Ministers staff to ensure that we have a formal response to present to the Ministry of Justice in London well within the required timescale. Knowing exactly where the five parties stand on the implementation of the Haass report would certainly aid the work being done by my staff.

Parading: 11/1 Form

5. **Mr A Maginness** asked the Minister of Justice whether he is concerned by the editorial in today's 'Irish News' in which reference is made to a loyalist protest group's failure to sign an 11/1 form, with the matter referred to the PSNI, which took no further action, and, if he is concerned, what does he propose to do to remedy the problem. (AQT 745/11-15)

Mr Ford: I appreciate Mr Maginness's question. As he is well aware, the specific issues of parading are, at the moment, not devolved matters. Therefore, if we cannot agree on the devolution of parading matters to here, a legal remedy might be required from the Northern Ireland Office. I am not the least bit surprised that Mr Maginness is concerned that, if the form is not correctly filled in, somehow there is not a problem. There have been discussions with the Northern Ireland Office about ensuring that the legislation is brought up to the mark in an ideal way, because the Assembly accepts responsibility for it.

Mr A Maginness: I thank the Minister for his reply. It seems to me that he indicates some concern about the matter. Does he propose to consult the NIO or, indeed, the Secretary of State about filling in the gap in the law that is apparent from the PSNI's decision not to proceed with any sort of criminal investigation?

Mr Ford: I take Mr Maginness's point, and I would much prefer that the Assembly took responsibility for parading and got the legislation right in this place. However, if the Assembly is not in a position to do so, I would certainly wish to discuss some of the practical outworkings of the difficulties of the legislation with the Northern Ireland Office to see what it and the Secretary of State are prepared to do to deal with the issue.

Car Crime

6. **Mr F McCann** asked the Minister of Justice for an update on the work of the interagency project for disengaged youth in the lower Falls who might be engaged in car crime. (AQT 746/11-15)

Mr Ford: I am afraid that I cannot give Mr McCann a detailed report on the project. I am well aware that there have been a number of meetings since the incidents highlighted during the Christmas holidays. However, it is largely, at one end, an operational issue for the police to deal with the crime as it happens. At the other end, it is about the kind of preventative work being done by the Youth Justice Agency, the policing and community safety partnership and the west Belfast district policing and community safety partnership to look at those kinds of issues. If the Member has specific concerns, I will happily try to address them.

Mr F McCann: I thank the Member for his answer thus far. He probably knows that I was responsible for calling the multi-agency meetings after Christmas, and it was because of a failure of the police to be able to deal with increased death-driving in and around that community. There is a need for wider agency meetings to discuss the serious problems that exist in that area and to help people to get over the difficulties that they face in that community.

Mr Ford: I entirely agree with Mr McCann. He knows, as every Member does, about the issue of partnership, which I frequently talk about. In the same way that, for example, the recent problems at the Odyssey were discussed at a multi-agency meeting that was convened by DHSSPS yesterday, if there are wider issues specifically affecting the lower Falls, I am quite content that DOJ will play its part in any wider agency meetings.

Legal Aid: Criminal Reductions

7. **Mr McKay** asked the Minister of Justice whether he agrees that the criminal legal aid bill has been sufficiently reduced and whether further reductions would result in a loss in access to justice for those in society who are most in need. (AQT 747/11-15)

Mr Ford: The unfortunate reality is that, as I said earlier, we have not reduced the legal aid bill, criminal and civil together, to get it within the appropriate budget, but I believe that the changes that are proposed have still done nothing to remove issues from scope other than

where there is a suitable alternative. Therefore, I do not accept that we are reducing the opportunities for access to justice.

Mr McKay: Go raibh maith agat. Further to that, given the importance of preserving the integrity of justice, does the Minister not agree that the criminal legal aid budget does, in fact, represent good value for money? If he does not agree with that, why does he not agree with that?

Mr Ford: Principal Deputy Speaker, it is a bit difficult when we have Question Time and then we have topical questions that rehearse the same issues. As I said earlier, when the cost of a Crown Court case in England and Wales is less than half the cost of a Crown Court case in Northern Ireland at the same time as when lawyers are talking about their cheaper back office costs in Northern Ireland, it is difficult to regard that as value for money.

Street Angels, Omagh

8. **Mr McElduff** asked the Minister of Justice whether he appreciates and recognises the contribution made by volunteers in Street Angels in Omagh, which is making a good contribution to the reduction of antisocial behaviour and crime through making our streets safer at weekends. (AQT 748/11-15)

Mr Ford: I fear, Principal Deputy Speaker, that Mr McElduff has not read the 'Ulster Herald' or the 'Tyrone Constitution' this week yet, in which he would have seen that I visited Street Angels on one of its training sessions last week and, indeed, met some of his political colleagues in the district. So, yes, I am well aware of the good work being done by that particular group in the wake of two tragedies, which led to the engagement in Omagh around the night-time economy. It is particularly surprising at one level and not surprising at another to see that members of the two families involved are part of the Street Angels group, playing their part in helping to keep other people safe even though they have suffered severe loss themselves. I think that we should recognise the contributions of volunteers in general but those who have suffered and who still contribute most particularly.

Mr McElduff: Go raibh maith agat. Never ask a question that you do not know the answer to. Does the Minister's Department make a financial contribution to such voluntary efforts?

Mr Ford: By and large, contributions towards such efforts are funnelled through PCSPs. In some cases, and certainly in the case of Omagh Street Angels, contribution is made from the assets recovery scheme, where we are able to put additional funding in for small items of equipment. I am fairly sure that that particular training course that I attended was funded from criminal assets, and it is always a pleasure to see assets that have been taken off criminals being turned to good use.

Regional Development

Car Parking: Portrush

1. **Mr Campbell** asked the Minister for Regional Development whether he will review car parking provision in the Portrush district, particularly during the summer season, when special events are located in this area. (AQO 5582/11-15)

Mr Kennedy (The Minister for Regional Development): My Department provides 681 free car parking spaces in three car parks in Portrush. I am aware that Coleraine Borough Council provides 929 free car parking spaces in the town. In addition, there are grass areas at Dunluce Avenue and Metropole green, which are used as overflow parking areas during special events.

2.45 pm

Generally, the promoters of large events, including the North West 200 and the air show, make their own arrangements to provide additional temporary parking as part of their event plans. That arrangement has worked well in the past. Officials from my Department work closely with promoters and other stakeholders, such as the PSNI and Coleraine Borough Council, to agree traffic management plans for those large events. When it is considered appropriate, assistance in the form of parking enforcement services can be made available for such events. The work of traffic attendants, along with the PSNI, is an integral and necessary part of the management of such large events and aims to protect sterile and ambulance routes and other main routes, keeping them open and available for emergency services. Officials from Roads Service are working, along with their counterparts in other Departments, on the Portrush regeneration strategy, which will include the preparation of a transport model. The work will cover all aspects, impacts and

modes of transport within Portrush, including parking.

Mr Campbell: I thank the Minister for that detailed response. He is right; there are good working relationships between his DRD staff, local councils and others. However, will he ensure that, for big events — for example, the Irish Open, the air show or the North West 200 — that relationship is built upon at a very early stage to ensure that some of the problems of recent years are avoided on future occasions?

Mr Kennedy: I am grateful to the Member for his supplementary question. I accept the point that he makes. I well recall, particularly in respect of the Irish Open, that significant preparation work was put in place by senior officials from my Department. Of course, as those events come forward, we will continue to assist, not only in Portrush but throughout Northern Ireland, with particular reference at the moment to the Giro d'Italia.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Is the Minister aware of the extent of overnight parking and multi-space parking, which are part of the issue, particularly in the Portrush area?

Mr Kennedy: I am grateful to the Member for his supplementary question. Indeed, I am aware of that. I have had a series of meetings with and briefings from officials on that very issue. Some progress is being made, particularly on the proposals for an upgraded car park in the Lansdowne area. I can confirm that directional signage to the recently upgraded off-street car park in the Lansdowne area has been replaced with new signage indicating that the car park is now free. I propose to amend the Off-Street Parking (Northern Ireland) Order 2000 to increase the 12-hours maximum stay to 24 hours. In addition, the hours of operation of the on-street waiting restriction, which limits waiting to one hour along the lower Lansdowne road and Bath Terrace, will be amended to operate from midnight until 9.00 am. It currently operates between 9.00 pm and 9.00 am. That may address some confusion that existed as to whether the restrictions apply during the day or night, as the word "midnight" will now appear on the screen. That is due to come into force on 3 March.

In respect of the other issues that the Member raised, we continue to work positively with all the interested parties.

Mr Dallat: I thank the Minister for his answer. Indeed, I was glad to see him in the area last Thursday, adding to the parking problems.

The Minister mentioned the enforcement agencies. At the air show last year, I noticed the red coats — that is probably not the right name, but everyone knows what I mean — making great use of their cameras. I assure you, Principal Deputy Speaker, they were not photographing the planes up in the air; they were photographing cars that might have been in places they should not have been. Will the Minister encourage a little flexibility to ensure that people who go to the air show or the North West 200, who are not getting in the way of ambulances and where safety is not compromised, do not get parking tickets?

Mr Kennedy: I thank the Member for his supplementary question. I am not sure that I accept his premise that I in some way contributed to traffic difficulties in the area on my recent visit. Nevertheless, it should be remembered that parking attendants carry out important and, sometimes unpopular work. I noted with concern an incident at the end of last week involving injury to a parking attendant. That incident will be pursued in other places, and I am sure that the whole House will wish that individual a speedy recovery. That is not the way to treat a parking attendant who is carrying out an important role.

I understand the point that the Member made. It is one that is commonly made as I meet not only Members but chambers of commerce in various towns. As in all these things, the best approach is to use common sense. That is what I look to when I am fulfilling my responsibilities, and it is what I expect of others.

Mr Principal Deputy Speaker: Before I call on other Members who may have supplementary questions, I remind Members that this is a constituency-specific question. If Members wish, I will take another supplementary. I call Mike Nesbitt. Take a chance. *[Laughter.]*

Mr Nesbitt: Given the Minister's track record of imaginative and successful initiatives, not least the five hours for a pound Christmas promotion in the Portrush area, does he have any other business-friendly ideas in mind?

Mr Kennedy: I am grateful to the Member for his supplementary question. He raises an important point. The Executive, the Assembly generally, and I, as Minister for transport, want to help local economies in towns across Northern Ireland and in our great cities, too.

So, as he indicated, I have taken a number of measures. We had the five hours for a pound initiative operating in almost 100 car parks across Northern Ireland. We are looking at the analysis of that to see how successful it was and whether there are ways that we can further implement it. He will know that I did not implement the on-street car parking charges that were advocated by my predecessor. We successfully argued and won a moratorium on car parking charges. He will know also of the downward trend of car parking fines and our attempts to link in with councils to sponsor free parking days. All those measures are still in the melting pot, and that is what we want to do to improve the economy for so many in our town centres, particularly those that are struggling at this time.

Cycling Unit

2. **Mr Brady** asked the Minister for Regional Development for an update on the work of the cycling unit. (AQO 5583/11-15)

Mr Kennedy: With your permission, Mr Principal Deputy Speaker, at the outset of my reply to this question on cycling, I would like to pay tribute to Tom McClelland, who died last week and whose funeral takes place this afternoon. Mr McClelland was a gentleman and a passionate and knowledgeable advocate for cycling. He made a significant contribution to the promotion of cycling and active travel generally. His enthusiastic presence will be greatly missed across the cycling community in Northern Ireland. On behalf of the entire House, I extend my sympathy to his wife and family circle.

In a similar vein, I am aware that some Members will know of the passing of Mr Eric McKinley, former chief executive of Craigavon Borough Council and distinguished local government servant. I also extend my sympathy to his wife and family.

I set up the cycling unit in order to give increased focus and priority to the needs of cyclists and to encourage greater participation in this healthy and sustainable form of transport. I know that the cycling unit recently met the Regional Development Committee and there was a positive outcome. The unit is also identifying the budget required to take forward its work programme. I hope to secure the support of other stakeholders for that and will explore, with colleagues who have a role in the provision of cycling, the opportunities to seek funding from other sources.

The unit has started work on a cycling strategy for Northern Ireland and is undertaking a number of meetings with stakeholders and other interested parties. It is also working with other Departments to realise the legacy benefits of the Giro d'Italia, which will be of particular interest to the Member.

Mr Brady: I thank the Minister for his answer. You have probably answered some of my supplementary question. Is the cycling unit adequately resourced and working with the other Departments, councils and agencies to achieve its aims? Go raibh maith agat.

Mr Kennedy: I thank the Member, through you, Mr Principal Deputy Speaker, for his supplementary question and his positive approach. The cycling unit has caught imaginations, not only among the cycling fraternity but within my Department. I am very pleased that the team that we have assembled so far has enthusiasm and dedication and is actively going to pursue ways in which we can improve not only the infrastructure but the planning and work through greater coordination with other agencies and Departments as we move forward. I think the time for cycling is now.

Mr Spratt: With your permission, Mr Principal Deputy Speaker, I, too, join the tribute to Mr Tom McClelland, who was a regular visitor to the Regional Development Committee. He was a gentleman, and one who was very passionate about everything that he did. On behalf of the Committee, I express our sympathy to the family at this time.

I thank the Minister. The Committee received a briefing from the cycling unit just last week, which was very worthwhile. Given that it is a cross-cutting issue involving health and the economy, will the Minister tell the House whether he has had any discussions yet with other Departments in relation to the unit and the great possibilities that are presented?

Mr Kennedy: I am grateful to the Member for his supplementary question and for adding to the tributes to the late Mr McClelland. The point he makes is an important and worthwhile one on the importance of coordinating, not only within my Department through the work of Roads Service, Translink and other agencies, but in other Departments, including Health and Education. I can confirm that my Department, along with the Public Health Agency, is funding a three-year programme of engagement with schools to encourage more walking and cycling. That will be supplemented by capital funding for

infrastructure. That coordinated, inclusive approach will see considerable benefits in the future for cycling and for healthier lifestyles. Not only will it give us benefits in health and education, but there will be sustainable benefits to the environment.

Mr Lyttle: On behalf of the Alliance Party, I add our tribute and respect to Tom McClelland. He was indeed a big-hearted gentleman, an enthusiastic and determined campaigner for the national cycling charity, CTC, here in Northern Ireland. He was certainly central in encouraging the formation of an all-party group on cycling here at the Assembly and in inspiring a recent decision by the Committee for Regional Development to undertake an inquiry into cycling. His effect on cycling has been felt. Does the Minister agree that the most fitting tribute that we could pay to Tom is to ensure that the Department, the Committee, the all-party group and the entire Assembly put a legacy of enhanced and improved cycling in place across Northern Ireland?

3.00 pm

Mr Kennedy: I am grateful to the Member for his comments. I think that they reflect very well indeed the legacy that Tom McClelland has passed on. He has passed on the baton in many ways, to use a cycling analogy. I think that it is important that we carry that work forward for all the benefits to which he and others were and are so committed. I hope that, with the cooperation of the all-party group on cycling and, indeed, the Committee for Regional Development, Members and Executive colleagues, we can do true justice to that legacy.

Roads: Weather Damage

3. **Mr Cree** asked the Minister for Regional Development for his assessment of the level of road damage caused by the recent tidal events and storms. (AQO 5584/11-15)

Mr Kennedy: As the Member will be aware, a number of roads in Northern Ireland have suffered damage as a result of recent tidal events and storms. Today, I placed in the Assembly Library a comprehensive list of those locations where roads have been subject to either sea wall damage or to undermining as a result of storm damage since the turn of the year.

During last week's severe weather, a short section of road on the A2 between Rostrevor and Warrenpoint collapsed. Officials are

assessing the situation with a view to completing repairs as soon as possible.

My Department has carried out remedial works at a number of locations. Additional preparatory work is under way in advance of the commencement of works at other locations. However, it may be some time before the full impact is known, necessary repairs are implemented and the full cost is realised. The estimated cost is currently £1.2 million; however, that figure could increase significantly once detailed inspections of sea defences are completed.

Officials are continuing to assess the extent of the damage that has been caused. Although my Department received additional funding from January monitoring, specific bids for further funding may be required. They will hopefully be considered sympathetically at a later date if repairs cannot be funded from existing budgets.

Mr Cree: I thank the Minister for his response. Have any specific plans been prepared in cooperation with the Agriculture Minister for major repairs to be carried out to the north Down coast and coastal roads following the recent storm?

Mr Kennedy: I am grateful to the Member for his supplementary question. I have to say that, to date, my priority has been to ensure that repairs to coastal roads are completed as quickly as possible to minimise the current inconvenience to the travelling public. Despite ongoing periods of adverse weather, I am pleased to say that the road repairs at Ballyhalbert and most of the smaller remedial works resulting from the initial tidal surge have already been completed. Repairs to the main area of damage near Ballywalter have been affected by further storm damage. However, they are still due to be completed by the end of March as originally proposed. As I indicated, repairs to the damage to the Warrenpoint to Rostrevor road that was caused last week are also under way.

I can tell the Member that I have noted the military's actions on inspection of coastal defences in other parts of the UK. I feel that a similar approach would be helpful in Northern Ireland. I plan to raise the issue with the Agriculture Minister in the near future.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle, agus gabhaim buíochas leis an Aire. Is the Minister satisfied

with the emergency services' response? Are there any lessons to be learnt?

Mr Kennedy: I am grateful to the Member for his supplementary question. I must say that I am satisfied with the work so far that the emergency services and all the agencies working together have provided through this very difficult and challenging winter to date. Although we have fortunately not faced the challenges that other parts of the kingdom have experienced, which we are thankful for, we have nevertheless not been complacent either. There will always be lessons to be learned. We will continue to apply those lessons in a robust and professional manner.

Mrs McKeivitt: No one knows as much about getting battered by severe weather as those who live in south Down, particularly around the Warrenpoint and Rostrevor area. I take this opportunity to thank all the workers, staff and Departments that kept south Down moving in what were very serious circumstances last week. I particularly thank you, Minister, for leaving your phone line open for information, as required, when that serious incident happened.

Given that diversions needed to be put in place around Warrenpoint, Rostrevor and Hilltown and that there were other roadworks at the time, the official diversion route was given a good beating up, in particular, the rural roads around Warrenpoint, Rostrevor and Hilltown. When the Minister is looking for additional moneys, will he include in his plans a bid for moneys to get the surfaces of the rural roads that were badly affected back to a condition that is acceptable to drive on?

Mr Kennedy: I am grateful to the Member for her supplementary question and, indeed, for her comments about the work of staff from all the agencies involved. I particularly thank staff under my direction, who performed very well indeed, and also the contractors. I know that the A2 at Warrenpoint was closed on Wednesday 12 February and reopened to single-file traffic, ahead of schedule, on Friday 14 February. The contractor worked through the night to undertake temporary repairs to allow the road to be opened. The work will most likely continue until the end of April, when it should be completed. Of course, that very much depends on weather conditions.

I am aware of the Member's point about the weaker infrastructure on that considerable network of side roads, along which a necessary diversion will take anyone using those routes. There are challenges to maintain the entire

network and, of course, to improve those roads, which we will seek to do as much as possible. We will continue to work at that. I understand her point.

Mr Principal Deputy Speaker: Before calling the next Member for a question, I encourage Members to come to their question as quickly as possible out of fairness to other Members who indicate that they wish to be called for a supplementary question. I have had to pass over Members on a number of occasions, because we are simply taking too much time to get to the point.

A5: EU Habitats Directive

4. **Ms McGahan** asked the Minister for Regional Development for an update on the assessment of the EU habitats directive, in relation to the A5. (AQO 5585/11-15)

Mr Kennedy: Four reports are being developed to inform the habitats regulations assessments of the potential impacts on the various designated sites arising out of the A5 project. Work is almost complete on three reports, which will inform appropriate assessments for the water-based special areas of conservation, including the River Foyle and its tributaries and the River Finn special areas of conservation, as well as the special protection areas and the Ramsar sites.

My Department remains on schedule to commence public consultation on those reports in April 2014. The public consultation on the remaining report associated with the appropriate assessment for the Tully Bog special areas of conservation is scheduled to commence in September 2014.

Ms McGahan: Go raibh maith agat. I thank the Minister for his response. As you indicated, OFMDFM stated last week that a public consultation will commence in April. Minister, when will you be in a position to provide a more detailed programme on the way forward?

Mr Kennedy: I am grateful to the Member for her supplementary question. She will know that we have been working very hard and consistently to deal with the remedies outlined by Mr Justice Stephens. That means that it is virtually impossible, if not at least unwise, to make predictions about the timescale. If we make predictions in any way about the public consultation, the need for an inquiry or other technical assessment issues, those could be construed as having been predetermined, which could give us further legal difficulties. So

I am not in a position to give a definitive timescale, except to say that the Department continues to work professionally through the issues and the challenges that we face.

Mr Elliott: Does the Minister share my surprise that Sinn Féin raised the assessment of the habitats directive when it was actually its Minister who was in charge when that assessment was made in January 2011?

Mr Kennedy: I am very grateful to the Member for his supplementary and his timely reminder. It does slightly surprise me that some people, particularly those who seem to be genuinely pressing for progress, fail to recall earlier decisions that impacted so significantly on the scheme. However, when it comes to Sinn Féin, very little surprises me.

Mr Byrne: Will the Minister confirm to the House that the Department for Regional Development still has a dedicated team working on the A5 project and that all the stops are being pulled out to make sure that there are no other likely handicaps further down the road?

Mr Kennedy: As I said in my reply, it is my view that the staff in Roads Service and associated agencies are working progressively to deal with the issues presented as a result of the judgement delivered by Mr Justice Stephens. That work will continue, and other work, including the payment by my Department of reinstatement, use and occupation claims proceeds unabated.

Southern Relief Road, Newry

5. **Mr D Bradley** asked the Minister for Regional Development for an update on the southern relief road in Newry. (AQO 5586/11-15)

Mr Kennedy: The Newry southern relief road, which has been the subject of a feasibility study, would provide a link between the A1 Belfast dual carriageway and the A2 Warrenpoint dual carriageway. My Department is continuing to investigate environmental issues associated with the tree ring/sconce features on the slopes of Fathom Mountain that are likely to be affected and the impact of the proposal on the Newry canal, an important heritage feature.

I understand, being a local representative, that a southern relief road would bring significant benefits to the local economy, Warrenpoint port and the traffic conditions in Newry city. I take

this opportunity to confirm my support for the proposal. As the scheme has the potential to include a link between the Warrenpoint dual carriageway and the Omeath Road and onward into County Louth, it would also meet many of the objectives of the Narrow Water bridge proposal. Therefore, I have asked officials to move the scheme forward and proceed with the various environmental and technical investigations that will assist in identifying a preferred corridor for the Newry southern relief road.

Mr D Bradley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Has there been any consultation on his suggestion that the project might combine two bridges, the southern relief road and the Narrow Water bridge?

Mr Kennedy: Until the various technical studies and environmental impact studies have been completed, it is too early for consultation. I talked about the impact on Fathom Mountain and whether the impact on the Newry canal will require some form of bridging or spanning. However, there are possibilities. We can, I think, meet the objective of a great many people seeking a bridge link into County Louth. We can make progress through creative imagination and by using the best, the most sensible and the most popular southern relief road project given its importance to the economy, not only in south Down but parts of south Armagh, and the benefits that would accrue from it. With creativity, I think that we could make some progress.

3.15 pm

Mr Principal Deputy Speaker: That ends questions for oral answer, and we now move to topical questions.

Roads: Weather Damage

1. **Ms Ruane** asked the Minister for Regional Development, following a journey she made on Friday and Saturday last around the roads in Warrenpoint and Rostrevor, where the detour signs were disgraceful — in some cases, there were none — for an update on what work, if any, his Department has done given the dreadful state of the roads due to the weather and to poor investment by his Department. (AQT 751/11-15)

I have to say that it is a bit disappointing that, in his previous answer, the Minister displayed his

prejudice against Sinn Féin, but we will take that as a compliment.

Mr Kennedy: I am grateful to the Member — I think that I am grateful to the Member — for her backhanded compliments. Unfortunately, I find that the Member's contributions are invariably negative. She seems to enjoy being particularly negative on all aspects of the Department's approach to her constituency, and that is not the case. I clearly outlined the sterling work that my officials and other agencies carried out in restoring the network of roads and making travel easier in the south Down area because of the adverse weather conditions.

I indicated in an earlier answer — I am not sure whether she was present, but if she was, she certainly was not listening — that the contractor involved worked tirelessly through the night to reopen that important stretch of road. I understand the point that was made earlier by her constituency colleague Karen McKevitt about the need for the infrastructure of the huge network of roads in south Down to be supported. I will continue to look at that and, in spite of her negativity, we will make progress and provide as much structural and maintenance support as possible to improve the overall infrastructure.

Ms Ruane: Go raibh maith agat. Gabhaim buíochas leis an Aire as na freagraí sin. I thank the Minister for his answer, and I will be very positive once we get the Narrow Water bridge. I, like many people in south Down, very much look forward to getting that bridge, North and South.

My supplementary question is about the sea walls. We had to do major round trips because of breaks in the sea walls in Rostrevor and Warrenpoint. Will the Minister update us on the assessments of those? I know that ongoing work is being carried out, but, given the recent weather, what work now needs to be done?

Mr Kennedy: I am grateful to the Member for her supplementary question. I again refer her to the answer that I gave earlier about particular work that is ongoing. In the Warrenpoint and Rostrevor areas, there is the section at Drumsesk and the section at Rostrevor. As I indicated, I have placed in the Assembly Library more detailed estimates of the work and the potential costs. Those costs will have to be faced by my Department. If necessary, we will have to approach DFP for additional resources, but there is no reluctance on my part to have those repairs carried out as quickly as possible. We will do that, and we will work constructively.

Roads: Structural Maintenance

2. **Mr Nesbitt** asked the Minister for Regional Development to outline his success in bidding for additional resources, given the importance of structural maintenance to the roads network. (AQT 752/11-15)

Mr Kennedy: I am grateful to the Member for his question. My Department has had a very successful year in its in-house bids and, as a result, by the end of this financial year, we will have spent a record £124 million on structural maintenance, which I think is a considerable achievement. It is not without its challenges, and a huge amount of work will be carried out in the coming weeks. I have no doubt that that will lead to some inconvenience and perhaps even some complaints. My answer to that is that, perhaps with better planning of the budgets that I get from DFP and in the Executive, it would be possible to plan out those works in a more strategic and cohesive way. However, given the circumstances that we find ourselves in, the structural and maintenance improvements to many of our roads throughout the network across Northern Ireland will be broadly welcomed, and people will understand that, on some occasions, you cannot make omelettes without breaking eggs.

Mr Nesbitt: I thank the chef for his answer. I congratulate him on his success. Let us not deny that the Minister is the most successful Minister at drawing down competitive EU funding in the Executive. On the question of structural maintenance, how does Strangford, as a constituency, fare in the league table?

Mr Kennedy: I am grateful to the Member for his compliments and comments. All politics is local, and he will be interested to know that, in Strangford, local section offices have taken at least an extra £750,000 since the end of December to improve roads in the area. I know that he and, indeed, other representatives will welcome that and see it as progress and an achievement of the Department.

I pay tribute to all my officials for the sterling work that they do when confronted with making bids. At times of the year when other people were thinking of Christmas or putting their feet up, my officials were busy trying to attain additional income for the Department so that it could be properly spent to maintain the network as best we can. It is never enough, and, as I go round the country and speak to people, people will identify roads and carriageways that need further attention. However, I am up for getting as much money drawn down into my

Department as possible so that it can be spent in a positive manner.

Giro d'Italia: Election Posters

3. **Mr Dickson** asked the Minister for Regional Development for his view on restricting election posters along the route of the Giro d'Italia, given that he is responsible for lamp posts and road signs. (AQT 753/11-15)

Mr Kennedy: I am grateful to the Member for his topical question. In many ways, it is more typical than topical. He will know that my party was out of the blocks very early, and my party colleague Robin Swann was the first to advocate that the political parties, in the run-up to the European election, should avail themselves of the opportunity to promote the area positively and, therefore, not show the election posters until after the event. I agree with those sentiments, and I hope that other parties, in that spirit, will agree with that suggestion.

Mr Allister: What about the terrorist shrines at the side of the road?

Mr Principal Deputy Speaker: Order.

Mr Dickson: I thank the Minister for his answer, and I wholeheartedly agree with him that it is important that the political parties cooperate on the issue of posters. Given the glowing support that the Minister has given, will he agree with me that it is important that we extend the removal of election posters to flags that have turned to rags, paramilitary paraphernalia, murals and other things along the route of the Giro d'Italia?

Mr Kennedy: I am grateful to the Member for his supplementary question. I draw an important distinction between cultural murals and illegal memorials. Frankly, I do not like to see the flag of the United Kingdom run to a rag on any lamp post or pole. I appeal that, if there are any such instances and they can be dealt with appropriately, we do so. However, there is a significant difference between cultural murals that many visitors and tourists will like and expect to see and illegal memorials or monuments to paramilitary organisations.

Translink: Bicycle Transportation

4. **Mr McKay** asked the Minister for Regional Development whether he would be willing to accommodate a company to introduce a trial on Metro and Ulsterbus vehicles for the more

convenient transport of bicycles, given that, recently, Translink has been reluctant, to say the least, to facilitate proper cycle transportation on buses, particularly Metro and Ulsterbus services, and given that Wrightbus in north Antrim has said that it has rear vehicle and internal solutions for bicycle transport on buses that can be attached to existing stock, meaning that there is no reason why this issue cannot be progressed. (AQT 754/11-15)

Mr Kennedy: I thank the Member for his question, for his interest in cycling and how we can advance it. I understand the point that he has made. I thought that he was going to show me a photograph as though I did not understand what he was talking about. I do have a sense of it.

One of the issues that we are constrained by is the available room for bicycles on trains, brought about by Translink's success. I know that Translink has a particular policy on that at the moment. I am happy to explore opportunities through the private sector or via Translink as to how that can be improved or worked on.

Mr McKay: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his commitment to explore that further. While we are on the issue of buses, the near misses between a number of cyclists, buses and other vehicles on the Albert bridge in east Belfast have been of recent concern. Does the Minister have any plans to look at the bridge and at that particular route to see how we can make it safer? It is only a matter of time before somebody is killed or seriously injured at that junction.

Mr Kennedy: Grateful as I am to the Member for his supplementary question, I do not want to get involved in any particular incident or make any particular comment. The Member may know that Translink has, if you like, a better education campaign that involves cyclists, Translink and bus drivers particularly. In fact, I was involved at its launch. I want to encourage that through all routes, and I hope that, by working together, a greater understanding and tolerance can be provided for all those who use the roads. The important thing has to be the safety of everyone who travels on our roads in whatever mode.

EU Water Framework Directive

5. **Mr McCallister** asked the Minister for Regional Development what discussions he has

had with Northern Ireland Water on the EU water framework directive. (AQT 755/11-15)

Mr Kennedy: I am grateful to the Member for his topical question. Those are issues that my officials and I continually explore with senior executives of Northern Ireland Water. We will continue to carry that out.

Mr McCallister: I am grateful to the Minister. Will he tell us what the potential cost of implementing the directive could be? Who will cover those costs? Will it be Northern Ireland Water, its customers or the taxpayer?

Mr Kennedy: I am grateful to the Member for his supplementary question. He will know that the finances and governance of Northern Ireland Water are rightly being considered by the Executive's review subcommittee. I hope that all possibilities and outcomes will be looked at and explored there in a mature manner. I think that that will better inform the overall debate on the way forward, including how we will finance the regulations from Europe and our responsibilities under them.

3.30 pm

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

Private Members' Business

School Pupils: Adequate Nourishment

Debate resumed on amendment to motion:

That this Assembly recognises that research clearly shows that proper nourishment benefits a child's ability to learn; and calls upon the Minister of Education to explore, via a pilot programme if necessary, what steps can be taken to ensure that children coming into schools in the mornings are adequately prepared to benefit from the lessons they will receive. — [Ms Maeve McLaughlin.]

Which amendment was:

Leave out all after "learn;" and insert

"welcomes the initiatives taken to date on the issue through the introduction of breakfast clubs and the work of the education catering services of the education and library boards; and calls upon the Minister of Education to explore what further action can be taken to ensure that children come to school ready to benefit from the lessons they receive." — [Mr Moutray.]

Mr Rogers: I welcome the opportunity to contribute to the debate and I lend my full support to a three-way pilot programme, which would pave the way to improved nutrition in schools, a closer link between healthy eating and exercise and a more proactive role for parents.

The food in schools policy introduced by the Departments of Health and Education has been intrinsic to changing attitudes to nutrition in schools. However, there is still a long way to go if we are to transform the eating habits of young people. Many children are ill-prepared for the school day. The motion and the amendment highlight the importance of children coming to school adequately prepared. A proper nutritional breakfast is an essential part of that preparation.

Having spent over 30 years in the classroom, I cannot stress enough the important role of the parent or carer in all aspects of a young person's development. Parenting is an important role, whether your child is one, 11 or 21, but with roles come responsibilities. It is important that parents educate their children in health eating. That is why I passionately believe that a parenting programme should be

an integral part of all early years education programmes.

Poor diet can hamper educational development. A healthy, balanced diet is crucial to children's growth and development and their long-term health and well-being. From 2005 to 2011, the percentage of children in year 8 who were overweight or obese increased from 27% to 31%. That is a worrying trend that must be reversed. The Departments of Education and Health must continue to work closely with schools, key partner organisations and agencies to adopt a collaborative approach to improving the nutritional standard of food provided in schools.

The provision of healthy, nutritious meals in schools has enormous health benefits for children. A good diet can help to improve concentration, aid learning and lead to improved educational outcomes. With over 166,000 children here eating school meals every day, schools play a vital role in ensuring that children receive nutritious food. The meal provided at school is often the main meal that children get in the day.

Offering children nutritious and healthy food also helps to set in motion healthy food habits that will last into adult life and, hopefully, reduce incidences of obesity and related health problems. The food in schools policy has the potential to support and complement the obesity prevention framework. The Departments of Education and Health have worked with schools, key partner organisations and agencies over the years to improve the nutritional standard of food, but more still needs to be done.

There is a close link between health and exercise. It is no secret that physical activity is necessary to a person's well-being. With children continuously developing physically and emotionally, they are especially affected by the benefits of activity and, inversely, the negative effects of inactivity. Educators can control the amount of exercise that children get at home no more than they can control their eating habits or family situation. According to numerous studies, many children are neither active nor indulge in healthy eating at home or in school.

Good habits in diet and exercise begin in the home. Education in diet and exercise must be available to parents through parenting programmes. It is well known that, if schools do not have parents on their side, progress is difficult. Schools must be unrelenting in establishing a culture of exercise and healthy eating. School leaders and caterers must work

together and in consultation with parents to ensure that consistent messages about healthy eating and exercise are being given to children and young people in their homes and schools.

A whole-school approach to the provision of nutritional food for pupils must be implemented to ensure good educational outcomes, but it will have the desired effect only with the support of parents.

Mr Kinahan: I will first, if I may, make a few comments as Deputy Chairperson of the Committee for Education. As the House will recall, we debated a motion on the related topic of free school meals earlier in the session. It was indicated then that the Committee had noted the evidence put forward by the Department on the benefits of free school meals. The Department's view could be summarised as follows: better nutrition provided by free school meals has educational and health benefits. The Department referred to improved pupil concentration and alertness and even indicated possible improvements in attainment. It also contended that free school meals went some way towards improving access and reducing barriers to participation in education.

The House will be aware that the Department of Education and the Department of Health, Social Services and Public Safety issued the food in schools policy, which came into effect in September 2013. The policy's principal aim is to ensure that the food available in schools represents good health and makes a significant contribution to childhood nutrition. The policy also requires schools to contribute to the development of the knowledge and skills necessary for making healthy food choices. In addition, the policy aims to ensure that early years settings provide adequate opportunities for good nutrition and embed good habits of healthy eating.

The signatories to the motion and the amendment are referring to a more imaginative use of school meals, including things such as breakfast clubs. The Education Committee would probably have no problem with such a suggestion. The only caveat is that the Committee would want to ensure that, in line with the food in schools policy, the food served was always compliant with nutritional standards.

The Department does not have the legal power to enforce nutritional standards in food other than in school meals in voluntary grammars and grant-maintained integrated schools. Perhaps the Minister will confirm in his response whether

food served at breakfast clubs, as is being suggested, would be covered by his Department's legal vires. It would also be of interest to the Committee if the Minister were to confirm whether the pilot programme suggested in the motion would benefit from the efficiencies in the PEDU stage 2 report on school catering, published in January 2012.

If I may, I will now say a few words as an Ulster Unionist MLA. I very much welcome the opportunity to speak in the debate. I have a slight sense of *déjà vu*, as we debated the issue five months ago. I assume that there will be a good-news announcement today.

The Ulster Unionist Party has no major difficulties with either the motion or the amendment, and it will support both. That said, it should be stated that the primary purpose of a school is to educate, not to provide a catering or child-minding service. The primary responsibility for ensuring that children arrive at school with a good breakfast in their stomach and ready to learn lies with the parents. Given recent complaints from some MLAs about the intrusiveness of the nanny state, I am slightly surprised that the point about parental responsibility has not been made more widely today.

Nevertheless, the efforts of schools to help parents are very welcome. Those efforts include an extension of breakfast clubs and the setting of rules about what cannot be brought in as a snack or a packed lunch. That is commendable. Nowadays, even primary-school pupils know the value of a healthy diet and are not slow to tell their parents and grandparents to cut down on the chocolate, crisps and fizzy drinks. If only they had said that to me. Those positive healthy-eating messages are being learned in the classroom, and they need to be reinforced in the home.

I hope that whatever we put in place today does not add too much more pressure on principals, because we must remember how much we throw at them. We must work with communities and all that is available within them.

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

Mr Kinahan: The Ulster Unionist Party supports the motion and the amendment.

Mr G Robinson: At times, many issues regarding education occur. However, if there is one thing that we can all agree on, it is that a well-nourished pupil can take the best

advantage of education opportunities. This debate is about the many great initiatives that have already been tried. The amendment refers to breakfast clubs, which would not only ensure that a pupil has a good breakfast but help parents who have an early start time at work. It is a win-win situation for children and parents that could help them to put moneys towards holidays etc.

In 2010, a briefing note to the Committee for Employment and Learning noted that there is a large area of overlap between nutrition, health, education and socio-economic factors. The same briefing note also noted the negative impact of a lack of nutrition, which leads to vitamin deficiency and low blood sugar levels, both of which can affect pupils' ability to understand the information in front of them and their overall behaviour. The latter may impact on teachers and disrupt a class for all other pupils. There is evidence that a lack of nutrition impacts not only on individual pupils but on entire classrooms.

Our future skills and educational base is the bedrock of attracting investment and employers. Therefore, it is essential to recognise the magnificent and sterling work done by dinner ladies and staff in school canteens to ensure that all our children are well catered for. It is in this way that we will help our young people to attain the skills and education that they need to stay in Northern Ireland. That will benefit the economy that taught or trained them and help to build a prosperous future for Northern Ireland. I support the amendment.

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

"The relationship between poor health, nutrition and low school achievement is well-documented"

Those are not my words. Those are the words of the Minister of Education, John O'Dowd, and the Minister of Health, Edwin Poots, in the foreword to 'Food in Schools Policy'. When you make a statement as stark as that, you have to act on it. The fact is that many of our children go into school without proper nourishment. We see them all walking along the streets, perhaps eating unhealthy food such as bags of crisps or sausage rolls.

There are negative impacts associated with poor nutrition. In research commissioned by the Smith Institute, it was discovered that there is a clear association between early life B12 deficiency and adolescents getting reduced scores in cognitive tests. Poor nutrition can

lead to decreased immunity against diseases, which leads to greater absenteeism from school. A lack of vitamin B appears to have a causal relationship with aggressive behaviours in adolescents.

This should be a joint enterprise for the Minister of Education and the Minister of Health. Education is affected through underachievement, but the health service will also be affected by the obesity explosion that is waiting to happen. We have heard that up to 20% of children are already obese by the time that they leave primary school. What can we do? There are positive steps that we can take. We need to educate children on healthy eating and healthy food. We need to help pupils to make healthier choices about their own diets. It may be that their parents do not have knowledge about what constitutes a healthy diet. Therefore, in educating our children, we can help to educate parents.

3.45 pm

Danny Kinahan said that the primary responsibility of schools is to educate, and I do not disagree with that. However, we must extend that to educating children about their health and the food that they eat. Food education must become an important part of the school curriculum, and that should include teaching children how to prepare and cook food. Where possible, that should also include teaching children how, for example, to grow vegetables and to enjoy eating them when they are ready.

One of the difficulties is that we think that this is an issue associated with children on free school meals. That is not always the case. In many instances, it is relevant to children who are just beyond the threshold for qualifying for free school meals and who go to school with a packed lunch that is not nutritious. There is also anecdotal evidence. I was speaking earlier to my colleague Michaela Boyle from Strabane, where there is a food bank. Research done there discovered that parents go to the food bank to ensure that their children get food when going out in the morning because, although the parents might be able to provide a dinner for the children when they come home in the evening, they cannot also afford another meal during the day.

So I think it incumbent upon the Minister of Education, and the Minister of Health, to look at possible pilot projects to resolve the issue of the undernourishment of children in schools. I ask everyone in the House to support the motion. I have no difficulty with the amendment, though I

am not sure that it adds anything. Sin a bhfuil agam.

Mr Newton: This whole initiative is about food, its quality and getting pupils to enjoy eating good food. It is about a preference for growing, cooking and eating good food. Essentially, underpinning all that, it is about health. I agree with the Member who spoke previously: this is not only an education issue; it is about the health and well-being of pupils and Northern Ireland as a whole.

Some personal experiences are relevant. I remember when the debate about the quality of food in schools started. Jamie Oliver, a nationally known chef, started to look at a piece of food — at least, that is what it was supposed to be — called a Turkey Twizzler. He raised his concerns and, indeed, those of the nation about what was being fed to children in schools. That applied more to England than to here.

I remember when my daughter was doing her A levels. One of the exercises that she had to do for what is now known as home economics was to decide, determine, find out and research the composition of a fast-food chip. I questioned her about it and said to her that it was obviously potato. She said, "Don't be stupid. Don't be silly. It is not potato."

Today, when I was in the Basement for lunch, a nutritionist was giving out advice to MLAs. I wonder how many of the MLAs accepted that advice. I have to say that, when I was walking away with my chips and chicken pie, I felt a bit guilty. However, when I told her that we were having this debate, she made the point that this is all about parental guidance and that, if children do not get guidance from their parents, whatever is done in schools will, by and large, be lost.

I suppose that I accept that there is value in the motion. I hope that we will not divide the House and that the amendment will be accepted. However, there is a need for us to make sure that, when educating children, it is not just about the provision of good food in school canteens and dining rooms; it is about educating children to appreciate that, for their long-term health and academic success, teachers need to provide a building block on which to apply their skills. Good nutrition is part of that. It cannot just happen inside the school; it has to happen in the home as well.

It is widely accepted in all the studies that a balanced diet is absolutely essential for children's physical growth, mental well-being, physical development and their overall long-

term health and well-being. All the professional studies confirm that. That is not just at primary school. As children move into their teenage years and finish their education, at least at school, it is essential that, as they become parents, the buildings blocks and knowledge that have been fed to them since primary school are carried into later life.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis na moltóirí as an cheist thábhachtach seo a thógáil i ndíospóireacht an lae inniu. I thank the proposer for raising this important issue in today's debate. Mar Aire Oideachais, tá de thosaíocht agam a chinntiú go mbíonn an deis ag daltaí scoile anseo leas a bhaint as córas slán oideachais, agus an bhearna i gnóthachtáil oideachasúil na bpáistí sna pobail is lú agus is mó buntáiste a dhruidim.

As Minister of Education, my priorities are to ensure that all children who attend school here have the opportunity to benefit from a sound education and to close the gap in educational attainment between pupils from the least and most disadvantaged communities. I fully recognise, therefore, that, if children are to learn effectively, their wider physical, mental and emotional needs must be nurtured and addressed alongside their educational development.

As many Members mentioned, research clearly demonstrates the critical influence that nutrition has on cognitive development and academic performance in children and adolescents. We know that, in addition to its wider health impacts, a poor diet is detrimental to children's learning, concentration and behaviour, and that it can affect attendance at and participation in school. We also know also that children from low-income households and those living in poverty are at greater risk of poor nutrition and are more likely to have unhealthy or insufficient amounts of food. They are, therefore, at greater risk of coming to school hungry and being hungry throughout the school day. Research demonstrates that hunger impairs thinking and that behavioural, emotional and academic problems are more prevalent among hungry children. This creates a very real and significant barrier for these children. A child who is hungry will find it much more difficult to participate in school life, concentrate, learn and achieve.

I draw to Members' attention the words of Dr J Brown, formerly of the Harvard School of Public Health and an internationally recognised expert

on hunger and deprivation and its effect on school-aged children. He noted:

"There exists no 'safe' level of inadequate nutrition for healthy, growing children. Even nutritional deficiencies of a relatively short duration — a missed breakfast, an inadequate lunch — impair children's ability to function and learn."

It is for those reasons that my Department has in place a number of programmes and initiatives that specifically seek to address those barriers and ensure that children are adequately equipped and supported to learn. This includes, for example, funding of over £12 million this year for the extended schools programme, through which schools can choose to provide breakfast clubs to meet local needs; some £40 million in annual funding provided by my Department for healthy free school meals; and a further £4 million per annum to improve the nutritional content of school food. In addition, I have allocated £420,000 this year and a further £490,000 next year for nurture units in 10 primary schools. This funding will enable children who face particular barriers to learning to have breakfast together each morning.

I am pleased to advise, therefore, that in the 2012-13 financial year, through my Department's funding, almost 80,000 pupils here were entitled to receive a free school meal. In addition, 40% of schools that benefit from the extended schools programme offer a breakfast club, while many schools outside the programme also provide breakfasts. Schools that choose to provide breakfast can avail themselves of the education and library boards' school catering service or make alternative arrangements and can choose whether to provide free or subsidised breakfasts.

However, I recognise that, in the current difficult economic climate, many families face significant challenges as they seek to provide for and meet their children's material needs. I note that the percentage of primary-school pupils who are eligible for free school meals continues to rise and now stands at 31% for the 2013-14 academic year compared with around 17% in 2008-09, which is a reflection of the economic downturn and the broadening of the criteria for entitlement to free school meals. One in three of our primary-school children are entitled to free school meals.

Recognising the challenges faced by low-income households, I announced that I will extend eligibility for free school meals so that, from September 2014, the same eligibility

criteria for pupils at primary level and at post-primary level will apply. An estimated additional 15,000 pupils here and their families will benefit as a direct result of this extension, and those children will also benefit from the school uniform grant. I encourage all those who are eligible to receive free school meals, therefore, to submit their applications and ensure their children can receive this important benefit.

I will take this opportunity, as other Members have done, to recognise the hard work of the school catering service and of local schools who seek to ensure that all food provided at schools, including breakfasts and school meals, is compliant with my Department's nutritional standards for school food. I extend my thanks also for their continued efforts to promote the uptake of school meals and, where provided, of breakfasts. This will ensure that many pupils can benefit directly from healthy, nutritious school food.

Mr Kinahan mentioned the legislation that covers schools, and he outlined it correctly. I had proposed, in the ESA legislation, to bring forward legislation that would cover all schools, although the extent to which we require legislation in this area is open to debate. The vast majority of schools, if not all, act responsibly in relation to food and nutrition. However, I suppose, it would be useful to have the legislation on the books. I will be speaking at a conference later this month when I will reinforce the message about the need for schools to serve nutritious meals.

A number of Members, including Mr Kinahan, mentioned parental responsibility. It is correct to say that there is parental responsibility in this area, but unfortunately on too many occasions, where the family unit has broken down or is not operating properly, parental influence is not what it should be. If we can influence young people's eating habits in schools through nutritional breaks, it is only right and proper that we do that. As Mr Sheehan pointed out, many of our schools have horticulture programmes etc, which ensure that young people understand how and when food grows and where it comes from; that it is not from the local supermarket and that they can produce very healthy, nutritious vegetables from a relatively small patch of soil. Those programmes are offered in many of our schools, and they should be encouraged.

No one could disagree that children coming to school should be adequately prepared to benefit from the education that is provided throughout the school day. The interventions that I have outlined clearly play a key role in

that regard. However, schools cannot do this alone. If we are to ensure that children, when in school, can benefit from the lessons that they receive, this requires close and ongoing engagement among parents, principals, teachers, pupils and, on occasion, with input from a wider range of health and education professionals and local communities. It is only through this collaborative approach that schools can respond effectively to and meet the specific needs of their pupils. However, it is also important that we, in the Executive, do everything that we can to address child poverty, particularly at a time when the numbers of children in poverty are rising and when low-income families continue to struggle with significant financial pressures.

4.00 pm

As research demonstrates, breakfast is an important meal and the provision of breakfast at school has particular benefits for pupils who cannot avail themselves of a breakfast at home. However, nutritional experts consider that all children need three regular healthy meals a day: breakfast, lunch and an evening meal. That is because well-balanced meals contribute to a child's nutrition and health and also affect behaviour, concentration and cognitive development.

I often reflect that, when I was a member of the Education Committee, a group of educationalists told us of their experiences in the classroom. One was a nursery school teacher who told how one of her pupils was "stealing food out of other children's lunch boxes". The child was doing that because the child was starving. It is hard to believe that in, a 21st-century modern western society, we have children who are forced to go into school and hoke out food from other children's lunch boxes. Unfortunately, that is the harsh reality for too many of our children, and that is why discussions and debates such as today's are vital. We are talking about the impact on real people's lives.

I have no difficulty with the motion or the amendment. I take on board Mr Moutray's comments about the floors of Rathgael being littered with failed pilots, but Rathgael is a very tidy place. It is not much of a building, but it is tidy. I agree with his point about not having pilots for pilots' sake. I believe that the best way forward may well be to conduct research into the schools that are already running breakfast clubs and to see whether there is continued evidence of the nutritional and educational well-being of the children in the schools and learn from that and move forward.

We are working in very constrained budgetary times in relation to rolling out breakfast clubs across all our schools, but let us do the research and see what the evidence brings us back and then let us make the decisions on where and how and if we should secure finance for those projects. There is good collaborative work among the Executive in relation to the Delivering Social Change programme, and this may be one area where, in the future, we may want to secure funding for the development of further breakfast clubs if the research shows that they are the best way forward.

I think that the best way forward in my Department in responding to the motion and the amendment is to research the existing breakfast clubs and then move from there.

Mr Craig: I commend the amendment. I commend all the good effort that goes on in our schools and education system around the provision of nutritional food. Since the days when I went to school, that has dramatically changed. I am sure that I am not the only parent here who gets lectures from their sons and daughters on the good foods that we should be cooking in our houses. That there has been a remarkable change in how we educate our children about nutritional food and how that is presented to them in the school educational system is all good news and is to be welcomed.

There has been a remarkable change in what is provided in schools because a lot of the education boards did research into this and completely changed the menus in schools and changed how food is presented to children. A massive loophole was left a few years ago in that all of this healthy food was being provided in our canteens when, at the same time, a lot of schools had vending machines that were providing less than nutritious foods. Again, that has dramatically changed with the health agenda in schools to the point where the vending machines are now almost as healthy as what is provided in the canteens. All that is welcome news and has massively moved from where we were a number of years ago.

As an interesting sideline, and something I would ask the Minister to look into, I recently dealt with a family whose son had a severe nut allergy. They were concerned about what was on the menus in our canteen system. They were also concerned with what was in the vending machines, because the child could have been badly affected. The fascinating thing I discovered was that, in the school we were in, the nut allergy situation had been dealt with as part of the nutritional issue, and everything

there was nut free. I found it remarkable that even that issue had been taken into account. However, I am not so sure that that is done on a widespread basis. I ask the Minister to look into that issue.

I welcome the expansion of the free school meals criteria and all that the Minister is doing there. Like the Minister, I am cautious at the thought of introducing new legislation around this. I am not so sure of the need for it. I certainly had a bit of a lecture from my wife this morning around the issue; she studied food science and is, therefore, a much greater expert in the field than me. We have the Contaminants in Food Regulations (Northern Ireland) 2013. We recently introduced new EU directive 1169/2011. All those drive forward nutritional values and proper nutritional indications for all types of food. So, a lot of assistance is going into the food sector around whether the foods used in our canteen system are good, bad or indifferent. The idea that we need additional assistance well beyond what has been rolled out Europe-wide is debatable.

One thing I will commend is what needs to be done in our education system. Food education is important. It is great to see our children coming home and lecturing parents like me on what should and should not be eaten. However, it is one area in our education system that needs to expand. There is a shortage of teachers in that field. I plead with the Minister to —

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

Mr Craig: — draw that to the attention of teachers out there who cannot get jobs.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I thank my colleague for bringing forward this very important debate and support the motion in his name. As has been already said, I have no problem supporting the amendment. Although I do not think that it adds greatly to the motion, I see nothing in it to oppose.

Today, I met a number of history teachers from the History Teachers' Association of Ireland. They were what I can only describe as jealous at some of the support in place for pupils in the North, be it education maintenance allowance, free school meal entitlement or free school books. It is important to put on record at the start that we offer a lot for our pupils, and we should commend not just the Minister but the teachers, catering staff and everybody else in

that system. Indeed, many ingredients are needed to raise standards in educational outcomes throughout our system, be it good teaching, good resources or the learning environment in the classroom.

Increasingly, there is a realisation that improved outcomes, especially for children from socially deprived areas, are largely dependent on a range of socio-economic factors. When we consider that only 9% of learning between the ages of four and 18 takes place in the classroom, it reinforces that, and is indeed all the more reason that we tackle educational barriers alongside societal anti-poverty schemes and welfare issues.

Given the social importance of education, it is impossible to separate educational opportunity from the wider need for social justice, including the urgent need to address the legacy and enduring nature of poverty in our system. With that in mind, it is encouraging that measures designed to mitigate the effects of social disadvantage throughout our system are working, as we continue to observe an increase in educational outcomes. That culminated, perhaps, most emphatically last year with our primary-school pupils being ranked among the very best in the world in literacy and numeracy.

Undoubtedly, our pupils' growing success is multi-causal, but there can be no doubt that anti-poverty welfare measures, such as free school meal entitlement, are having a huge impact on educational and health prospects for a growing number of our young people. However, we must not be blind to the huge gulf in outcomes that still exists for many of our pupils, especially those pupils from the socially deprived areas that I talked about. Indeed, as has been outlined many times in the House, the fact that, after 12 years of compulsory education, children from poor backgrounds are 50% less likely to achieve should make us all want to target social need in this way.

Bearing that in mind, I am encouraged by the recent expansion of free school meal entitlement and school nutrition to post-primary and independent schools. The £40 million investment will entitle some 80,000 pupils to receive free school meals. That represents an impressive increase of 45% in the past five years.

Free school meals provide substantial support for low-income families. It is vital support, and it therefore helps children to access all the educational opportunities that may be open to them. Indeed, to acknowledge the benefits of school meals and nutrition, we need only read

the comments of experts and nutritionists in this field who quite literally marvel at some of the results of past school meal pilots.

Following the recent Eat Well Do Well pilot in Britain, 80% of teachers wanted free school meals and school nutrition rolled out immediately to all pupils. They reported that a hot meal improved exponentially the child's ability to learn. Improved behaviour, concentration and ability to settle and to listen in all children were characteristics that were picked up. Children were said to be less irritable and to have always appeared less lethargic and suffered less illness and obesity. Importantly, all teachers welcomed a rise in standard across the board. When we consider that, in the past five years, we have seen a 10% improvement in GCSE attainment in our local pupils who are entitled to free school meals, it obviously signals that something is working.

I want to finish today by highlighting some of the important messages that Members picked up. My colleague Maeve McLaughlin asked for the full cooperation from the Department of Health and said that its extension was very important so far. She revealed a statistic that I think will probably sit uncomfortably with most of us evening. She said that 79% of teachers say that pupils are entering their class hungry. That is a stark reminder to us that we still have some road to travel in tackling the issue.

Stephen Moutray commended the Minister for developing a coordinated approach to school nutrition. However, he warned against the plethora of pilots that lay on the floor at Rathgael and asked us to instead listen to the experts. I am tempted to ask Mr Moutray to listen to the experts about the Dickson plan and any other issues that come before the House, but we will leave that for a different day.

Mr Rogers wholeheartedly supported the motion and wants to see a proactive pilot, including a parental programme. Danny Kinahan called for an imaginative initiative and thinks that that would be welcomed. He also said that schools are not meant to be child-minding services and that parental responsibility is very important. Various Members said today that that is all very well in theory, but too many of our parents and families perhaps do not have the capabilities or resources for that.

George Robinson said that a well-nourished pupil is a good pupil. I do not think that many in the House will disagree with that. My colleague Pat Sheehan said that we need to help pupils to

choose the right options going forward and that the trickle-down effect will be very beneficial.

The most alarming comment came from Robin Newton, who informed us that our chips are not made from potatoes. We need to go home and check the packets tonight to see what we are eating. He reminded the House that this is all about our pupils' health and well-being. If our pupils are to succeed, their health and well-being must be at their absolute optimum.

I commend the motion to the House, and, as I said, I have no problems supporting the amendment. Go raibh maith agat.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly recognises that research clearly shows that proper nourishment benefits a child's ability to learn; welcomes the initiatives taken to date on the issue through the introduction of breakfast clubs and the work of the education catering services of the education and library boards; and calls upon the Minister of Education to explore what further action can be taken to ensure that children come to school ready to benefit from the lessons they receive.

4.15 pm

Motion made:

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

Adjournment

Moyle: Leisure Facilities

Mr Deputy Speaker: The proposer of the topic will have 15 minutes, and all other Members who wish to speak will have five minutes.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I see that a number of local MLAs have perhaps been caught out by the early starting time of the Adjournment debate today. Hopefully, they and the Minister will join us shortly.

I bring this matter to the Assembly today because it is a huge issue in Moyle, in Ballycastle and Bushmills, which are in my constituency, and in the glens, which are in East Antrim. I thank all the MLAs who have shown an interest and have turned up today to listen to and participate in the debate.

We have a great sporting tradition in Moyle, with many well-known clubs participating in rugby, Gaelic games and soccer. Indeed, there are now cycling clubs across north Antrim. Perhaps it would be appropriate for me to mention the passing of James McNaughton from the Moyle district, who was one of our proudest assets, having been on the 1989 Antrim hurling team that participated in the all-Ireland final. He sadly passed away in recent days, and I am sure that other Members will join me in sending condolences to his family.

The 2009 'Active Places' report showed that Moyle was clearly top of the league in many ways — the wrong ways. It compared the shortfall by unmet visits with population percentage in a number of areas. It showed that Moyle was well out in front, at 3.11%, with a lack of sports hall provision, and also well out in front, at 4.18%, with a lack of swimming pool provision. That report was published five years ago, but, unfortunately, little has changed.

Moyle has the highest unmet demand for swimming pools and sports halls of any of the 26 local councils across the North. It is the only council district without a publicly accessible swimming pool. Of course, Moyle is a small council — the smallest in the North. Some people have said that Moyle should not have been created for such a small population area because it creates difficulties in public service provision. People living there have had to face the consequences of that over the past number of decades. It has a population of 18,000 and is a largely rural constituency. In many ways, given its location in the very north-east corner

of Ulster and Ireland, it is disconnected. Leisure provision has always been near the top of the agenda for members of the public and local representatives. Indeed, it topped the agenda at a recent engagement hosted by the chair of the council, Cara McShane, and the Human Rights Commission.

Come the summertime, that small population in Moyle grows significantly because of the tourist season. The caravan parks, the B&Bs, the hotels and the guest houses in the towns are all booked out. Young and old come from across Ireland, across Europe and further afield to spend time in Moyle, Ballycastle, Bushmills, the glens and other parts of the district. Like anybody here who takes their family on holiday, you like to have the option of leisure facilities and a swimming pool. The lack of a swimming pool is just as big an issue for the tourists who come into the district as it is for those who live there all year round.

Until three years ago, schools, older people's groups, mothers, toddlers and many others used the small, modest swimming pool at the Marine Hotel. Unfortunately, it has now closed, and there are no immediate plans to renovate. I remember well the time that the hotel closed. Fortunately, the hotel is now up and running again and is making a great success of things since its opening a number of months ago.

Unfortunately, the town's swimming pool lies derelict, which is a great concern to people. It troubles them greatly that the very small facility that they had for older people's groups, young people, single parents and so on has been taken away and that there is no similar facility in the area.

There is a clear unmet demand for indoor leisure facilities in the district of Moyle. Of course, proximity, as I said, is a huge issue. Moyle is rural and isolated, and that needs to be taken into account. Indeed, in reference to that, Sport NI's strategy for sport from 2009 to 2019 states that we should:

"ensure that 90% of the population have quality accredited, multi-sports facilities, that have the capacity to meet demand, within 20 minutes travel time".

That is certainly not the case for those who live in Moyle. According to AA and RAC travel times, the nearest pool for them is between 27 and 49 minutes away. So Moyle district would fail the Sport NI measure because about 80% of its population does not live within the 20 minutes' travel time.

Of course, we should also put this in the context of the growing awareness and debate about public health among the general populace. The further away a swimming pool or indoor facility, the less likely people who live in places such as Ballycastle are to use it. Old and young participate in sport and leisure. It is critical to mental health, physical health and well-being that those facilities are in place.

According to statistics, swimming is the most frequently participated in sport in the North. Unfortunately, for those who live in Moyle, the cost of fuel for a round trip to their nearest swimming pool — for example, from Ballycastle to Ballymoney — is £6.23. Therefore, you spend more than it costs to get a family into the swimming pool before you even get through the door. That is a big ask for a lot of families and those on low incomes. The travel time is also a big ask, because we all know the time pressures that modern families are already under.

To date, Moyle council, to its credit, has used limited resources to fund a leisure services strategy. That includes options on how to move forward positively on the provision of a state-of-the-art leisure facility. Ultimately, that is what is needed to resolve the situation. In my view and that of the report, it should be located in the district town and centre of population, Ballycastle.

I welcome the Environment Minister to the debate. I ask him to assist in whatever way he can to work alongside the local government authority in Moyle, the new Causeway Coast and Glens District Council, as it will be introduced in coming months, to help to realise the project of the first indoor leisure facility for the residents of the district, who have been marginalised for so long when it comes to public service provision, particularly leisure provision. That inequality really needs to be addressed.

Very shortly, Moyle council will no longer exist. We are moving into a new dawn with the review of public administration and the creation of the Causeway Coast and Glens District Council. That means that there is a big opportunity now. Moyle has always had to grapple with the fact that it has a low rate base and population, even in comparison with Ballymoney Borough Council, which is the second smallest council in the North. It has never had the capacity to deliver the swimming pool or leisure facility that the district clearly needed. There is an opportunity now for the Minister to work with Moyle council and the incoming council to deliver that much-needed facility.

It needs to be an absolute priority not only for him but for the Causeway Coast and Glens District Council to ensure that, from Claudy and Feeny right across to the glens, there is equal service provision for leisure and equal access for rural dwellers to swimming and leisure facilities.

Mr Allister: I do not think that there could be any dispute about the great beauty of the Moyle area. On many occasions, there might be a quibble about the weather, but there can be no doubt about the beauty of the area. That, of course, means that, in the summertime, it has a vast influx of visitors. Therein is, I think, one of the practical difficulties in making recreational provision. Of course you want to optimise provision for the summer season and to have all that a visiting tourist would want. Very often, the problem is in sustaining that, with its overheads, throughout the rest of the year.

We have had many examples, even in areas with a much larger population such as the city of Belfast etc, of the difficulties in sustaining, year on year, large leisure centres. There is a proposition before Moyle council that Moyle should have an all-singing, all-dancing leisure centre. That is a very attractive proposition, given what it would do for the area and visitors. However, I think that there is a responsibility to consider the feasibility of such a proposition and to establish what is sustainable in the long term. I think that that really is the key. Yes, there undoubtedly is under-provision at this moment, and there needs to be a better standard of provision, but the real question is about what is ultimately sustainable, not least for ratepayers. Of course, one of the problems to date is that, being a very small council, Moyle has had no opportunity really to make some of the provisions that it would like to make, because the ratepayer base is so small that it just could not hope to sustain that. I suspect that some have an ambition that, with the enlarged council, including Coleraine, Ballymoney, Moyle and stretching through to Limavady, they will be able to spread the burden considerably in that regard. That may well be a consideration, but at the bottom of all that is this question: is what is being proposed sustainable? That, I think, has to be a touchstone for what is proposed and obtained for the area.

Other things need to be done. Moyle council has, for financial decisions, recently embarked on a feasibility study for 3G pitches in the glens and Ballycastle, and I am glad to see that Bushmills was added to the proposition. In Bushmills, there is an undoubted need for a 3G

pitch to complement the football facility, because the current pitch is such that, if the team play on it once a week, that is all that it can sustain in winter weather, and they have to go to train at the pitches in Ballymoney. So there undoubtedly is a need for a 3G pitch in Bushmills. I am very supportive of that proposition, and I am sure that, equally, there is a need elsewhere.

Given that those are relatively modest capital spends in the first instance and relatively modest overhead continuing spends into the future, they are very sustainable types of propositions that can bring a lot of benefit to the community. Certainly, I am not opposed to a swimming pool and a leisure centre in Ballycastle if that can be sustained, but the last thing that we want to do is embark on a course that, in three, four or five years' time, gives rise to a controversy about how we sustain it. Therefore, it is a question of scale of what is doable and sustainable, and that will be the secret to cracking what is needed for Ballycastle and Moyle.

4.30 pm

Mr D McIlveen: I welcome the opportunity to speak on the issue. I congratulate the Member for North Antrim on securing the Adjournment debate. All of us who know the area could not deny the fact that, regrettably, the towns and villages of Moyle have become more of a transit area than a destination area. Certainly, Dervock, Bushmills, Ballycastle and other small villages regularly see large coaches and tour buses go through their villages but, unfortunately, do not benefit very much from seeing them stop. Of course, they are on their way to the Giant's Causeway and to other spectacular sites that we have along the north Antrim coast, which I am sure that we have all enjoyed.

I know the current leisure facility in Ballycastle, because I run regular constituency surgeries in it. I cannot deny that it could do with a considerable upgrade. It is very clear, as you walk around the leisure centre in Ballycastle, that it has been some time since it has seen any improvement or upgrade. Therefore, we would welcome any proposal that would ensure that those leisure facilities are upgraded and enhanced.

However, the bigger picture is the fact that, regrettably, with regard to the villages and highways of north Antrim — certainly its byways rather than its highways — the investment in its byways is somewhat lacking at times. Of course, we welcome the announcement about

the A26. When we look around at where some of the money has been allocated, we see that, for example, of £8 million of minor improvement money set aside for DRD, only £200,000 of that is going to Mosside in north Antrim. Therefore, other Ministers will also need to step up to the mark.

I take on board Mr Allister's point about the growing population that happens during the summer months and the caravan season. What he said is very true: we cannot develop an unsustainable facility around a peak in population at a particular time of the year. However, turning that argument on its head, we have to make sure that the facilities that do exist recognise the fact that there are considerable peaks in the population; for example, the summer visitors and around the time of the North West 200. To bring another Minister into the mix, and this one is a little closer to home for me, the opening hours of the accident and emergency department at the Causeway Hospital really must be taken into consideration.

Quite a bit of investment has already gone into the seafront at Ballycastle, and that has to be welcomed. However, if people come to take the ferry from Ballycastle to Rathlin Island — I am glad to see that we have a keen ornithologist in our midst who, I know, knows every inch of the island very well — we want to make sure that we encourage those people to go into the town of Ballycastle and avail themselves of its facilities. That point goes back to where I started.

With this I will close, Mr Speaker. The facilities are definitely in need of an upgrade. However, I pay tribute to the work that the Ballycastle Chamber of Commerce and the private sector organisations in Ballycastle do to make it the town that it is. I particularly pay tribute to organisations such as Greenlight Gateway, which is an excellent social enterprise that provides much-needed work for people with learning disabilities. I know of people who come from all sides of Northern Ireland to see and enjoy its facilities. I pay tribute to such groups. They are doing their bit to make sure that buses going through Ballycastle on their way to the Giant's Causeway have a reason to stop. However, if an improved leisure facility and swimming pool can encourage people just that little bit more to stop in the town, certainly —

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

Mr D McIlveen: — that is to be welcomed. Therefore, I encourage the Minister to take this request on board.

Mr Swann: I, too, thank the Member for North Antrim for securing this important Adjournment debate. I listened to him and to the two Members who spoke before me, but one person is glaringly absent from this debate on leisure services and facilities. The mover of the debate mentioned Sport NI's leisure services strategy a number of times. I am sorry for the Minister of the Environment, but where is the Culture, Arts and Leisure Minister? Everything that the Sinn Féin Member for North Antrim mentioned and every call that he made about supplying leisure facilities is the responsibility of the Department of Culture, Arts and Leisure. The only reason that I can think of for the Environment Minister to be landed here is the previous reference to the fact that the only way that we can provide those facilities is by putting them on the rates, and we have somehow brought in the Environment Minister because he would end up paying for them.

Mr Allister: A decoy Minister.

Mr Swann: A decoy or a substitute; one of the two.

That is where my biggest frustration lies. I fully appreciate the sentiment of the debate and its target and focus. David strayed into the responsibilities of the Department for Regional Development for harbours and all the rest of it, but the debate was to focus on leisure facilities in Moyle, not just Ballycastle. It is a glaring omission that the Culture, Arts and Leisure Minister is not here, but I am sure that the Environment Minister will take that back to him.

Mr Durkan: To her.

Mr Swann: Back to her, sorry. I apologise.

Reference was made that the only way that those facilities could be provided would be by putting them on the rates, and I think that the point that there is a small rates base there has been well argued. However, it could also have been done over the years, because I think that there are seven years there. Although it is a laudable achievement, the party of the mover of the debate stood over that council's 0% rate increase. To do that is very good for ratepayers. However, the mover of the debate then says, "We need leisure facilities; somebody should have invested in them". There is also a wee bit of responsibility there for the council to look for that rate base and for

matched funding that is available, should that be from Europe, the Culture, Arts and Leisure Minister or other avenues, because that ability is there.

A lot has been said about the number of people who come into the Moyle area over the summer. They go there for a reason. They go for the tourist attractions and for the outstanding natural beauty, including the glens. I am not aware of many who would not go to the Moyle, Ballycastle, Bushmills or the entire north coast because there is not a leisure facility there.

Mr Wells: Will the Member give way?

Mr Swann: I will.

Mr Wells: The Member may be surprised and wonder why I would contribute to a debate on the Moyle. I have visited Moyle probably more times than any other Member in the House, with the exception of Mr McKay and Mr McMullan. I run a series of boat trips every year around Rathlin Island, and I certainly invite any Members to come on those because it is an absolutely outstanding resource. However, very few people whom I deal with would go to Moyle for its leisure facilities; they go there for the scenic beauty, the wildlife and the walking. Therefore, whatever facility that you may have will depend on local people using it rather than tourists.

Mr Deputy Speaker: The Member has an extra minute.

Mr Swann: Thank you very much. I think that the Member proves my point. I know that I am straying from the topic, but one of my concerns is that among the major attractions for people coming into Moyle and particularly those making the crossing to Rathlin is the bird sanctuary run by the RSPB. That sanctuary will close over the summer for major refurbishments, so the number of additional visitors or tourists who would be drawn there specifically for the bird sanctuary will decrease. That attraction will not be replaced by a leisure facility. That might be something that the Environment Minister could take action on because one of my party's local councillors Joan Baird has been vociferous on the point that the RSPB should be looking at some sort of temporary measure to ensure that there is a bird-watching facility there for those who want to go to north Antrim at that stage.

Reference has also been made to the lack of swimming pool provision, more so in Ballycastle than the entire Moyle area. In an Adjournment

debate some time ago, there was a reference to the lack of hotel provision in the same area. The Marine Hotel has a swimming pool, and I think that one of the caravan parks also has a swimming pool. We should be looking at this creatively. Rather than go out of our way to build a new swimming pool and new facilities, why does Moyle council or the new Causeway Coast and Glens not look into partnership with the Marine Hotel and the caravan park and do something there, whether it be co-ownership, sponsoring it, supporting it or whatever means possible? Let us make use of the physical facilities that we already have there. By increasing the number of people coming through the door of the Marine Hotel or any other provider up there, we could increase the footfall through there.

Jim Allister mentioned the lack of provision in Bushmills, and 2011 saw the opening of a fantastic changing facility there. My party colleague Sandra Hunter was vice chairman of the council when it was opened. It makes sense to support that fantastic changing facility with a 3G pitch. The feasibility study was put through Moyle council last week to ensure that there is provision across the whole area. The point has been made that Moyle is a large rural constituency —

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

Mr Swann: — that needs additional and sustained provision and something that we can stand over.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. I thank my party colleague for bringing the debate today, and I support all of what he said about the late James McNaughton. James was an iconic figure for young people coming through Cushendall in the GAA, and he will be sorely and sadly missed.

I will start by saying that I will be pitching for the glens here. I want to get started very quickly, for I only have five minutes. Some of the things that you raised about going in partnership with the hotel are not feasible because of changes that have happened. I would be quite willing to point them out to the Member, but I do not have time at the minute.

Mr Allister: That is very informative.

Mr McMullan: The comedian in the corner is laughing, so maybe I can educate him. I was a member of Moyle council for 23 years and was chairman of it. We tried and tried and tried to

get a facility there, but it was beaten. We tried one time to go in partnership with one of the owners of the hotel and it did not work. It just did not work. So, those things have all been tried.

Mr Swann: Will the Member give way?

Mr McMullan: Go ahead.

Mr Swann: I appreciate that it has been tried. Has the current Moyle council tried with the new owners?

Mr Deputy Speaker: The Member has an extra minute.

Mr McMullan: I do not know, but I can find out for the Member.

The glens is the only area that does not have a community centre. Bushmills, Mosside and Ballycastle do, and they have football pitches in Mosside and Ballycastle that have been funded and maintained by the ratepayer. The glens does not have anything like that at all. At the present time, our name is in the hat for the possibility of a 3G pitch. Everything that we do is centred around the GAA, because that is the only area that we have to support. In the past year, we held an all-Ireland archery competition on the GAA ground, and it attracted hundreds of people. We hope to do that again this year as a weekend event. We have sailing, soccer and all the sports that are there.

There has been talk that people do not come for a facility like that, and there is the question of a wet weather facility. What do we do when people are there, we have inclement weather and there is nowhere for the children to go? Those facilities are vital and are referred to as wet weather facilities. I ask Members to bear that in mind, because it was one of the things when the feasibility study was done before. Those results are within the council.

In the glens, we have athletes from the Special Olympics. They have to travel away as far as Antrim Forum to practise. Those are children with special needs. That is far too far. Going to Antrim and back is nearly a round trip of 70 or 80 miles. They go there and practise, and several of them have returned as all-Ireland champions in their respective sports. We need the facility because, for example, the soccer club in Cushendall plays its home matches in Larne. They sometimes have to go further to play a home match than they do to play an away match. They play at the Cliff pitches in Larne.

4.45 pm

Facilities such as the 3G pitch could be supported. As the Member for North Antrim knows, we have done a study with the Young Farmers' Clubs on how we can come together on sport and things like that. So, we need the all-weather pitch.

The Minister is here, and it is nice to see him. I will say to him that we have the facility in the glens, so it does not have to be bought or anything else. We have it in the grounds of the Glens Youth Club, which has become one of the biggest youth clubs that we have. So many people use it that it is open from 6.00 am to 10.00 pm or 11.00 pm. Putting the facility there would be absolutely tremendous, because everybody could then use it.

Another Member for North Antrim mentioned the Greenlight Gateway, and he was quite right in what he said about that group. We have a thriving disability group in the glens called the Friends Group, which has nowhere to go outside. Those children need somewhere to go so that they will be protected if they fall. Those type of pitches are vital for them so that they can play outdoor games, such as push hockey etc. You can also play games such as bocce on an all-weather pitch that you cannot play on a grass pitch.

So, those are the facilities that we need. We feel that the glens, which does not have a community centre, a sports hall or any council pitches — the only pitches are GAA pitches — needs that 3G pitch. That is because it would add to what we have. On a weekly basis and through volunteers, we work with 300 to 400 children aged from five to six right up to 12 or 14 years of age. We take them away on trips and whatnot, and we have nowhere for them.

I want to quickly mention Ballycastle and the facility there that the Member brought up. At the start, I said that there are no wet-weather facilities in Ballycastle. There are caravan parks, and users of the parks have nowhere to bring their children when the weather is inclement. You cannot bring them —

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

Mr McMullan: — to the beach on a wet day. I ask Members to bear that in mind. I invite the Minister down to the glens to see for himself, and I would welcome him there.

Mr Storey: I apologise for not being present for the start of other Members' contributions. I was attending other meetings in the centre of Belfast.

When you look at any motion in the House, whether it is an Adjournment debate or a Private Member's motion, you always have to ask the question "why?" I do not think that you need to be that bright to work out the reason why the Member on the opposite Benches tabled the motion. I suspect that a bit of politicking is involved and that he is trying to put the Minister, who we are glad is with us, in a position whereby the responsibility and the blame for something not being provided will be landed at his door.

The Member who spoke previously let the cat out of the bag. He said that they had tried. Moyle District Council tried, and what did it do? It spent its money on facilities other than what it is now asking others to provide for it.

Mr McMullan: Will the Member give way?

Mr Storey: I am quite happy to give way.

Mr McMullan: I can tell you that Moyle council set aside £200,000 to look at drawing up plans and putting them in for planning for a possible new facility on the Quay Road. So, to say that the council put its money elsewhere is wrong. That idea was raised in the council during the past few years. That was done.

Mr Deputy Speaker: The Member has an extra minute.

Mr Storey: I am thankful for the extra minute, but the Member's contribution did not add much to the quality of the debate, for the simple reason that —

Mr D McIlveen: I thank the Member for giving way. Can I suggest that one way for Moyle council to have saved some money would perhaps have been not to have entered into a twinning project with Gaza?

Mr Storey: I think that that was certainly another PR disaster for the council. The other thing is that it has to take responsibility for how it spent its money. It built facilities at the harbour, at the Quay Road complex, at the Shesksburn Recreation Centre and created AstroTurf pitches, yet there is a lack of facilities in places such as Bushmills and Armoyle in the Moyle district. That bears testament to the fact that Moyle council has to step up to the plate

and take responsibility for the way that it did not spend its money.

Let us extrapolate that a wee bit further. This is not the first feasibility study that Moyle council has embarked on. It did one in 2006. Where are we with the outcome of that feasibility study?

I would be supportive. I was born and brought up in the Moyle council area. I lived in Armoy until I was 15. I am proud of where I come from, but the one thing that was glaringly obvious in my upbringing was that, if I was going to depend on Moyle council to provide facilities for me, my family and my community in the village of Armoy, it failed miserably. Why? It failed because its priority was the GAA and other sports.

I pay tribute to it in this regard: the tennis provision in Ballycastle is second to none, and we should be proud of that. We know about the tournaments that are held there and all that is done.

Mr McKay: Will the Member give way?

Mr Storey: Yes.

Mr McKay: How much money has Ballymoney Borough Council given to the GAA for facilities in its area in Rasharkin, Dunloy and Loughguile?

Mr Storey: The Member knows — he is a former member of the council — that there are facilities in Rasharkin and Dunloy. Any community can come and say, "They have not spent money". How much was spent in Dunloy not that long ago on new changing facilities in the village? How much is it proposed to spend in Rasharkin on community provision?

It is unfair to try to make the comparison, but I will do so a wee bit further. Ballymoney made choices. The Joey Dunlop centre is a credit to the council in how it provides for its constituents right across the piece, irrespective of class, colour or creed.

Mr Deputy Speaker: May I draw Members back to the motion on Moyle?

Mr Storey: Moyle should take a leaf out of Ballymoney's book because they are the two smallest councils in Northern Ireland. I urge the Minister to work with colleagues across the Executive to see what can be done.

It is disappointing that the Member says, "We have tried that and cannot do anything" about the provision at the Marine Hotel. We pay tribute to the new owners of the hotel, who have done an excellent job in refurbishing, refitting and putting out into the public space that invaluable asset at the seafront. Every help needs to be given to that company and organisation. To speak as though there is nothing that we can do and that we have tried that before, there is a facility at the Marine Hotel that should be enhanced and open to the public in a way that benefits tourism and the local community in Ballycastle. In my opinion, in many regards, Moyle council has failed miserably to do that.

Mr McMullan: Will the Member give way?

Mr Storey: Yes.

Mr McMullan: The Ballycastle High School and Cross and Passion College got together and worked with facilities for sport. The high school got the accreditation to get that funding —

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

Mr McMullan: That is why the high school now plays hockey in Ballycastle because it cost them so much to travel outside. That is one of the things —

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

Mr McMullan: — that the council helps to support in Moyle.

Mr Deputy Speaker: The Member's time is up. One needs to be very careful when one gives way near the end of one's time.

Mr Durkan (The Minister of the Environment): I have listened with great interest to Members' points. I am grateful that Mr McKay and the Members who contributed have drawn my attention to an important issue that is painfully evident: namely, the dearth of leisure facilities in the Moyle area.

I should make it clear at the outset — others have already done so — that my Department is not responsible for policy on leisure provision, and nor am I able to assess the extent to which councils have met their obligation to provide facilities. In fact, I share Mr Swann's confusion as to how I ended up here today. *[Laughter.]* Article 10 of the Recreation and Youth Service

(Northern Ireland) Order 1986 requires councils to provide:

"adequate facilities for recreational, social, physical and cultural activities".

Responsibility for that legislation was transferred from the old Department of Education to the Department of Culture, Arts and Leisure by schedule 3 of the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999. However, the debate does raise important issues about oversight of local government by central government, the overarching policy responsibilities of Departments and the way in which the relationship between councils and Departments will need to develop if we are to address questions such as this.

Although I am not responsible for assessing the provision of leisure facilities by councils, I am very much responsible for a number of significant local government functions. I am responsible for the administrative, financial and audit framework for local government and for local government reform. I also remain responsible for policy oversight for those DOE functions that councils have been tasked with the delivery of, such as waste management and entertainment licences.

As part of my work on reforming local government, I intend to take steps to ensure that the new councils work in partnership with Departments to deliver the very best outcomes for citizens. I will equip councils and Departments with the tools that they need to achieve that.

Councils are already an important delivery partner for central government. For example, they take forward actions to discharge DARD's animal welfare policies, carry out building control functions within the framework set out by DFP and take forward local tourism initiatives in line with DETI's tourism strategy. Those delivery relationships will become all the more critical as councils assume further functions in 2015.

Part 12 of the Local Government Bill, which I will shortly be presenting to the Assembly for consideration, outlines the oversight powers that the Department will have of a function that it has conferred on local government. Part 14 contains provisions that will give powers of direction to any Department to obtain information, conduct inquiries and, if necessary, intervene in cases of default by councils.

I do not, however, wish to give the impression that local government is merely a delivery agent of central government. If we are to realise the greatest benefits from local government reform, we must create a strong partnership between central government and local government, as working together will achieve better outcomes for our citizens. I felt it prudent therefore to make provision in the Local Government Bill for a statutory partnership panel to be put in place to provide a formal mechanism for liaising between Executive Departments and local government at a political level on strategic matters of mutual interest and concern.

The panel will comprise Ministers and members of the new councils. It is my intention that the partnership panel will provide a forum for elected local government representatives to give advice to Ministers here on matters affecting the exercise of any of their functions and make representations to Ministers about any matters affecting, or of concern to, those involved in local government.

Within that remit, the partnership panel will provide a forum for collaboration between the two tiers of government for promoting major cross-cutting themes. Plans for forming the partnership panel are still at an early stage, and I am conscious that the Bill's provisions may change during its passage through the Assembly.

You will be aware of my plans to introduce a new system of council-led community planning. That process will be extremely helpful in tackling the sorts of issues that Mr McKay raised. Councils will focus on desired outcomes that will promote the well-being of an area and improve the quality of life of its citizens. They will work with statutory bodies, agencies and their community to develop and implement a shared vision, with objectives based on a robust evidence base that underpins decisions on key tasks.

A council will set up a community planning partnership to provide leadership to the process. There will be a list of statutory partners that must participate in community planning, and councils will be able to add to that depending on the issues and circumstances in their particular area. In addition, all Departments will have a duty to promote and encourage community planning and to have regard for community plans in exercising their functions. Leisure is the responsibility of the Department of Culture, Arts and Leisure, so it will have to take community plans into consideration in the further development of

leisure policy and in supporting any future play and leisure projects.

The introduction of community planning next April, along with the transferring of functions such as planning, regeneration, economic development etc will enable councils to set out the strategic directions for their area. It will provide them with a broader range of powers that will enable them to better align and plan their services to meet the long-term objectives and vision set out in their community plans. They will have the chance to exploit and maximise the opportunities that exist in their areas, including those around the provision of leisure facilities. A high-level legislative framework contained in the Local Government Bill will be underpinned by guidance and allow appropriate flexibility for individual councils to be able to draw up community plans that meet local circumstances and needs.

5.00 pm

Although I have set out my plans for the future and the wider framework that will assist in addressing the issues raised today, I do not wish to ignore the specific issue of current provision in Moyle. Moyle District Council, as the smallest council in Northern Ireland with the lowest rate base, considers that it does not have the ability to raise the capital finance to build an indoor leisure facility, nor the ability to fund the ongoing running costs of such a facility.

However, the council has put money into the rates budget for the 2014-15 financial year to complete an economic appraisal for an indoor leisure facility in the Moyle area. It is envisaged that the new Causeway Coast and Glens Council will have a greater ability to provide such a facility. The decision to proceed would be down to the outcome of the economic appraisal and will be for the new council to take.

Mr Storey: Will the Member give way?

Mr Durkan: I will not get an extra minute; sorry, Mervyn.

I am also aware that the council passed a proposal to complete a feasibility study into the provision of a multi-sports outdoor 3G pitch that would accommodate a wide range of sports, with £350,000 set aside to start construction next year. This appears to be an encouraging start. However, I intend to contact Minister Ní Chuilín to discuss her views on the provision of recreational and sports facilities by councils. I encourage other Members to do the same.

I will address some of the points raised today. Mr McKay sought assurance from me that I will work with Moyle council to address the issue. I give him the assurance that I will work with Moyle, its successor council and all councils to optimise provision for their populations. As I outlined, the provision of leisure facilities is the responsibility of DCAL and not the DOE. I hope that any press release that goes out after this debate will reflect that fact.

Mr Wells and Mr Swann raised the issue of tourists who go to Rathlin to see the birds there. Of course, Mr Wells is well-renowned for his interest in ornithology. The other Member, whose name is Robin Swann, could not fail to be interested in birds. *[Laughter.]* My Department is committed to working with the RSPB on the issue they raised.

Mr Storey suggested that politicking could be the motivation behind the debate. I am sure that that is not the case.

In conclusion, I must use this opportunity to reinforce the point that, while councils discharge certain Executive functions, overarching policy rests with central government, not from a distance but through joint working. In the run down to the review of public administration, relationships between councils and Departments are critical and need to develop locally and regionally. All Departments, including DCAL, need to step up to the mark and take responsibility. Recognition that councils are an important delivery partner is essential in going forward.

Mr Allister: On a point of order, Mr Deputy Speaker. Is it in order to raise a concern about the dearth of mints in north Belfast? The Member for North Belfast Mr Humphrey entered the Chamber during the debate for the sole purpose of loading up with mints from your Desk and then left the Chamber. I have heard of pick and go, but this brings a new dimension to it. *[Laughter.]*

Mr Deputy Speaker: That is clearly not a point of order, but the Member has put it on the record.

Mr McMullan: On a point of order, Mr Deputy Speaker. The Member for North Antrim said that we should not have joined with Gaza. That had nothing to do with sport. I remind him that Ballymena council is the gateway to the glens. I thought that he would have been a bit more positive about the glens rather than coming out with a remark like that.

Mr Deputy Speaker: That is clearly not a point of order.

Adjourned at 5.05 pm.



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