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Northern Ireland Assembly

Tuesday 14 May 2013

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we begin today's business, I wish to advise the House that I have been notified by Mr Newton that he is not in a position to introduce the topic for the Adjournment debate today.

Ministerial Statements

Together: Building a United Community

Mr P Robinson (The First Minister): I am very pleased to be able to make this statement today on Together: Building a United Community, our agreed agenda for bringing about reconciliation and sharing across Northern Ireland.

Since the deputy First Minister and I made our announcement last week, we have received a great deal of positive feedback from the general public. People from all backgrounds recognise that we are determined to make every effort to bring our community together and to promote a new, more tolerant and inclusive society.

Over the past number of decades, much has been achieved on the ground. There are those who say that nothing has been done to build a shared future, but nothing could be further from the truth. No other generation of politicians has done more to move Northern Ireland from violence and division to peace and stability. We have taken risks for peace, and those actions have paid off. The institutions are stable, and violent crime and crime motivated by hate and prejudice are significantly decreased.

The annual publication of the good relations indicators demonstrates that progress has been made across the vast majority of the areas defined. Things are improving, and we are moving forward together. Since devolution, approximately £500 million has been spent on supporting valuable good relations work across Northern Ireland. The Office of the First Minister and deputy First Minister (OFMDFM), Peace funding, International Fund for Ireland, Atlantic Philanthropies and Big Lottery are just some of the funders. We have come a long way, but we recognise that there is much work yet to do. We are determined to address issues of division and build a truly shared future.

It would be idealistic to think that any initiative, no matter how significant, can heal all of

society's divisions and problems, but I believe that it is a significant step forward that demonstrates our confidence that the people of Northern Ireland are determined to live, work and socialise together as a single united community. Our announcement marks the beginning of a new agenda for change.

Together: Building a United Community is about actions rather than just plans and strategy. Actions will not only improve community relations but deliver real improvements and outcomes. Perhaps that is best demonstrated by shared education, which is a subject on which I have spoken before. Shared education is the right thing to do in terms of healing divisions. It is fundamentally wrong that we segregate our young people on the basis of religion at such a young age. I believe that sharing in education, development and work will provide all of us with improved opportunities to become a society that is open to ideas and innovation, open to all points of view and all perspectives. It will break down divisions and build a united community bond.

That is why I believe that our announcement of 10 shared education campuses to be commenced within five years is one of the most significant practical proposals to change society here. Building on the experiences of developing the Lisanelly site in Omagh will create a tremendous impetus to improve the sharing of education. This opportunity will bring together a range of schools and a mix of ethos on a single site. There will be enhanced mixing, not only in shared classrooms but also in sport, play and extra-curricular activities. Our aim is that that will create a lifelong bond and help tackle division and segregation.

However, shared education is only one aspect of children and young people's development. Across Europe, youth unemployment is at an unprecedented level. Some commentators have described it as a lost generation. In Northern Ireland, we estimate that approximately 46,000 young people are not in education, training or employment. We believe that it is essential that those young people do not become a lost generation. Very often, it is that age group that feels disengaged from society. This poses significant challenges, not least in relation to community relations. That is why we have developed a proposal for a larger volunteer youth programme, providing support and opportunities that those young people do not currently have.

The creation of 10,000 one-year placements in our new United Youth programme will offer young people aged between 16 and 24 who are

not in education, employment or training (NEET) structured employment, work experience, volunteering and leisure opportunities, along with a dedicated programme designed to foster good relations and a shared future. There will be three elements to the programme: first, employment and work experience; secondly, an opportunity to spend part of the week in a community or charity setting through volunteering; and, thirdly, a structured programme for leisure, sport and learning, all within an environment designed to foster friendships across traditional community divides.

Through United Youth, we see the opportunity to provide real hope for a generation of young people who are in danger of losing their way and losing faith in the future. Building a United Community recognises that social exclusion, dissatisfaction and social division go hand in hand. This programme is a real opportunity to tackle all those most harmful problems at source.

In relation to building bonds and friendships for school-age children, it is our intention to create 100 shared summer schools, or one- or two-week summer camps, to be held across Northern Ireland by 2015 for post-primary young people. Experiences will include a range of sport and leisure activities designed to stimulate and challenge the young people involved while bringing them out of their comfort zones. Through those experiences, we will provide children and young people with greater opportunities to meet in new environments, sharing new experiences and challenges, and forming bonds through shared friendships rather than shared enmity. The bonds forged during the summer will be supported throughout the year by a range of activities.

This will be complemented by a significant cross-community sports programme to bring people of all ages together on a consistent basis. The London Olympics demonstrated how sport can unite, motivate and inspire communities. We must use that experience in Northern Ireland and allow sport to be the source of real change. That is why we will focus on urban and rural interface areas.

All these initiatives are vital. They will bring people of all ages together and ensure that they have a common stake in our society. However, we can and must go further. It is not enough to learn and play together. If we are to achieve a transformation in our minds, neighbourhoods and society it will happen only through meaningful, positive contact day to day, week to week and year to year. Again, this cannot be

addressed in isolation from problems of multigenerational poverty. The four urban village regeneration projects will allow us to deal with the full range of problems that determine and are associated with multigenerational poverty. These include educational attainment, access to employment, access to services and a safe, healthy environment.

Through this programme, we will put the heart back into communities that have, through poverty and social division, been fractured and torn. We will demonstrate the real, tangible benefits of working together across boundaries.

The aim is that each urban village will be designated a development zone, and a local board will be created. The board will be tasked with co-ordinating and overseeing the planning and design of the urban village. It will be given the powers to enable large-scale urban village development in a co-ordinated and needs-based way. Each urban village will have a community focus, and each design will be based on creating community space and improving the area and its aesthetics. Each will provide a new community focus.

This will deliver real evidence of commitment and of the peace dividend working in our most deprived communities. This holistic approach will also enable us to seek to reduce and remove all interface barriers over a 10-year period. I know that some people are sceptical about that, believing that we may be moving too fast, but I make no apologies for ambition in trying to ensure that no one has to live in the shadow of those walls or division. I do not doubt that there is real fear, but we cannot allow fear to rule us. We need to confront the fear as a community, ensure community safety and, by working with the consent and support of the local community, open up and take down interface barriers.

The ultimate aim is to live together so that neighbourhoods are not defined by religion, political opinion, ethnicity or class. To begin the process of achieving that vision, we asked the Minister for Social Development to bring forward proposals for 10 new shared neighbourhood developments. Through these proposals, it is my firm belief that we will show that the whole community can live together. In fact, I believe that not only can we live together but, in the final analysis, people want to live together.

We intend to publish the Together: Building a United Community strategy, which will set out our thinking and the principles on which we will

operate. It cannot and does not claim to be the answer to every question. There are still, of course, issues on which the deputy First Minister and I differ, but there is one area on which there is no difference at all: our determination to resolve all our problems, even the most challenging ones associated with flags and emblems, parades and protests, and learning from and dealing with the past.

That is why we are in the process of establishing an all-party group to deal with identified outstanding issues. Although we can make no promise that every question will be resolved to everyone's satisfaction, and nobody will be expected to compromise on their fundamental principles and beliefs, I have no doubt that, with some new thinking and generosity of spirit, we will be able to go a long way to finding solutions.

I realise that this is a lot to communicate in a single statement. As each component is designed and developed, we will make further statements providing greater detail and information. My aim today is to give the House a flavour of the magnitude of the plans and programmes, and the genuine progress that they represent. This is a clear statement of commitment to building a truly shared and reconciled community. Only through building a united community can we ensure a better, brighter future for everyone.

10.45 am

Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister): As Chairperson of the Committee, I can record only that the Committee is yet to form a view, because we are yet to discuss or be briefed on the strategy. Perhaps I can encourage the First Minister and the deputy First Minister to encourage the junior Ministers to accept an invitation to brief the Committee next week — an invitation that will be sent out shortly.

The initiative is clearly a serious cross-cutting strategy, which Mr Bell told the BBC last Thursday is to cost the taxpayer around half a billion pounds between now and 2015. I have the quotation here if Members are interested. I ask the First Minister whether he agrees with his colleague John O'Dowd that the lack of pre-briefing of Executive Ministers was a matter to be dismissed with, "So what?"

Mr P Robinson: First, we will, of course, be pleased to hear what the Committee's views are on the paper. I know that the junior Ministers

will be happy to answer questions, unlike the Member's ministerial colleague, who went along to the Committee for Regional Development and refused to answer questions. The junior Ministers will, of course, answer questions. Indeed, the deputy First Minister and I would be happy if we can arrange a date to go along and speak to the Committee about the issue, about which we feel passionately.

I note that the Member is not alone in raising publicly the issue of the statement being made to the press before various Ministers and, indeed, party leaders were informed. Let me say three things to him about that. First, we have departmental responsibility for these matters. It is our ministerial responsibility. His Minister and others from all parties in the Chamber make their statements without coming to the deputy First Minister and me to let us see the statements that they are about to make.

Secondly, I have to say that, sadly, there is an inevitability — we say this from experience — that anything that we say in confidence in Executive meetings and other places ends up being leaked to the press. Indeed, on the issue of a shared future —

Mr McDevitt: By you.

Mr Speaker: Order.

Mr P Robinson: Yes, I know that the SDLP is among those who are most responsible. I recall how the BBC was able to wave a draft copy of the shared future document.

Mr McDevitt: What about the cohesion, sharing and integration (CSI) document? You gave it to them.

Mr Speaker: Order. The Member should not debate across the Chamber. Order. The First Minister must be heard. Order.

Mr P Robinson: It seems that some people are particularly stung by that comment. One might wonder why, indeed.

Thirdly, it is worth pointing out that there have been years of consultation. We have already had agreement from various party leaders on the setting-up of an all-party group. In truth, I have to say that I am fed up to the back teeth with the foot-dragging; the whingeing; the stalling; sometimes, one might even say the attempt to posture politically on critical issues such as this; the begrudging; the bellyaching that one hears; and the conditioning before statements can go out from colleagues. I am

depressed listening to the tribe of Jeremiahs that infests the political process and whose first thought is to attack any genuine attempt that is made to bring forward positive proposals. Of course, those people have nothing to contribute themselves.

I have to say that I also get glum at the whited sepulchres who pontificate about a shared society and talk to us about harmony and consensus politics, yet, unless they are taking the lead themselves and get everything that they want, they strain and stretch every sinew to obstruct what is going on. Quite honestly, I think that we have reached the stage at which if we were to wait for the last person to get on board, frankly the train would never leave the station. Of course, we want everybody to come with us. We encourage people to come with us on this journey. God bless them if they do. However, if they do not, they should step aside, because we are coming through. We are doing what the community wants. The community wants Northern Ireland to move forward.

Some Members: Hear, hear.

Mr Moutray: I thank the First Minister for bringing the statement to the House this morning. This is, indeed, good news for Northern Ireland at this time. Will the First Minister expand on how the project announced last week will be taken forward?

Mr P Robinson: The deputy First Minister and I announced the concept and principles that we wanted to take forward. The next stage is already under way in that officials have formed a working group, but not just within OFMDFM. As there are cross-cutting issues, it will involve officials from other Departments too. As we move forward, they will not only design and develop the schemes that we announced but will cost them, as best one can. The working group will then report to the deputy First Minister and me. As I indicated in the statement, we will give Assembly colleagues further detail and information on the schemes as they are developed and designed.

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an gCéad-Aire as a ráiteas. I welcome the fact that the First Minister named educational attainment, because I believe that it is very significant and important. Does he agree that equality should be the cornerstone of any programme, whether it is for sport, education, health, housing, children or young people?

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

Ms Ruane: My question is this: does the First Minister agree that equality should be the cornerstone?

Mr P Robinson: I strongly agree with the principle of equality of opportunity. That, of course, should be at the heart of all we do as an Executive and as an Assembly. Of course, good relations are at the very heart of this. We want to see our communities unite and move forward as one. I recognise all the difficulties out there in dealing with this and the long legacy of the past, but I believe that we have a generation that is keen to see change and, indeed, that is urging politicians to make that change.

I believe that there is support in the community. I would have been totally depressed if all I had relied on were the depressing comments, mostly about process, from some colleagues in the House. When I went out to the community, I actually got a very different reception. People are geared up to see this move forward, and they want us to make progress in this area. It has to be said that some people are still sceptical, so it is up to all of us to confound the sceptics among us. If we had faltered because we listened to the people who said that it was difficult or that it might not or could not be done, we would not be here in the first place. We have achieved so much, and I believe that we have the potential to achieve so much more.

Mr Eastwood: I thank the First Minister for his statement. He said that this is a lot to communicate in one statement and that there will be more detailed statements coming to the House. Will the detailed proposals on all of this go out for public consultation?

Mr P Robinson: I think that this comes as a result of some years of public consultation. We have had consultation over the whole, what is referred to as, CSI strategy. It is the strategy that was agreed even before some people walked away that is the foundation of the proposals that we have brought forward.

I think that we need to say that this is the first tranche of proposals. We do not believe that this gets us to the goal that we want to achieve. It starts and takes us on the route, and it gathers momentum along the way. There will be further proposals in good time. Of course, we will consult with the Committee, and of course we are happy to hear what others have to say about it. As soon as there is

development of the schemes that we announced, we will be happy to share that with colleagues in the House and listen to what they and anybody else have to say.

Ms Lo: I thank the Minister for his statement this morning. It is very difficult to know at this stage whether we should welcome the initiative, as very little detail has been announced so far, but we certainly look forward to hearing more detail and to working together.

Mr Speaker: I encourage the Member to ask a question.

Ms Lo: How does the proposed working group differ from the Alliance Party's proposal that the First Minister and the deputy First Minister rubbished when we put it to them three months ago?

Mr P Robinson: First, it is not at all difficult to welcome the proposals. It might be difficult for some people to believe that we can achieve the goals that we have set, but no one should find difficulty in welcoming proposals that try to bring our community together. Loose wording has been used in that question, just as very loose wording was used to say that the deputy First Minister and I rubbished the Alliance proposals.

I have a copy of the report of the debate when the issue was raised in the Assembly, and I noted the comments made by the leader of the Alliance Party. What I find difficult, indeed, what may explain an indication of scepticism on the part of the deputy First Minister and I, is that the Alliance Party proposed to set up an all-party group to look at shared future issues after the Alliance Party walked away from an all-party group dealing with shared future issues. I cannot say "hypocrisy" in this House, but I am sure the House will know what I would like to say about somebody asking for something that they themselves turned down previously.

I am glad that the Alliance Party now recognises that there is value in having an all-party group. I hope that it will take a full and constructive part in the work of that all-party group. The issues that we have to deal with are not easy ones, and they will require us to compromise, which is something that the Alliance Party talks about a lot but has been very unwilling to do in the past.

Mr G Robinson: I thank the First Minister for his statement. What will shared summer schools achieve?

Mr P Robinson: It must be said that some of the things that we have referred to in our statement have been attempted before and are part of the annual calendar, although on a much smaller scale. What we are doing is a step change because of the quantum of what we are planning, but it may surprise some people to know that, even now, there are people who live in Northern Ireland who barely ever see anyone from a different religious or political background. They live, go to school in and, in some cases, go to work in communities that are mono-ethnic. If you can bring people together so that there is a greater understanding of the commonality of humanity, so you can agree with someone who you have looked over the fence at for so long and been brought up to despise or hate, then I think that changes the way society looks at issues.

This goes back to an event that I looked at over the course of the December/January period. I saw two crowds of young people, and the hatred there was palpable. They were shouting abuse at each other, and I sat back and wondered how on earth we could ever bring forward programmes or projects that could start to change that atmosphere. It will be a long process, but it has to start, and that is why the idea of hanging around until we get everybody on board no longer holds any attraction for me. That is why we have decided that leadership is about stepping out, even if other people are not ready to come or if they have their own nuanced ideas of what they should go forward with. That is why we have provided the leadership to move forward to try to change the atmosphere in our society, and I hope that there will be support from other Members in this Assembly.

Ms Fearon: Go raibh maith agat, a Cheann Comhairle. I think we can all agree that sport is a fantastic way of breaking down those barriers between young people and that it is particularly important for that to happen at a very early age. Will the First Minister provide us with more detail about the cross-community sport programmes and what they will entail?

Mr P Robinson: As I indicated earlier, the design and detail is being worked out by officials, and that will come forward. What informed the thinking of the deputy First Minister and I is the fact that sport has been a unifier in Northern Ireland. When we see people from all sections of our community cheering on Rory McIlroy or Graeme McDowell, or when we see people — the deputy First Minister and I have been there — cheering on the Ulster team, we see that there is massive support for and enjoyment in sports activities in

Northern Ireland. That is a way to engage people from both sides of our community. It can be a catalyst for change.

11.00 am

At the weekend, when I was at the Ulster Rugby game, I talked to Ulster Rugby officials about the kinds of programmes that they have that reach out to young people from all sections of our community. It has a significant role to play as we move forward. I look forward to seeing the detail of the proposals, and I will be happy to bring them to the Assembly when they are available.

Mr Spratt: I thank the First Minister for his statement. Will he compare the record of this Administration with that of the previous Ulster Unionist/SDLP Administration?

Mr P Robinson: The problem is that I have nothing to compare it to. Of course, we have a lot of people telling us that we have not done enough, that we have not done it fast enough and that we should be doing more, and asking why we have not done this, that or the other thing. Those same people led the previous Administration. They could not even produce a strategy or plan, never mind projects and programmes of any significance. We have shown that we are prepared to take the steps forward. We encourage people to come with us.

I say this in a non-party-political sense: there are people genuinely in every party in the Assembly who want to see progress being made on these issues. Let us try to keep the party politicking out of it. That is all that we —

Mr McDevitt: Hear, hear.

Mr Speaker: Order.

Mr P Robinson: That is good coming from the SDLP, because — *[Interruption.]*

Mr Speaker: Order.

Mr P Robinson: The deputy First Minister and I were still on our feet making the announcement when the tweets were coming from the SDLP attacking what we had not yet said about the project. Please step back from the party politicking, look at the issues involved, look at how important it is for the future of Northern Ireland and make that your primary interest and aim as we move forward, rather than trying to score some cheap points along the way.

Mr McAleer: Minister, thank you. I am delighted with the comments that you made about shared education and the Lisanelly campus. We learned in recent times that five schools are signed up to that and that planning permission has been granted. In light of your comments, will you reconfirm your commitment to working with the Education Minister to deliver that project?

Mr P Robinson: It is an ambitious project at Lisanelly. We are pleased that there is support from five of the schools. I think that we are looking for support from a sixth school as well. As far as I can recall, it has taken out a legal challenge on the issue. However, I have every confidence that, although that scheme will cost well over £100 million — it is a significant scheme — we can work with the Department of Education and the Finance Minister to find the funds to make sure that it goes ahead. Another scheme in Moy has been announced, which shows a willingness to move forward. That is also a first-class proposition.

I put this to those who talk about shared education: if you can bring, in the Moy case, two schools from different backgrounds together into the one school building, I cannot think that it is going to be too long before the principals, headmasters or headmistresses of those schools say, "Is there not good common sense in our various classes doing physical education or geography together? Look at the savings and efficiencies that could be gained as a result of that." It will be a gradual, step-by-step process towards a fully shared future in education. There are other areas of the Province in which proposals for shared campuses are coming forward. I am greatly encouraged by that.

Of course, the pace at which we can roll all that out depends largely on the funding that is available. We are seeking to identify the 10 areas, look at the available projects and the extent to which schools will buy into them, and, therefore, the cost of the newbuild.

We will obviously look at the potential of selling off existing schools, if it means moving to a new campus. We will look at what comes by way of Barnett consequentials in the new CSR period. We will clearly be bidding in that, and the deputy First Minister and I will no doubt want to twist an arm or two when we meet the Prime Minister and look at the present package. Of course, I have to say — he is not here, so I will maybe get off with it — that there is a package that will not be used up on the A5 over the next number of months. Funds will clearly have to be reallocated from that.

A wide range of opportunities is available, but the Member can take it from me that there is absolute resolve and determination from the deputy First Minister and me to work with the Education Minister to bring about and realise these proposals.

Mr McDevitt: The junior Minister Mr Jonathan Bell, who is absent from the Chamber today, told the BBC on Thursday night that half a billion pounds had been set aside to spend on this initiative between now and the end of 2015. Is that true, First Minister? Yes or no?

Mr P Robinson: I would never attempt to frame the Member's question or to tell him how he might ask it. He should not attempt to tell me the narrow range of choices that I have in answering it.

First, the junior Minister is not here today because he is on departmental business and doing his duty elsewhere. I am sure that he would have been delighted to be in the House.

Any amount of money that is referred to at the present time is the gauge and expectation of those of us who have looked at the programme and what it will cost to deliver it. It depends very much on what period one is looking at and at what pace one wants to implement the changes. If you look, for instance, at the issue of the capital costs, if you are talking — *[Interruption.]* I do not know why he is giving me two fingers in the air. I hope that it is not what I think it is.

Mr Speaker: Order. The Member should not debate across the Chamber.

Mr P Robinson: You can look at the capital build programme and pull a figure from the air. We are spending £130 million on one proposal at Lisanelly, over whatever period it takes to complete — one will note that the campuses were to be commenced during that period.

It should be pointed out that we are already spending tens of millions of pounds on a shared future. Many of the things that are contained in this can be done from existing budgets and a reprioritisation of what goes forward.

Again, all that we seem to get are complaints about process. Why not look at the positive projects and programmes that are available? Try to dredge into your heart to find something positive and constructive to say about trying to give a future to young people in Northern Ireland.

Mr Cree: I also welcome the First Minister's statement and look forward to the detail. On the cost, First Minister, do you have any indication at this stage of how much new money will be required? You mentioned existing projects and existing spend. Do you have a handle on that at this time?

Mr P Robinson: When the deputy First Minister and I set out the proposals, of course we looked at the potential cost of each of the elements. However, we have gone to a design stage, because it is in that that the detail will come forward. It is only when you have the detail that you can really give the cost.

Let us take, for instance, the massive 10,000 placements that we are talking about. The cost of that will depend largely on the stipend that is given to each person who takes part. We need to have a stipend to encourage young people to get out into a meaningful role in society. That role will take them into business for the first time in their life and give them some work experience. It will also be a good citizenship role, in which they will have the opportunity to work with voluntary and charitable organisations, and a good relations role, in which they will work across the community and meet and play with other people. We want people to take part in that. We want to encourage people out of the "no hope for the future" environment that some feel they live in. That costs money and not just in terms of the stipend. If you were to give £1,000 as a stipend, you would be talking about £10 million of cost as soon as the scheme is fully rolled out. Were he not talking on the Back Benches, I would say to the Member for South Belfast that it depends largely on how fast a lot of the schemes roll out. I do not expect to have 10,000 people employed in businesses or involved in charitable and voluntary organisations on the first day; we will build up to that overall figure of 10,000. However, for every stipend of £1,000, there will be a £10 million cost. You can do the multiplication yourselves, depending on what you feel is an appropriate stipend. You will then need to put in place all the necessary organisational support. As each of those schemes is determined in detail, you will get to the final figure.

Of course, we are then into the business of how fast you roll out some of the capital bill; how much of it you can put into existing capital budgets; how much there will be for reallocation because of schemes that do not go ahead at a certain time, from which funding can be redeployed; how much we will be able to get by way of Barnett consequentials; and how much

we will be able to encourage the Government to give us when we look at the next CSR period, because this flows into that. We had a commitment from the Government on the £18 billion that was promised in capital spend, which we believed had been severely reduced. They have indicated that they will realise that figure during the period of the promise for that £18 billion. Therefore, more money has to be coming in capital bill projects. For all those reasons, let us see the design and detail, and let us look at the figures and at a projected way forward that is based on the money that is available and might become available to us.

Mr D McIlveen: I welcome the statement from the First Minister and express my disappointment at the playground-level pathological negativity that is coming from parts of the Assembly. Will the Minister explain the time frame for the publication of the new community relations strategy?

Mr P Robinson: We propose to publish it at the end of next week. That time is believed to be necessary for the printing process. A considerable portion of the document was completed in its existing form by the time the first boycotters left the all-party working group. Most of it — indeed, almost all of it — was completed before the second set of boycotters left the all-party group. Some tweaks have been necessary because of the passage of time. We regard it very much as a living strategy. It is not set in stone like the law of the Medes and Persians — it can change, be updated and grow. For instance, as the all-party group deals with the three outstanding matters and, I hope, reaches agreement on some if not all of those, that can be incorporated into the strategy. As relationships in Northern Ireland develop further, I hope that we can make progress.

There are things in the document that I would have liked to see go further. There are things that the deputy First Minister would have liked to see go further but that were too fast for some of the rest of us. There are many areas of that document that some part of the House would want to see further enhanced. That is what happens if you are trying to get the highest level of cohesion and support in an Assembly on a document of this kind. It is necessary for people to recognise that none of us gets all that we want in a document, but it is a very good point from which we start.

Mr Rogers: I thank the First Minister for his statement. I, too, welcome the announcement of the 10 shared campuses, but, considering

the segregated nature of the area planning process, how will shared education be advanced in that framework?

11.15 am

Mr P Robinson: There we go again. Can we not have a question without a "but" in it? We have a positive proposal to move forward. We have schools that are willing to take part in the project. There is a willingness on the part of parents and young people to see people educated together. Let us start from that positive beginning, without trying to drag out every obstacle and problem that might come along the way. Of course there will be difficulties. Of course there will be obstacles that we have to get around, but surely the wit of human beings is sufficient to overcome some problems about area planning in order to make our proposals work.

Miss M McIlveen: Obviously, I welcome the First Minister's statement to the House. The creation of 10,000 one-year placements for NEETs in the United Youth programme is an exciting and ambitious project. Although he has already referred to it, will the First Minister perhaps give some more detail on how that project will be achieved?

Mr P Robinson: First of all, many of us have grown up and looked at similar schemes around the world. For instance, in the United States they have the Peace Corps and so forth. There are similar programmes in literally dozens of countries around the globe. We have attempted to design ours to take account of what we see as the real needs in our community. Because we have so many young people who are not in education, employment or training, there needs to be the opportunity for those young people to get some real work experience. That work experience and, indeed, the other elements of the programme are such that, when an employer knows that someone has gone through the programme, they will know that they are talking to a more rounded human being who has some experience of life and has been prepared to put themselves through a process to widen their horizons.

The second element, of course, is the volunteering one. Being involved in charitable or community organisations is something that, we hope, will start within the programme but will continue after people leave the programme, because they will make friendships and will see the benefit of the work that they do within it. There is also, of course, the good relations and cross-community element of it — the ability to

meet people from a different background and to enjoy play or to have shared experiences with them. All of that is a valuable way forward for a significant portion of people in our community, many of whom have given up hope for the future.

Of course, it will be taken forward by a working group that comprises the Departments — there are probably at least three, maybe four — that have some locus in the subject. I have heard some people ask who the lead Minister will be on the matter. The deputy First Minister and I have not yet decided which Department should be the lead Department. When we do, we will make a proposal to the Executive, because, on any cross-cutting issue, we make a proposal to the Executive on what the lead Department should be on that matter. A lot of that will depend on the passion and enthusiasm of various Ministers to take it forward, because there is no point putting that kind of significant proposal into the hands of a Minister who will be half-hearted about it.

Mr Weir: I thank the First Minister for the statement, which I think will bring positive benefits to the community as a whole in Northern Ireland. Although indications have been given that the overall exact cost of the financial package required to fund this cannot be completely quantified at this stage, what does the First Minister think the impact will be on discussions around the next comprehensive spending review and any implications in terms of reprioritisation within that Budget?

Mr P Robinson: I should say to my colleague first of all that I am always reluctant to respond to questions — we have had a number today — looking for us to put figures on the proposals. It is not because there is some great interest in seeing how much money will be spent on a shared future in Northern Ireland; it is to have something that they can hang the Minister on in the future if, in some way, the figure varies from that which has been stated. In terms of the CSR period, I listened to the Secretary of State — as I suspect everyone in the House did — when she referred to the package. She said that the level of our ambition would be matched by their response to it. Our proposals are ambitious, and, therefore, we are looking to see what kind of support the Government are prepared to give us. The CSR period is one of the times — not the only time — when the Government can show that support. If they believe that what we are attempting to do — to change the outlook of our society in Northern Ireland — is worth their support, I hope that they will recognise that when we are having the

discussions with them, if not negotiations, about the comprehensive spending review.

Mr Swann: Will the First Minister explain how the United Youth programme will dovetail with and support the Department for Employment and Learning's Programme for Government target by reducing the number of people who are economically inactive? Does he agree that by asking people to volunteer for only part of a week, we are losing a big opportunity to get them involved in the voluntary and community sector?

Mr P Robinson: In truth, this proposal will blow the Programme for Government targets out of the water because it is significantly more ambitious. Of course, there are slight differences between our proposals and those of the Minister for Employment and Learning.

One of the reasons why we have the detailed design stage of the process is that it is vital that nothing that we promote undermines projects already being taken forward by DEL. We will want to work with the Minister and his officials to ensure that what we do supplements the overall aim of his proposals.

There is a shared future element to the 10,000 placements, which is the responsibility of the First Minister and the deputy First Minister. The training element is the responsibility of the Minister for Employment and Learning. There is an education element and a sports element. One could go on and on adding Ministers to the list. There is, clearly, a social development element as well. It is very much a cross-departmental issue, and, therefore, it is important that the working group will bring forward detailed proposals. Nothing will dent our determination to see it go forward.

This is a major scheme that will require a sizeable infrastructure. It will require the work being undertaken in Departments and the support of voluntary and charitable organisations in finding placements for young people. It will require a partnership with the business community. It will require us to ensure that the design of the scheme is such that no one in the business community will use the placements as a replacement for people who are already working in a business. All those issues have to be worked through, and regulations and details have to be set down.

Mr Givan: I commend the First Minister for this statement. Having achieved political stability and accountable institutions, he continues to lead the Province in ensuring that our

community moves forward. Will he assure the House that, although the Ulster Unionists and Alliance Party walked away and boycotted — albeit that it was John McCallister who led the Ulster Unionists out — *[Interruption.]*

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

Mr Givan: Maybe Mr McCallister's leader will, at some point, be in charge of this — one never knows. Now that the First Minister has shown such leadership, will he assure us that no Executive Ministers will try to frustrate this? Previously, parties sought to frustrate it because they got precious about their imprimatur not being on it. They should buy into this process.

Mr P Robinson: The Member for South Down may well have led the Ulster Unionist Party out of the process, but he has now led himself out of the Ulster Unionist Party. Quite where he is going now none of us is sure.

I regret that I can give my friend no undertaking that people from other political parties will not try to undermine what we are doing, but I can give him an undertaking that none of them will succeed.

Mr Byrne: I welcome the First Minister's statement — at the risk of being spurned. *[Laughter.]* I welcome the content relating to young people and the employment placements for them. However, given the winter of discontent and community tensions, when will he and the deputy First Minister show unilateral leadership in tackling the two thorniest issues: flags and the ghettoisation of housing, which are more important in relation to civil unrest than the schools have been?

Mr P Robinson: I have always thought that the Member had a great future in politics. I wish him well in that, and I hope that some of the rumours that we are hearing are true. *[Laughter.]* We will no doubt come to that at some future stage.

On my and the deputy First Minister's determination to take forward issues that are still unresolved, when people make such references, there is almost an implication that they are somehow holy, that they stand outside the process, that they hover over it with no responsibility for what is going on, that they are not part of our society and that they are not part of the disagreements that have led to these being intractable problems. We are all in this together. We all have to resolve these

problems. Having spent the past couple of years —

Mr McDevitt: *[Interruption.]*

Mr P Robinson: The Member makes gestures with his hands and arms. If I knew what those meant, I would respond to them. *[Interruption.]*

Mr Speaker: Order.

Mr P Robinson: I am not a lip-reader, so I cannot respond to whatever it is that the Member is trying, and failing, to communicate.

There are outstanding issues, because they are sensitive issues in our community. Those issues need the support of all of us. Over the past couple of months, the deputy First Minister and I have sought to get an all-party group. We had difficulty getting support from the Member's party and others for an agreed statement on those issues. It is the failure to get that agreed statement on the way forward that has led us, having torn our hair out — there is more evidence of that in the deputy First Minister's case than in mine — to decide that we must give leadership and go forward ourselves. Now that we have given leadership and shown the way forward, I hope that the Member will fall in behind and give us full support in trying to deal with these difficult and intractable issues.

Mr Storey: I thank the First Minister for his statement. While others seek to deny, delay or redefine their position on shared education, I thank the First Minister for the leadership that he has given in commencing the debate on the issue. Can he and the deputy First Minister give the House an assurance that those who are half-hearted — he referred to those people earlier, and there may even be some in the education system — will be engaged with fully and will not be allowed solely to protect their own interests?

Mr P Robinson: There are vested interests in education, as there are in any other sector in our community. If things are going swimmingly for various groups, organisations and bodies in the present circumstances, they will be reluctant to see change. I want them to look into the future to see what can be gained for our society as a whole by the kind of substantial step forward that is being proposed. We are doing it in a way that, I think, will leave no one with anything to fear. How could anyone fear the prospect of young people being educated together and working and living together in communities? That is what I want to see, and I hope that I will be able to see it in my lifetime.

All that I can say to the Member is that I have heard the comments of the johnny-come-latelies to shared education. I remember moving a motion on integrated education at the first ever DUP conference back in the late 1970s, and it was supported. I have supported shared education in Northern Ireland for generations. Some were silent and had nothing to say on the issue when I put it to the centre of the political stage. Those who had something to say on the issue made derisory comments but now pose as champions of it. I am delighted to see it. Welcome on board, late though you may be. We want your support and encouragement. Let us all try to move the issue forward in a way that can make a real difference to the people of Northern Ireland.

11.30 am

Mr Kinahan: Thank you very much, Mr Speaker. How appropriate. *[Interruption.]*

Mr Speaker: Order. Allow the Member to ask his question.

Mr Kinahan: I welcome the statement, and the friendly and inspiring way in which it was given.

In October 2010, the First Minister called for an end to our children being educated separately. Today, we just have shared education. Will the First Minister support the 17 recommendations in the 'Advancing Shared Education' document and actually push for a single shared education system?

Mr P Robinson: I am conscious of the fact that I answer questions here as First Minister. There are a lot of things that I would like to say in response to that question. As leader of the Democratic Unionist Party, I was disappointed at the report that was received. I believe that there was a poverty of ambition and a lack of reforming zeal in the proposals. Those proposals were largely about process. Many of them, I think, can be given support, and many of them should be acted upon, but they in no way go far enough in pointing the way forward.

What we require is a very clear vision of what the end position should look like and a very clear plan as to how our route map will be shaped in getting us there. A long time ago, I suggested setting up a commission. I had hoped that the working group that was looking at the issue might have given us the kind of outcome that would have made that a redundant proposal. Having seen the report, I am convinced that it does not.

Mr Campbell: I welcome the document. I think that there will be a general welcome throughout the community for the very positive tone contained in the document. Will the First Minister repeat the assurance on the issue of peace walls and interfaces, which he gave when he made the announcement? They are there not just for reassurance but to prevent physical attack. Will he repeat the assurance that they will come down when the confidence is there in the community, and that we need to —

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

Mr Campbell: Does he agree that we need to build that confidence to ensure that we deconstruct the walls?

Mr P Robinson: Those walls and barriers exist across Northern Ireland not because people did not like the aesthetics of the other side of the wall. They are there for very real reasons. They are there not just because there are fears, but because, in many cases, there have been actual attacks that have put people's lives in danger.

People have a right to the safety and security of their home and district. That must be paramount. There is no difference between the deputy First Minister and me on this issue. We want to work with local communities in attempting to address the cause of the fear that caused the walls to go up in the first place to try to ensure that people can be safe in their community. Whether that is by design features in the area that reduce the potential for conflict, whether it is through having a phased reduction of the process such as moving from walls to gates or whatever, whether it is through putting new shared space and other facilities in an area, or whether it is groups from each section of the community working together to bring down the walls, we are prepared to work with them to see what we can do. We are not going to force anybody's hand on this issue; it is far too serious a matter.

There are always difficulties when a projected date is given as to when things might happen. It is something that is not within our control. It is in the control of the people in the local communities. However, it is right that we set ourselves a goal, no matter whether people think it is too ambitious a goal. I would rather see us stretching to try to achieve something than being limp and lame in our ambition to get there. So, I give him the absolute assurance that he seeks on the matter. We will want to

talk to those local communities to see how we can help them get away from the shadow of the walls.

Mr Allister: Given the "so what" attitude that has been underscored again here today, even to Executive colleagues and to the House, what sincerity attaches to these pontifications about a shared future, particularly since, within hours, the First Minister's deputy, Mr McGuinness, was tweeting a glorification of the notorious murderer Francis Hughes? Is that part of the First Minister's vision of a utopian shared future?

Mr Speaker: Order, order.

Mr P Robinson: The very walls of this Chamber creak with irony at hearing the Member for North Antrim stand up as the defender of Ministers and of this Assembly. If he can get half a dozen people gathered together in a car park, he is out there trying to throw his bile upon this Assembly and everything that it stands for. He has no good wish for this Assembly or for its Ministers. All he seeks to do is reach for any stick he can get out of the bush to beat his political opponents. He has not got one positive bone in his body. It would be far better if he looked at the positive way forward for his constituents rather than trying to drag people back all the time.

Mr Agnew: I welcome the statement but reserve the right to judge the actions as they happen. One of the biggest criticisms of the process has been that it has been purely political. Could the work of the all-party group — and I wait to see whether it is "all-party" and includes my own party — look at genuinely participative models, such as the Citizens' Assembly in British Columbia and the Irish Convention on the Constitution, to see how we can bring people other than politicians into this process?

Mr P Robinson: We said in our statement that we wanted to set up an all-party group, which is different from the style in which we have done it in the past. We have indicated that we will ask each of the Executive parties to provide us with the names of two members who will sit on that group. We will provide two members each from our parties, and they will be accompanied by the junior Ministers. Importantly, we are seeking to find and agree on a suitable independent chairperson to take matters forward.

When the group is sitting in session, it will be for its members to decide what other

stakeholders might have a place on it or might be suitable to give evidence. I do not set any strictures on what the chairperson and the committee might do in taking that evidence or reaching out to the wider community. However, we need to be mindful, having gone through an 18-month to two-year period of another all-party working group, that we have to have an outcome.

We do not want to wait forever for something positive to come from the committee. I do not mind if we get interim reports, if levels of agreement are reached on some of these issues so that we can put them into the overall strategy and take them forward, but Northern Ireland is in too precarious a position, with the divisions that exist and the divisions on the issues that will be before the all-party group, for us to take this as some academic exercise that can be done over a prolonged period. So, let us see some degree of desire on the part of the participants to expeditiously deal with those issues and to try to enter those discussions with a new and more positive spirit.

Mr McNarry: Mr Speaker, I will keep away from party politics in car parks if it suits you.

I give 10 out of 10 to the First Minister for the effort on this legacy statement and five out of 10 for detail and substance. What I have heard this morning seems as credible as David Cameron's pledge on the European referendum. Having heard the coalition parties' views —

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

Mr McNarry: Having heard the coalition parties' views, is the First Minister confident of their support? If not, should they resign?

Mr P Robinson: I give the Member one out of 10 for his question. *[Laughter.]*

Mr Speaker: Order.

Mr P Robinson: We are in the business of trying to bring people together to try to resolve age-old problems. We have attempted, to our own frustration on many occasions, to try to get agreements from all the parties around this Chamber. It was not possible. Parties walked away in the huff and boycotted the meetings, and others could not even agree on a press statement to go out to take it to a further stage. That is why we have decided to give some leadership on the matter. Instead of attempting to score a political point here, there or yonder,

let us roll up our sleeves and try to resolve the issues that our community is begging us to deal with. They elected us here to try to give them a new way forward in Northern Ireland. Let us not disappoint.

Mr B McCrea: Responding in the spirit of generosity that the First Minister calls for, I welcome the proposals and put on record that I have absolutely no doubt about the First Minister's personal commitment to a shared future. My concern is whether others in his party share those views. He mentioned in response to an earlier question that this requires action, that it will blow the Programme for Government targets out of the water and that he wants to see outcomes. What specific outcomes does the First Minister want to see as a result of his actions? How will we judge whether the programme has been successful by the next election?

Mr P Robinson: I am grateful for the Member's earlier remarks. I am sure that none of us particularly judge the election period as the period that we have to get things done by. We want them done as soon as possible.

We have set out our targets and have not hidden our ambition. We have indicated that we want 10,000 young people who are NEET to be placed with business and voluntary organisations and to have a role in good relations. That is a target. We will have to build it up over the years because no organisation will be capable of taking 10,000 on the first day. That will occur over a period of time.

We have indicated our targets for the shared campuses and shared housing, what we hope to do with the combination of sport and community relations, and what we intend to do with the schemes that we have set out in the seven programmes, as well as, of course, the overarching strategy that will be published at the end of next week. Our targets, hopes and expectations are all there.

Let me say this to him: it should not be a cause of gratification for anybody in this Chamber if we do not meet all the targets. It should be a matter of disappointment for everybody in this Chamber because it is in the interests of future generations that we meet the targets, take Northern Ireland forward and encourage young people to be schooled together, to play together and eventually to work together. That is the interests of our whole community. Do not set targets that can be used as a mechanism so that, at the next election, people can put a leaflet out and say, "They said that they would have 10,000 but they only had 9,000." That is

not the way forward. Let us do as much as we can as fast as we can and as beneficially as we can.

Mr McCallister: I am grateful to the First Minister for his concern in his earlier remarks about my future career prospects. He has talked a lot this morning about actions, and I agree that actions speak louder than words. Will a detailed action plan be published alongside the strategy? If not, when can we expect an action plan?

Mr P Robinson: I indicated earlier, though perhaps not in the detail that the Member now asks for, that the process in which we are now involved is that officials in OFMDFM, along with officials in all the relevant Departments for each of the projects involved, are sitting down to design and detail the way forward for each of those projects. When we have that available to us, we will make sure that the Committee and the House are acquainted with all the details. If issues arise or, indeed, Members have views and ideas on how best it might be rolled out, we are happy to listen to them.

We want to encourage people to get on board and to be supportive of this way forward. It will be fully visible and transparent, and I hope that there will be a desire and interest on the part of the OFMDFM Committee and its Chairman — when he stops talking to his neighbour — in trying to play a full role in taking forward the project from OFMDFM.

11.45 am

North/South Ministerial Council: Environment

Mr Attwood (The Minister of the Environment): With your permission, Mr Speaker, in compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the seventeenth meeting of the North/South Ministerial Council (NSMC) in environment sectoral format, which was held in Dublin on Tuesday 23 April 2013. The statement has been agreed with Minister Kennedy. Danny Kennedy MLA, Minister for Regional Development, and I represented the Northern Ireland Executive at the meeting, which I chaired. The Irish Government were represented by Phil Hogan TD, Minister for the Environment, Community and Local Government.

Ministers discussed the informal meeting of the council of EU environment, which was held over the previous two days and, in particular, the issue of air quality, which was one of the main themes of the meeting. I have said before to the House that the Irish Government have a reputation from their time of holding presidency of the European Union on a rolling basis as being one of the more dynamic presidencies. That was very much the case in respect of the environmental council, which was an informal gathering of all the environmental Ministers from across the EU and from Turkey. I have to acknowledge and applaud the Irish Government for the relevance and the importance of that event.

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

The Council noted that the all-island bulky waste reuse best practice management feasibility study will be published shortly and that the Department of the Environment (DOE) will publish a revised waste management strategy later this summer.

Ministers noted that, following the recent introduction of the carrier bag levy here, charging for carrier bags is now in place across the island. It is more extensive in Northern Ireland than it is in the rest of Ireland, given that the charging regime in the rest of Ireland is for single-use plastic carrier bags only. I confirm to the House that the second piece of legislation in respect of the carrier bag levy is currently in circulation around the Executive among ministerial colleagues, with the ambition that, before the summer, we will have First Reading

and Second Reading of that new legislation to extend the scope of the carrier bag levy.

The Council noted the publication of the all-island used tyre survey report, which indicated a significant level of used tyre recycling. The report will be further considered by officials in both jurisdictions. The evidence from the all-island used tyre survey report suggests that, compared with 10 years ago, there are certainly more used tyres but that the tracking of where those tyres end up and the use of those tyres, especially for recycling purposes, is better than it was. There are still clear challenges that need to be taken forward, both in this jurisdiction and in the rest of Ireland.

I note that the Environment Committee today published its report on used tyres in the North. No doubt, we will debate that further.

Ministers also noted that the consultants appointed by the Department of the Environment's community and local government division to conduct a review of the producer responsibility initiative (PRI) model in Ireland are in the final stages of their examination.

The Council noted that a meeting of the North/South market development steering group, which was established to promote market opportunities for recycled products, was held on 7 March 2013. The incoming chairperson, David Surplus, will be invited to provide Ministers with an update on progress at a future NSMC environment meeting.

I met David Surplus in the past number of weeks. It was a challenging conversation, in that he very much challenged me about opportunities for recycling in the North, never mind on the island of Ireland. As a consequence of that, we will convene a further gathering with David Surplus, representatives of Invest Northern Ireland and the Department to scope out what David Surplus refers to as the "low-hanging fruit" opportunities for recycling in the short term. We will take that forward very quickly.

On cross-border movements of waste, Ministers also noted that work on the two sites, Seskinore and Eskragh, at Clogher, County Tyrone, which were planned for the 2012-13 programme, is complete. In total, more than 15,000 tons of waste was removed from both sites — I visited one of them — and a programme of work for 2013-14 has been agreed. Since 2010, six sites have been addressed and the waste repatriated. Over 63,000 cubic metres of waste has been repatriated. The sites completed in 2012-13 had a total of just over 10,000 cubic

metres, and there remain 11 sites to be repatriated. The Council noted that joint enforcement action to deal with illegal operators is a priority for both Environment Ministers, and Departments continue to target resources at that.

On environmental protection, Ministers noted that officials have further considered opportunities for mutually beneficial joint working to facilitate effective and efficient policy approaches in the context of EU directives on air quality. The Council agreed that, to improve air quality on an all-island basis, officials should prepare terms of reference for a study and have them approved as soon as is practical at a future NSMC meeting. The study will examine airborne pollution from residential smoky coal combustion, as well as the social and economic implications of potential policy options.

It would be premature to say that there will be movement towards a ban on the use of smoky coal on the island of Ireland, but it raises big issues of air quality, and that is of concern to all the people of Ireland. Some initial work in Strabane, where there is, on occasion, a particularly acute problem with air quality, suggests that the differential in price between smoky and smokeless fuel is not very much, but the calorific value of smokeless as opposed to smoky fuel is very significant. Consequently, there may be an argument, as we take this study forward, for a potential all-Ireland ban on smoky coal.

On water quality, Ministers noted the co-ordination between jurisdictions on the preparations for the second cycle of river basin management plans in Ireland and Northern Ireland under the EU water framework directive. The Council also welcomed continued co-ordination on the Clean Coast and Coast Care schemes and the symposium held in November 2012 involving representatives from both jurisdictions.

The announcement of blue flag awards for beaches in the North will be made very shortly. Members should be mindful that last year was the best year ever for blue flag awards, with 11 beaches designated under that international standard. It might not be so good this year, partly because of the weather last year and partly because the assessment criteria are being adjusted in advance of the incoming water framework directive in 2016.

On environmental reporting and research, Ministers welcomed the success of the QUESTOR research partnership, the Queen's University-based company, in securing funding

for an INTERREG north-west Europe project to develop a research and innovation network for the recovery of valuable materials from waste. A useful conference, at which I hope to speak, is being held at Dublin City University tomorrow, convened by QUESTOR and Queen's University to take forward potential research projects on water resource management. That is another example of QUESTOR competing on an all-island, interjurisdictional basis to try to scope out research projects, to draw down funding and to make this a cutting-edge part of the world for research on water, environmental and waste issues.

The Council also noted that following preliminary research by the Environmental Protection Agency (EPA) in the South into the environmental impacts of hydraulic fracturing — fracking, as it is known — a more comprehensive research study is planned. The terms of reference for the study were subject to a public consultation process that ended on 8 March. It may come as no surprise to Members to learn that there were 2,000 responses to the consultation on the terms of reference for a research programme. That is an indication of the profile of the issue. It suggests the scale of interest, concern, and so on, that will have to be taken on board properly in any further research and what will happen afterwards with planning applications for potential fracking projects.

The meeting also noted that the Northern Ireland Environment Agency's second state of the environment report is due for publication by the end of 2013.

Ministers noted the review of the EPA's research programme, STRIVE — science, technology, research and innovation for the environment — and the intention to develop a new research programme for 2014-15.

The Council noted that legislation currently before the Oireachtas will enable Science Foundation Ireland (SFI) to provide research funding on an all-Ireland basis, which is a significant development. SFI in the South is funded under the national development plan and has not previously extended to the North. It will now extend to the North, and that will create new research funding opportunities, especially in biotechnology, ICT and sustainable energy and energy-efficient technologies. It is a pathway to the way in which we should shape potential research, innovation and development opportunities on the island of Ireland. I acknowledge what the Irish Government are doing with this new legislation that is before the relevant House of the Oireachtas.

The Council agreed to hold the next environment meeting on 30 October 2013.

Ms Lo (The Chairperson of the Committee for the Environment): I thank the Minister for his statement and the additional details. I was also in Dublin yesterday, attending a useful meeting of all the Chairpersons from the EU environment and energy Committees.

There are so many questions that I want to ask the Minister, but I will stick with the one with the highest priority. The Minister mentioned that the Committee today published its inquiry into used tyre disposal. He also mentioned the all-island used tyre survey report and the review of the producer responsibility initiative in the Republic of Ireland. The Committee's report has one recommendation that we should look at this issue on a long-term basis. Will the Minister comment on that? Will the Department work with the Republic on the producer responsibility initiative on an all-island basis?

Mr Attwood: I thank the Member for her comments and her questions. It is noteworthy that the Irish Government's EU presidency is shaping the future of Europe not only for these six months but for much longer. The fact that they have gathered together informally all the European environment Ministers and the Chairs of the environment Committees in various European legislatures shows great authority.

12.00 noon

You also learn an awful lot at those meetings. When I attended the EU informal environmental sector meeting in Dublin, I spoke to the current chair — a German MEP — of the European Parliament's environment committee, which has 71 members. He told me that he comes from a part of northern Germany where 85% of their electricity comes from wind farms. He commented with envy on the quality of wind on the island of Ireland where the quality of our wind, as we know, is the best in the world and is at least 50% better than the quality of the wind speed in northern Germany, where 85% of electricity comes from wind farms. The environment committee chair in the European Parliament looks with envy at our renewal opportunities in Ireland. Does that not tell a tale?

The figures from the all-island used tyre survey taken forward by the South suggest that 72% of used tyres are recycled, 0.2% are retreaded, 6% are used for landfill engineering, 5% are used for agricultural purposes, 7.3% are sold as part worn, and 9.5% are sent to unknown destinations. That is very different from what

we had in 2000, when 32% were sent for retreading, 22% were sent for recycling, 16% were used for agricultural purposes and 30% went to unknown destinations.

Clearly, the direction of travel in tracking used tyres is better, but there is still further work to be done to tie those statistics down in order to get the full intelligence picture.

The Member is quite right: the Irish Government are looking at a producer-responsibility approach, and their views on that will come out by the end of the year. However, that issue has to be taken forward on an all-Ireland basis. The truth of the matter is this: given the nature of where we live, the matter is best taken forward on an all-island basis. That is clearly the desired approach. As I understand it, London may have set its face against that, which would not be helpful. There are other examples on this island where we take things forward with the Irish Government when London or Britain chooses to opt out. Producer responsibility may yet be one of those opportunities.

Mr Hamilton: I thank the Minister for his statement. When reporting back on NSMC environment meetings, he always updates us on progress on cross-border waste management issues. Given his revelation in the House a number of weeks ago about the fact that half of the hauliers use illegal fuel, and given the obvious cross-border element of the issue, does he expect that that subject will appear as a future agenda item for those meetings and that he will report back to the House on progress that has been made?

Mr Attwood: We touched on the issue of all-Ireland waste, and fuel laundering in particular, at the environment meeting. Given that it was touched on at the environment sectoral meeting and the previous meeting on transport, the expectation now is that there will be a gathering of that conversation, hopefully at the next British-Irish Council meeting to be held somewhere in the north-west in June, I think.

It is clear that there needs to be an escalation of the strategy for dealing with fuel laundering. While the respective Governments and the other Departments work that out, numerous diverse acts can help to begin to address the issue. What is my Department trying to do to deal with the growing threat of fuel laundering, the waste that is produced and the damage that has been caused to business, especially hauliers, never mind the damage that has been caused to the environment? The Department of the Environment (DOE) now has a transport regulation unit (TRU), and there was some

publicity during the past two weeks of one haulier who had his licence withdrawn.

Currently, the TRU is processing 19 other cases of non-compliance by hauliers. For a number of those hauliers, part of their non-compliance is the use of illegal fuel. I am not getting ahead of myself, but, subject to good evidence and proper process, and given the scale of haulage business in the North, I want to see the TRU impose maximum penalties not just in those 19 cases but in all cases where there is that level of non-compliance, including in respect of fuel laundering.

Given what the haulage industry is saying, and given the failure to have many prosecutions, never mind custodial sentences, it seems to me that we need to step forward and put more resources into tackling environmental crime, including fuel laundering. We need to release money to do that. In the June monitoring round, I will present to the Executive a bid for additional money for DOE to tackle waste-management and environmental crime, so that, even this year, we can escalate the response of the environmental crime unit (ECU) to deal with the threat of organised crime, fuel launderers and criminal gangs on the island of Ireland.

However, the scale of the response will have to be much more significant than that. That is why, at last week's road transport inter-ministerial meeting involving the Minister for Regional Development and the Justice Minister, we discussed the issue of fuel laundering. We took the opportunity, in a meeting about something else, to step out of the meeting to discuss the issue of fuel laundering. We need to move very quickly. That is why I intend to meet the hauliers again on 29 May to see where the DOE, perhaps to the benefit of the environment of the whole island, will take the issue.

Ms McGahan: Go raibh maith agat. I thank the Minister for his statement. Given that his Department has lead responsibility for road safety, and taking into consideration the enhanced safety of dual carriageways compared to single carriageways, as well as recent PSNI evidence, which shows how dangerous the A4 was before it was dualled, was the stalled A5 dual carriageway project discussed in the context of road safety?

Mr Attwood: Not specifically. Road safety is relevant to all roads on the island of Ireland, whether they are dual carriageway, single carriageway, rural roads or motorways. Therefore, when we discussed road safety

issues, which was more at the transport sectoral meeting rather than the environment sectoral meeting, they applied equally to all roads, whatever their designation.

To date, four pedestrians have been killed on our roads this year, compared with zero last year. Therefore, there is an issue about pedestrian road deaths, especially later in the day. Two of the people who died two weekends ago were killed between 11 pm and midnight.

On the island of Ireland, we are trying more and more to co-ordinate our road strategies, our road law and our road enforcement. That is why we are bringing forward a law that will see common alcohol limits across the island of Ireland, following from the example of the Republic two years ago. That is why, last week, which was UN road safety week, we had a joint campaign with the Road Safety Authority (RSA), leaflets and campaigns online and on the radio to co-ordinate our actions on all-Ireland road safety. That is why we are taking forward mutual recognition of penalty points with Leo Varadkar, the Transport Minister in the South, and we hope to have that in law by 2014 and operational by 2015. All that will work itself through.

The Member may well be making a good point. Part of the narrative around better road safety and reducing deaths and serious injuries on the island of Ireland is improvement of the roads. If there is improvement of the roads, part of the consequence is less risk. If that is the point that the Member was making, that is relevant for all the roads in the North, including the A5.

Mr Byrne: I welcome the Minister's statement. In relation to the revised waste management strategy, does the Minister accept that the cross-border illegal operators, who have done so much damage to places such as Seskinore and Eskragh, need to be tackled? Legitimate operators are being hounded and pressurised by illegal operators. Is he sure that joint action will be effective in taking on those guys even if it includes tackling the proceeds of crime?

Mr Attwood: I thank the Member for his question. The 13 or 14 illegal waste sites, including those at Seskinore, Eskragh, Ballymartin, and so on, are acute examples with a big cost to the Exchequer North and South, particularly to the South. If we think that those sites are the be-all and end-all of waste illegality, we are deluding ourselves. In my view, that illegality is in multiples of what we have seen in respect of repatriation.

How do we deal with that? The penalties have to be maximised. There is evidence that, when waste repatriation penalties were severe at those sites, it helped to stop the problem. Therefore, I am looking to my environmental crime unit, the PSNI and others to have maximum penalties around criminal prosecution and the proceeds of crime.

In my view, the threat of organised crime on this island is no less today than in the days of terror. It may have changed its shape and reconfigured itself, but the threat of organised crime on this island is of a scale that has not diminished over the past 10 or 20 years, and my sense is that it is not diminishing. That is as true on the waste side as on other matters. Governments have to escalate their response in a way that I indicated in a previous answer.

If it is the case that one third of operators in the North use illegal fuel, and, as some claim, that the scale in the South is even greater, and if, as a consequence, as Mr Byrne indicated, be it on the waste side or haulage side, that is driving the good businesses out of business, especially small firms that had a role in waste or haulage for generations and served this part of the world well, that requires an escalation in response.

Just as the flags issue demonstrated the failure of good political authority over the past number of years, and there are many other examples of that, fuel laundering demonstrates a failure of good legal authority. That will become more and more the sense of the community.

Mr Elliott: I thank the Minister for that. I was interested in his assertion about the quality of the wind in Northern Ireland. Maybe we will have a debate and discussion another day about the quality of the wind in Northern Ireland.

The Minister mentioned in his statement the cross-border waste at Clogher that has been removed. Has he any detail about the cost of that, in particular the cost of that removal for his Department or the Northern Ireland Executive?

Mr Attwood: Just to confirm, it is not the quality of just the wind but of the wind, wave and tide in this part of the world, which is the best in the world. When you stop and think about it, as I keep saying, that is pretty self-evident, given that we face into the Atlantic. Around that, however, there are opportunities that have yet to be fully grasped around renewables, self-sufficiency in electricity, R&D, innovation, service hub jobs, and so on.

I anticipated that somebody would ask me about the cost of repatriation, and I have not got the figures, so I will come back to the Member. Nearly 16,000 tons of waste were removed from Clogher and Seskinore. Under the framework agreement between the Northern and Dublin Administrations, costs are split 80:20, subject to memory. Maybe it is 90:10, but it is certainly, I think, 80:20. The 80% falls to Dublin, given that the framework agreement acknowledged that the problem came from the Republic into the North. Therefore, the burden of repatriation costs should fall on the Dublin Administration through a contract with Dublin City Council.

I will write to the Member with the full cost of the Clogher and Seskinore operations and in respect of the six sites where there has been repatriation.

12.15 pm

Mr Weir: I thank the Minister for his statement. I appreciate that, as stated in paragraph 14, a symposium on the Clean Coast and Coastcare schemes was held in November. Will he outline what outcomes and practical benefits have arisen from that symposium? Obviously, the state of our beaches and coast is dear to us all.

Mr Attwood: Indeed. In today's papers, the Marine Conservation Society has stated, with regard to its recent campaign about litter on beaches in the North, that the North has the worst litter problem on beaches of any part of Britain and Northern Ireland. That is what the society has said. It was the Marine Conservation Society that, two years ago, challenged me on good beach issues, which led to the good beach summit. Robert Keirle, who is one of the society's senior staff, comes to all those meetings. Given what the society now says on litter as opposed to wider good beach issues, DOE has an obligation to respond, and that is what we are doing.

For the first time ever, we are preparing a beach litter strategy. We have never had one in the North. That work is being taken forward. It is pretty well advanced. It will be more advanced because the people who are dealing with the issue have, heretofore, been dealing with the Marine Bill, which received further consideration at the Assembly yesterday. Freeing up a little bit more resource and time will accelerate that. Within a number of months, the good beach litter strategy to deal with that issue will be out for consultation.

The reason why we are talking about beach issues is that water, be it the water around the island of Ireland or within the island of Ireland, is clearly a shared resource. That is why, for example, work on future river basin management strategies is increasingly being co-ordinated on an all-Ireland basis. Indeed, some of the contractual work in doing assessments will, probably, be tendered on an all-Ireland basis, which will save money and get the best results. The reason why we try to co-ordinate on good beach issues, such as blue flags and other awards — I intend to go down to Dublin for their ceremony in June — is that beaches are an asset for the island of Ireland, not just for the character of the lives that we lead but for tourism and jobs. Given that Tourism Ireland promotes opportunities on the island of Ireland, it is important that we have co-ordination on good beaches.

At the end of the day, blue flags are an international award in 46 countries and, I think, on 3,500 beaches. Quite a number of those beaches are on the island of Ireland. If we were able to have a common awards process, that would create common opportunities, not least for tourism and jobs.

Lord Morrow: In relation to the waste that was cleared up at Clogher and Seskinore, what new initiatives have been discussed to ensure that such dumping does not happen again? Furthermore, what steps are being taken to bring to justice those who carried out that crime?

Mr Attwood: To the best of our knowledge in the South or the North, it is not happening again. That is no certainty. I think that that is why Lord Morrow might have reacted in such a way. There is no absolute certainty that there is no illegal movement of waste on a North/South basis. Clearly, there is movement of petroleum, oil and other products on an all-Ireland basis. That is why we have the diesel problem that we have. Given the scale of it — as I indicated, it is a crucial issue facing the island of Ireland on a lot of levels — there is a need to escalate a response to that threat on a whole lot of levels. There is no certainty that there is no illegal movement of other waste on a North/South basis, but the intelligence picture that we have does not suggest that the problem is on the same scale as before.

As I said in an earlier answer, the issue of illegal waste in the North, which might have some cross-border element to it, and the management of that waste in the North is a serious, growing issue. There may even be multiple cases of the illegal waste that we

discovered had come from the South to the North and is now being repatriated. However, the fact that we keep this on the radar by discussing and processing it every time that we meet on an North/South basis means that there is a higher level of vigilance, be it on the environmental side or the enforcement and policing side, than has been the case heretofore.

The waste business is growing, and recycling is a growing opportunity for business and, therefore, unfortunately, for illegal business. So, if Lord Morrow or anybody else has any information about illegal movements of waste from the South to the North or from the North to the South, they should bring it to the authorities, North and South. Be it at a political level or at a police enforcement and organised crime level, I would welcome hearing that.

If the point behind the question is whether there is a threat on the island of Ireland from illegal operations involving waste of whatever character, the answer is that there is, and it is a serious and growing one. Might that include North/South movements? Yes, but we do not have much of an intelligence picture to suggest that that is the case.

Mr Anderson: I thank the Minister for his statement today. Minister, in your statement, you refer to legislation in the Republic of Ireland's Parliament that will enable Science Foundation Ireland to fund all-island research. Will you provide further details, especially on the impact that it might have on Northern Ireland as a whole?

Mr Attwood: As I have said in the Chamber and other places, the indicative figure for FP8 alone — the European funding programme for research and investment that will commence in 2016 for six years or Horizon 2020, as it is otherwise known — is €80 billion. That is the primary dedicated fund for R&D and innovation in the European Union. As I have also indicated, the Republic of Ireland's drawdown of the existing FP7 programme was to be €600 million, but it is now beyond that. As the Finance Minister will confirm, our pro rata drawdown of FP7 is much less than that of Dublin. That creates a challenge and an opportunity for us.

The more that we build our capacity to draw down funds, be they European or other R&D funds, the better we will be. In my view, part of that will be what Science Foundation Ireland is taking forward. It will be a new funding source for science and research in biotechnology, ICT and energy matters. What does SFI do? It

invests in the academic researchers and research teams who are most likely to generate new knowledge, leading-edge technologies and competitive enterprises in science and engineering. What does that mean? It means that, if the higher education institutes and FE institutes in the North build up projects and apply for funding or build up shared projects with institutions in the Republic of Ireland, they can, on the one hand, draw down from SFI and, on the other hand, potentially draw down from European funding mechanisms.

What is the message being sent out from Dublin? It is that, in a time of recession and restricted moneys, they still see opportunities in creating a scale of opportunity for research and development on the island of Ireland by changing their primary legislation to capture opportunities for the Six Counties through a funding stream in the Twenty-six Counties. That sends out a big message about where the future should be.

Private Members' Business

Vehicle Fuel Duty

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

Mr McKay: I beg to move

That this Assembly calls on the Minister of Finance and Personnel to carry out an assessment of how a single all-island agreed rate of duty on vehicle fuel could increase revenue, combat fuel fraud and save the taxpayer money by mitigating environmental crime; and further calls on the Minister to discuss with the Treasury the possibility of using such savings towards a reduction in the rate of duty on vehicle fuel.

Go raibh maith agat, a LeasCheann Comhairle. You caught me on the hop. I did not think that the debate would start before the lunchtime break.

This is an important issue that we have discussed in the Assembly before. Since it was last debated, it has remained an issue for many households, hauliers and small and medium-sized enterprises (SMEs). It affects us most seriously because of the context of all-island economics. It is interesting that the Finance Committee recently received a presentation on air passenger duty from PricewaterhouseCoopers. One graph that I picked up on showed the extra GDP that results from each £1 of a tax cut: for corporation tax, that is projected to be 55p; air passenger duty would be 59p; and, to the surprise of some Committee members, fuel duty came out on top at 63p. A change in fuel duty can have a significant economic effect. How you do it is another question entirely, but it was important to outline that first.

The Assembly and the Executive need to concentrate on issues of taxation. The three areas that are the most obvious are air passenger duty, corporation tax and fuel duty because of all-island economics and the fact that they are at different rates throughout the

rest of this island. Those rates are hurting the economy in these six counties. The latest Revenue and Customs annual report, for 2010-11, published estimated figures for uncollected revenue owing to cross-border fuel shopping and illicit activity. The upper estimate is £260 million, the lower estimate is £150 million and the mid-point — the average — is around £210 million. That is a significant amount of money. Much of that is being lost because consumers in the North simply cross the border to purchase fuel, so revenue that could be accrued in the North for the Treasury is being lost at the moment. Of course, those figures do not include the damage done to cars as a result of fuel crime; the costs to the public purse of environmental clean-up, mainly in border areas; damage to watercourses; and policing and enforcement costs.

A report from the Consumer Council published in 2011 showed that consumers in the North faced the highest cost for petrol when compared with Britain and the South every month in the year 2011. Fuel costs are a challenge to individuals, families and businesses in the North, and the high rates that we endure here need to end. The motion lets us explore whether a single agreed fuel duty could allow us to increase revenues, which could allow us the negotiating room to reduce our rate and address the fact that we are subject to some of the highest fuel prices in Europe. Businesses, families and everyday people bear the brunt of the volatile fuel prices in the North.

Three quarters of people here travel by car at least three times a week. We are, of course, more dependent on the car than many others throughout these islands, and a reduced rate of fuel duty would help families and small businesses. That is a result of the cross-border differential — the two different rates that we have on the island — and we need to have a harmonised rate. That is the most obvious solution to all the problems that I have outlined with regard to fuel. We need to look at that £150 million to £260 million figure. If we could reduce it, we could then discuss the present political context with Treasury in London, and we could use the work in this area to argue that the saving should be used to offset the cost of reducing the rate.

12.30 pm

Some of the more recent figures — if I can get my hands on them — show that, from 2009-2010 to 2010-11, there was a difference of £50 million in the mid-range estimate. That was due to a fluctuation in fuel prices. It shows that, when the differential between North and South

reduces, the loss in revenues reduces as well. If we were to use £17.5 million to reduce fuel by 1p, that would have an impact on cross-border shopping and the amount of revenues that are going to the London Treasury. There is clearly room for discussion on these issues, and we should be going to the British Treasury.

In the longer term, we need the transfer of these powers so that we can react swiftly to changes in the market. In the shorter term, we should seek a reduction in the rate of fuel duty so that it is parallel with that in the South. That would do away with many of the problems, some of which have been discussed today, such as fuel smuggling and cross-border fuel shopping.

I note that in answer to a recent Assembly question the Minister of Enterprise, Trade and Investment indicated that she had written to the Finance Minister about the introduction of an essential users' fuel rebate. That has been introduced in the rest of Ireland. She asked the Finance Minister whether it would be feasible here. Of course, there would be a cost for that as well, but the issue needs to be explored. She is right to do that, and we are right to argue that the rate is having an economic impact. Of course, it is not only small businesses that are being affected; many hauliers, some of whom reside in my constituency of North Antrim, have been crippled by the rise in fuel prices. They are in an unfair position when competing with similar businesses throughout these islands.

Fuel duty raises approximately £1 billion a year in the North, which goes directly to the British Treasury. Transferring fuel duty powers to the Executive would bring the ability to vary the levy rather than having it imposed on us from Whitehall. Some estimates, as I said, put the initial cost of this at £17.5 million. That makes it clear that, if the Executive had powers to set fuel levies, we could set the level at a competitive rate with that in the South and thereby eliminate the differential along the border and increase revenue. It would tackle fuel smuggling and laundering; it would lower transport costs, which would also have a knock-on effect on retail prices for goods and services, and it would help thousands of commuters and their families across the North.

We cannot afford to do nothing about fuel duty rates. We cannot leave them unchanged. It is a huge problem, and we need a local solution to that problem. The Mayor of London, during his visit in recent days, said to the BBC that you have to demonstrate to the British Treasury that you will save it money. I am not interested in saving the British Treasury money, but, in this

case, it is clear that, if you change the rate to bring it more in line with the South, you will have less cross-border fuel shopping and less fuel crime across the border. You can then start to tackle that loss in revenue, which ranges up to £210 million. Given that changing the rate in the North by 1p would cost only £17.5 million, I think that this is clearly worth exploring. It would reduce costs for policing, for Revenue and Customs and for environmental clean-ups. Very importantly, it would also reduce costs for businesses and increase economic activity.

In the context of our local economy, at the moment we have the wrong rate of corporation tax, the wrong rate of air passenger duty and the wrong rate of fuel duty. We cannot afford to be dogmatic when it comes to taxation policy. I ask for Members' support on the motion.

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

The debate stood suspended.

The sitting was suspended at 12.35 pm.

On resuming (Mr Speaker in the Chair) —

2.00 pm

Oral Answers to Questions

Environment

Mr Speaker: Questions 3, 13 and 15 have been withdrawn and require written answers.

Planning: Uncompleted Developments

1. **Mr Buchanan** asked the Minister of the Environment what action he is taking to address the issue of uncompleted developments. (AQO 4027/11-15)

5. **Mr Givan** asked the Minister of the Environment how many incomplete developments are under consideration for demolition orders. (AQO 4031/11-15)

10. **Mr D Bradley** asked the Minister of the Environment whether he will extend the serving of completion notices, as tested recently in Portstewart. (AQO 4036/11-15)

Mr Attwood (The Minister of the Environment): I thank the Member for his question. With permission, Mr Speaker, I will take questions 1, 5 and 10 together, because they are of a theme.

There are multiple measures that the Department of the Environment (DOE) and local councils can take. I will give one example that has attracted some publicity recently, namely the site of the former Strand Hotel at Strand Road in Portstewart, overlooking the wonderful beach there. It has been lying there for the past 10 years. A planning power known as a completion notice, which had never been used before, was served on the owner last October. The owner appealed to the Planning Appeals Commission (PAC), as was his entitlement, but, before the PAC hearing, a third party came in and did what I asked it to do, which was to demolish the building, remove the rubble and landscape the site. The landscaping is to be completed by 17 May. As a consequence, I withdrew the completion order because the issues had been dealt with satisfactorily. However, banks, the National Asset Management Agency (NAMA), developers and administrators need to understand the message: we have identified a new list of properties and those in control of

them, and we will do the same with them as we did in Portstewart.

Mr Buchanan: I have no doubt that the Minister is aware of the number of developments right across Northern Ireland that are not completed or are partially completed, some of which have people living in them. I ask the Minister how he intends to move forward on developments that are partially completed and have people living in them where the road network around them is not completed. There are quite a number of other issues. How does he intend to move forward on those issues?

Mr Attwood: First, we are identifying the unfinished or partially developed sites in the North. Secondly, we will deploy the mechanism of completion notices, which allows us to take action when a site has been partially developed and then abandoned. I trust that other sites will follow in Portstewart's wake. Thirdly, road bonds exist in respect of many unfinished sites, and they should be deployed in order to complete the site to a satisfactory level. Fourthly, action was taken in respect of a humanitarian issue in Newtownabbey, where a bridge collapsed. There is an argument that there are humanitarian issues in respect of other undeveloped or unfinished sites in the North, where people live in a situation that, by any stretch of the imagination, cannot be called humane and where there is a health and safety risk. It may be that there is a model that could be deployed, in very selective cases such as Newtownabbey, to find government funding to help in humanitarian circumstances.

Finally, councils have a lot of powers. Last Friday afternoon, I sat down with all the councils in the North and we held a blight summit in Belfast. Belfast City Council outlined to the councils of the North — those who do what they should, and those who do not — the powers that they have under improvement legislation and pollution control orders whereby they can take action against many developers and property owners in a way that has brought about significant results in Belfast. Through a family of measures like that, we can begin to address the issue more fully.

Mr Givan: I commend the Minister on the work that was carried out through the completion notice in Portstewart. That was welcomed by the local community, and it sets a precedent that other developers must take notice of. They should know that such action can be taken. In engaging with the councils, can the Minister elaborate further on the powers that councils

have to take action against developers who are responsible for derelict sites?

Mr Attwood: I should point out in respect of the Portstewart property that, unfortunately, it was not the developer who took action; it was a third party who wanted to protect the planning permission on the site and intervened. I welcomed that because the developer did not live up to his public duty, the public interest or the needs of the public in that area over the past 10 or 12 years. I regret that, but the problem there has been mitigated. We will, therefore, use that mechanism not just against developers but against banks, NAMA and administrators, where we think it appropriate, to encourage them to deal with unfinished sites. We will work with them as we do so. That is why, in the next days, we will have a conversation with a further nine third parties who are in control of sites in the North where we think there are unfinished development issues, and on the far side of that we will take legal action if necessary.

This is what I want the councils to do. I do not have the legal competence to impose it, but the political leadership in councils might want to think about it. They should do what Belfast did: an audit of all derelict and dangerous sites in their council area, including those where there are health and safety issues. On the far side of conducting that audit — Belfast did this as part of the daily work of building control inspectors — they should consider whether, under pollution control orders or improvement legislation, they can take legal action. Belfast has its dedicated legislation, and other councils have their improvement legislation. The experience in Belfast is that legal action has been taken in 60 cases. Most of the time, the owner of the site or those in control of it step in and do what they have to do to mitigate the problem. Very few cases go to court. Every time it has gone to court, the court has found in the council's favour. That model can be applied by every council in the North. Use your pollution control legislation and your improvement legislation, and, on the far side of that, you will get results for local people.

Mr Speaker: Dominic Bradley is not in his place. His question has been grouped with question 1.

Mr Kinahan: I thank the Minister, particularly for his work on the bridge in Newtownabbey, and I welcome all the other initiatives that come with this. Does he plan to bring in legislation that would put pressure on the administrators to

make sure that developments are finished off to a human living standard?

Mr Attwood: I acknowledge Mr Kinahan and many other representatives in that area who kept that government to step in and deal with that issue. Unfortunately, it took a catastrophic situation to arise before government stepped in. There is probably a bit of learning there for me and all other Ministers who have an interest in that matter.

I am not planning new legislation at the moment. Why? Because the body of legislation, including completion orders, pollution control legislation and improvement action legislation, needs to be exhausted. On the far side of that, many of these instances will be dealt with. There are specific legislative gaps — in particular, processes for finding out who is actually in control of a site. There are gaps in law and not necessarily a failure of law in dealing with the issue of decay, dereliction or uncompleted sites. So it is not necessarily a new law that we need, but a new attitude in councils and government to deploy the law that we have to its maximum.

Road Safety: North/South Co-operation

2. **Mr Brady** asked the Minister of the Environment to detail the extent of North/South co-operation in the area of road safety. (AQO 4028/11-15)

Mr Attwood: I thank the Member for his question. Across a wide range of areas, there is co-ordination on this island. The pity is that the scale of co-ordination and co-operation that we have on the island should be between these islands. For example, we have the mutual recognition of driver disqualification between all jurisdictions on these islands. London has chosen not to opt in to the work that Leo Varadkar and I are doing to have all-Ireland recognition of penalty points. There is an argument for more integration and co-ordination between these islands and not just between the North and the South.

When it comes to the North and South, we will have not only a common alcohol standard for drink-driving, through new legislation that, I hope, will come before the House before recess, but all-Ireland mutual recognition of penalty points and driver disqualification. We co-ordinate road safety strategies. Just last week, the Road Safety Authority (RSA) in the South and my Department had a joint campaign

in respect of road safety issues, given that it was UN Road Safety Week.

Mr Brady: I thank the Minister for his answer. Given the increase in road deaths across the island compared with last year, what new or proposed changes will the Minister introduce to try to stem the increase in road fatalities?

Mr Attwood: The Member is right to identify that, in the year to date, there have been 21 deaths. In the same period last year, there were 12. In 2011, the figure was also 21. That is a spike, both in the North and the South, that we need to deal with. What are we doing? I refer to the previous question and to many other questions I have answered on the Floor of the Chamber: new legislation that reduces the amount of alcohol that people can have in their blood if they are to avoid a criminal conviction will mitigate the risk when people go out driving, because there will be penalties for those who might be tempted to drink and drive.

We will have a new driver training regime, whereby, subject to the will of the Assembly, you will be able to get a licence at 16 and a half but will not be able to do a test until you are 17 and a half, and you will be able to learn in a controlled environment on the motorway and to drive at the national speed limit. There will also be restrictions on whom you can carry for six months after you qualify up to the age of 24. All those measures will work to protect those on the road, whether they are in a vehicle or pedestrians. It is the multiple measures — new law, harsher law, better enforcement, better education, better road safety campaigns, better roads and safer cars — that will lead to a reduction in those figures.

Ms Lo: In a previous statement, the Minister mentioned that he hoped to put legislation in place by 31 December 2014 about joint penalty points between North and South. Will he give an update on what progress he has made?

Mr Attwood: There has been a lot of progress made in the past two years, but, clearly, we will be challenged to make all the progress that we have to in the next two years. Minister Varadkar and I fully recognise that.

It is not easy law, and it is not easy to implement even if we have the law, because there are different regimes between North and South. For example, in one jurisdiction, penalty points may be dealt with by way of court fine or court procedure and, in others, by way of administrative remedy. You have to co-ordinate all that, develop the IT and have a mutual

standard for the relevant penalty points. It is not easy work. Technically, legally, operationally and administratively it is very challenging, but Leo Varadkar and I have given a very strong green light to our officials to take it forward. They are working hard at it.

We will get it over the line. Why do I say that? Because there is a very high political commitment to it. In working through the proposals for the new road traffic legislation that is about to come to the Floor of the Chamber around graduated driver licensing, alcohol in people's blood and the wearing of helmets on public roads for those who are driving quad bikes, officials have demonstrated that it is challenging, difficult law. However, they have worked with the political side in order to get it very close to being over the line. I think they will do the same, working with the political side, to get it over the line by Christmas next year.

Mr Rogers: Minister, you indicated measures that will hopefully reduce fatalities on our roads, particular of our young drivers. Have you had any discussions with the insurance companies? Do you think they would maybe reduce their premiums?

Mr Attwood: There has also been a challenging conversation going on with the Association of British Insurers, which can be — I want to put this very gently — quite slippery at times in its responses. There have been three meetings with the ABI. The next meeting is at the end of this month or the first week in June. The purpose of that conversation has been to get a full picture, as best we can, of the insurance industry in the North, including the level of premiums and why the premiums are at the height they are. My argument with it — it is an argument that it no longer resists — is that, if we put in law the new graduated driver licensing system, if we have the restrictions that are necessary and proportionate for novice drivers in particular and if we have the lower alcohol limits and so on and so forth, what will the consequences be for insurance premiums? It said at a conference in London six weeks ago that, if Britain and Northern Ireland were to have that regime and have a ban on night-time driving for novice drivers — I am not supportive of that — the consequence would be a reduction in novice insurance premiums of 15% to 19%. If that is what it is telling me publicly, I think there is more to be got, even if Northern Ireland goes it alone and even if we do not have a ban on night-time driving.

2.15 pm

Mr Speaker: Question 3 has been withdrawn.

DOE: Decentralisation

4. **Mr McElduff** asked the Minister of the Environment whether he will give consideration to decentralising planning services or other departmental functions to West Tyrone. (AQO 4030/11-15)

Mr Attwood: I thank the Member for his question. The first thing to point out is that DOE has a very dispersed employment profile. Fifty four per cent of DOE staff are located outside Belfast and 46% are located in Belfast. Compared with a lot of other Departments, that might not be the worst case of decentralisation of staff. However, that is not good enough. That is why, small though it may be — at least it has been done, unlike some other things that have yet to be done — we created new jobs in Derry in the carrier bag levy team and in the vehicle enforcement regime. It was only 13 jobs, but it was a declaration of intent.

The big decentralisation opportunity is going to come in the next 700 days. However long other decentralisation initiatives may take, and I welcome them, in the next 700 days we will have the opportunity, through planning decentralisation and the transfer of functions on urban regeneration, local economic development, local tourism and all the other functions that will be transferred to councils, to do some further real-time and short-term decentralisation. Were that to happen on the planning side alone, 400 staff would move from central functions to local functions.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. Does he agree that the Department of the Environment is particularly well placed to decentralise further, given the number of non-departmental public bodies (NDPBs) and various agencies that are under its aegis?

Mr Attwood: I do not know where he gets that piece of information. Looking at the profile of all Departments, we probably have the least number of NDPBs and other organisations under our control. Were I to ask a question in return, would he name all those organisations? The truth of the matter is that they do not exist. Many other Departments have a lot of agencies.

Yes, I would like to decentralise whatever I have. That is why, although it was a bit of a battle, when I was in the Department for Social Development (DSD), we located the

headquarters of the Charity Commission in Lurgan despite the resistance of one or two people in the commission. In my view, it was important to decentralise into an area of neighbourhood renewal. I think that I have shown some authority in doing what we can, and there is more that all Departments can do. However, the Member needs to go and check some facts about all these bodies that I control: I do not.

Mrs Overend: Will the Minister provide an update on the work of local councils and statutory transition committees (STCs) in preparing for the additional responsibilities that they will have? In particular, does he envisage them having a full complement of staff before the reorganisation and restructuring?

Mr Attwood: The next meeting of the regional transition committee is at the end of this month — I think it is on 22 May. I look forward to hearing from the voluntary transition committee representatives about where they are on showing good authority when it comes to local council reform.

It is a bit of a mixed bag. There are some who are well down the road, and there are others who have found reasons to resist. However, I do not think that they have reasons to resist now that the issue of finance has been sorted, inasmuch as it has been sorted from the Executive side.

I welcome what the Executive have done, given that the councillors' severance plan is out for consultation and the reorganisation Bill is now being circulated to Executive members. I hope that the Bill will come to the House if not in May, then in June. There is every reason for the councils to show their good authority to move things on.

We are giving them money to help move things on. There is an ongoing conversation about the money that was released by the Executive whereby a sum of money would be made available to every council cluster so that they could appoint a change manager to drive forward the change programme, working with other councils and staff. However, they need to get on with it in order to get everything over the line in 700 days.

When it comes to staffing issues, I am firmly of the view that senior appointments should be made through open and full competition. The process cannot be a closed shop; it needs to open opportunities, not just for existing senior council staff but for others to apply for those posts, in order to have the best leadership to

take forward these opportunities on the far side of the review of public administration (RPA).

Mr Speaker: As question 5 has already been answered, I call Alban Maginness.

Fuel Laundering

6. **Mr A Maginness** asked the Minister of the Environment to outline what action he and his Executive colleagues can take, including on a North/South basis, to tackle the problem of illegal fuel laundering and dumping. (AQO 4032/11-15)

Mr Attwood: I thank the Member for his question. The fact that this question has been asked here today, and that this issue was on the Floor this morning and has been part of the narrative of politics and media in the past 10 days, demonstrates that the problem is escalating. I hope that the next British-Irish Council meeting in June will include some conversation about it and that the next two meetings of the North/South Ministerial Council in transport and environmental sectoral format will also capture it.

Whatever about what others are doing, my Department has to show increased authority, as I said this morning. I am working towards a further meeting with the Northern Ireland haulage industry on 29 May, given that it, in particular, gets the blunt end of illegal fuel laundering and competitors who use illegal fuel to drive down their costs and drive good operators out of business.

What are we doing? In the DOE, we now have a transport regulation unit, the consequence of which is that non-compliant operators are subject to public inquiry and can lose their licence. One operator lost their licence last week, and 19 more are in the system, which is a small number given the number of non-compliant hauliers. Nonetheless, we will interrogate all of them through public inquiry. Many are non-compliant *inter alia* because of illegal fuel. I hope that they lose their licence because there can be no toleration of that sort of activity.

Having spoken to the Justice Minister and the roads Minister last week, I intend to meet others to discuss the matter, not least the Serious Organised Crime Agency (SOCA). However, given its conduct over the past three or four years, it would be better known as the "silent organised crime agency". It has no profile or impact, and people do not know what is happening with the threat of organised crime on

this island. As I said this morning, the threat of organised crime on this island, including the North, is no smaller than it was in the days of terror. That is not a very good statement to make about where things are on this island.

Mr A Maginness: I thank the Minister for that thorough answer. Given the seriousness of fuel laundering and the corruption that it has created in the retail trade throughout this island, is it not time for a much greater co-ordinated effort between North and South to rid us of the problem?

Mr Attwood: There has been an escalation in co-ordination between the relevant agencies North and South, be they agencies of government, policing or assets recovery. There has been, in the round, an escalation in action through the Organised Crime Task Force. However, there does not seem to be much prosecution. If there is prosecution, there does not seem to be much imprisonment. If there is seizure of assets, there is not much publicity. That does not build confidence.

The map that I have now shared with the Minister for Regional Development, and which I looked at earlier, shows the scale of sludge dumping arising from fuel laundering in south Armagh, where there are sites on which there have been multiple dumps on 10, seven, nine, five or four occasions, so the Member makes a very serious point. It is a big issue, and we have to respond in an even bigger way to deal with it.

Mr Elliott: Has the Minister any idea how much his Department, particularly the Northern Ireland Environment Agency, has spent on clearing up the residue of fuel laundering?

Mr Attwood: The cost of clearing up the residue had been falling to one or two councils, and one in particular. So either 21 or 22 councils have entered into a two-year fly-tipping protocol with the DOE whereby, where there is fly-tipping, DOE will step in and take on the burden of the cost to clear it. We are only a year or so into that protocol, but, so far, the cost is, I think, over £467,000.

In the vast majority of fly-tipping cases in which we get involved, it is to deal with the sludge arising from fuel laundering. I am about to write to HMRC and the Department of Justice (DOJ) to ask them to contribute to fly-tipping costs, because that sort of figure is very difficult to sustain, given the DOE budget. I will be saying very clearly to HMRC that I expect it, having declared itself the lead agency in tackling

organised crime, to step in and help with the clearance costs of fuel laundering. The figure that I gave demonstrates the scale of the problem.

Mr Givan: I agree entirely with the Minister when he says that the problem is no smaller than it was during the reign of terror. That having been said, will he, as Minister at the Executive, change his party's position and support the National Crime Agency (NCA)? Criminals are getting away with it because the veto that the SDLP exercised means that their assets cannot be recovered. That is as a result of the SDLP's actions.

Mr Attwood: I saw the Member getting rather excited there, even to the point of going up to the Speaker to make sure that he was going to be called. I am glad that he was called.

Let me deal with the issue. Are you prepared to build into the life of the North the standards, structures and mechanisms of accountability that your party agreed, working with the Ulster Unionists, the SDLP and the nine civilian members of the first Policing Board, around how those sorts of issues might be dealt with in the North? If you are prepared to agree with me that the mechanisms of accountability that we have outlined to the British Government —

Mr Givan: Cop out.

Mr Attwood: No, it is not a cop out.

Mr Speaker: Order. Allow the Minister to answer.

Mr Attwood: Are you prepared to agree that so that the buck stops with the Chief Constable; so that the NCA does not have powers of arrest in the North; so that no outside agency has powers of direction when it comes to organised crime in the North; so that, ultimately, because the Chief Constable has the lead responsibility, he has to account to the board and the democratic structures in the North, long struggled for and long worked at, to ensure that there is accountability when it comes to those mechanisms? Do you know what would happen if the Member moved to that ground, the ground that his party — you were there, Mr Speaker, on the first Policing Board — worked so hard to create to build confidence? More people would be more inclined to give more information to the relevant agencies to ensure that organised crime in all its expressions is dealt with. Do not — *[Interruption.]*

Mr Speaker: Order. Allow the Minister to answer.

Mr Attwood: Let me say this: the Serious Organised Crime Agency, or as I refer to it, the silent organised crime agency, has, in my view, ill served the North. In my view, the previous agency, the Assets Recovery Agency (ARA), better served the North. The more we move back to a model in the image of the ARA rather than that of SOCA, the more confident we will be in the rule of law and in dealing with organised crime. I am not going to take any lectures from anyone in this Chamber about —

Mr Speaker: The Minister's time is up.

Mr Attwood: — organised crime.

Marine Atlas

Mr Hamilton: Decidedly less exciting than the previous question.

7. **Mr Hamilton** asked the Minister of the Environment whether his Department has considered developing a marine atlas. (AQO 4033/11-15)

Mr Attwood: I thank the Member for his question. I know where it is coming from. I presume that he has seen the Scottish marine atlas. It is a work of wonder and beauty. It is a pathway into understanding the marine environment, especially for the many of us who do not have a full understanding, never mind appreciation, of it. I have seen it. Stewart Stevenson, the former Environment Minister in the Scottish Government, sent me a copy. It is wonderful. We think that we have captured the information of the marine atlas in a number of other documents. However, I will not ignore the fact that, in getting the story out about the marine environment, and in the run-up to a marine plan, something like a marine atlas is very attractive.

2.30 pm

Finance and Personnel

Mr Speaker: Questions 7, 10 and 11 have all been withdrawn and require written answers.

Inflation

1. **Mrs D Kelly** asked the Minister of Finance and Personnel what impact the move from

using the retail price index to the consumer price index has had locally. (AQO 4042/11-15)

5. **Mr D Bradley** asked the Minister of Finance and Personnel how changes in index linking arrangements are impacting on pensioners' incomes. (AQO 4046/11-15)

Mr Wilson (The Minister of Finance and Personnel): Mr Speaker, I will answer questions 1 and 5 together if that is OK.

First, I remind Members that the setting of the level of benefits for pensions on an annual basis does not come under the remit of the Assembly. It is something that is done by the Department for Work and Pensions, and it decides what index is used for setting the levels.

As far as the different indices are concerned, the Government believe that the consumer price index (CPI) is a more suitable measure than the retail price index (RPI) when it comes to measuring inflation for pensions. The first reason given for that is, first, that CPI tends to be less volatile. Secondly, it better accounts for changes in the behaviour of pensioners when it comes to a response to price changes and therefore more accurately reflects how benefits should be set in relation to the payments to that group of people whose preferences and spending patterns are better reflected in the CPI.

Mrs D Kelly: I thank the Minister for his detailed answer. It appears to most people that this is cost saving exercise by Westminster in particular. Will there be millions taken out of pensions as a result? If so, how much and what does that mean to the people of Northern Ireland?

Mr Wilson: Again, it is difficult to make an assessment, because different years will produce different results. Let me give an example: in 2009, RPI showed a fall of 1.1%, whereas CPI showed an increase of 1.4%. However, in subsequent years, RPI has performed better than CPI. So, depending on which year you take, pensioners might have been disadvantaged if you had used CPI. Over the past four years, if you take the changes there have been, there would have been no loss to pensions. In three of those years, RPI performed better than CPI, and in one year CPI performed significantly better than RPI.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a chuid freagraí. I thank the Minister for

his answers so far. Is he aware that the Office for Budget Responsibility has estimated that RPI will run at twice the rate of CPI between now and 2016 and that, therefore, the switch in pension uprating from RPI to CPI can be seen as nothing more than a smash-and-grab raid on the pensions of many people in Northern Ireland, who have worked hard to build them up over the years?

Mr Wilson: As I said, I am not trying to defend a decision that has not been made by the Assembly. It is the Department for Work and Pensions that sets the rate, but usually the rate is the inflation rate that was measured in September in a particular year. If you take 2009, CPI went up by 1.1%, but if you had measured pensions on the basis on RPI that year they would have fallen by 1.4%. In 2012, CPI was 2.2% and RPI was 2.6%. Most people would find it fairly difficult to predict inflation over the next three years with any clarity, because economic modelling can be pushed out by so many external factors that cannot be predicted at the time of the model being drawn up.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answers so far. Will he give consideration to introducing safeguarding measures to protect pensioners' incomes? Go raibh míle maith agat.

Mr Wilson: I emphasise again that the indices used are not the responsibility of this Assembly or the Department for Social Development: that is the responsibility of the Department for Work and Pensions. However, look at some of the things that we have done in this Assembly to try to safeguard the income and standard of living of pensioners, from free transport to rates relief to free TV licences and a range of other measures that we have undertaken. We have shown ourselves to be understanding of the problems that those on fixed incomes who are of pension age face when there are periods of inflation.

Mr Beggs: Other than index-linking arrangements, one of the biggest factors that affects pensioners' incomes is take-up of entitlements. What are the Minister and his colleagues doing collectively to ensure that pensioners are aware of their benefit entitlements and take them up?

Mr Wilson: I can only answer in detail for my own Department. We do extensive work on the lone pensioner allowance, and the uptake has

been very good. We have a dedicated worker who goes around community groups, residents' groups, church groups and anywhere where he is invited to talk about how people claim the lone pensioner allowance. The Department for Social Development spends quite a large amount of money every year on advice-giving services that are designed to help those who are in receipt of benefit or should be in receipt of benefit to identify what benefits they are entitled to and how to go about claiming them.

Non-domestic Rates

2. **Mr Hilditch** asked the Minister of Finance and Personnel what work is being carried out to promote the non-domestic rates initiatives. (AQO 4043/11-15)

Mr Wilson: The Department and I continue to promote the non-domestic rates initiatives that we have in place. The good thing is that the major non-domestic rates initiative, namely the 20% discount from 1 April for businesses with a net asset value (NAV) of below £15,000, means that they do not have to do anything. It is automatic and simply comes off the rates, and that benefits half of the businesses in Northern Ireland now.

We have promoted the empty premises rates relief scheme in a number of ways. It is on the website, information about it is sent out with rate bills, and I go out and about around the various towns in Northern Ireland. One of the more recent visits was to Carrickfergus, where a business that the Member will know well, Retro Scooters, has benefited from the empty premises rate relief. In fact, as a result of that, the uptake has increased fairly dramatically. It is hard to estimate the number, but I reckon that hundreds of jobs have been created as a result of properties being taken up because of the 50% rate relief for the first year. Businesses have then started in them and employed people locally.

Mr Hilditch: I thank the Minister for the detail of his answer. In his opinion, at this stage, how successful has the scheme been?

Mr Wilson: It has been successful in so far as 118 new businesses have been set up. They have benefited from over £600,000 of rate relief, which, of course, reduces their overheads in the most crucial year — the first year — of the business. If you want to measure its success or the success of anything, look and see whether people copy it. The good thing is that our scheme was shamelessly copied by the

Scottish Administration, and that is a good illustration of how effective it is.

Mr Mitchel McLaughlin: The House will agree that rates interventions and initiatives are necessary to help business survive the present economic downturn. However, does the Minister agree with me that if we are to grow and rebalance the economy, more fiscal powers are necessary in our toolbox?

Mr Wilson: I wondered at what stage Sinn Féin would mention that. We will have a debate about this afterwards anyway. I have always made it very clear that where a good, strong case is made, as in the case of air passenger duty or corporation tax, for devolving fiscal powers, I will be wholeheartedly behind it. However, I do not take the view that we should simply grab fiscal powers for this Assembly where there is no strong case for doing so.

Members of this Assembly very often raise questions about why we do not spend money on this, that or something else, and I will point out that the more fiscal powers that we have devolved and the more we use those to cut the tax burden to people, the less money we will have available for spending on all the other services that Members lobby for on a daily basis.

Mrs Overend: I recall that the Minister had concerns that the reduction in rates for properties that had been vacant for some time could be exploited by some businesses, which could move in for a short time before moving on to another vacant property. Has that happened?

Mr Wilson: Happily, we have found that that has not been the case. However, do not forget that this initiative has been in place for a little over a year, so the real test will be to see, in a year or two, how many of the businesses that were set up under the empty properties rates relief scheme are still in business. There is a failure rate among small and infant businesses, so some of them may fall by the wayside for other reasons, but we have no evidence to date that people are simply opening up, taking benefit of the rates reduction and then closing again.

Rates: Welfare Reform

3. **Mr Dallat** asked the Minister of Finance and Personnel how he will ensure through the rating system that the most vulnerable people will not suffer under welfare reform. (AQO 4044/11-15)

Mr Wilson: As I have repeated on a number of occasions in the Assembly, last year the Executive gave a pledge that we would seek to safeguard the most vulnerable people when it came to rates support arrangements due to welfare reform, which is UK-wide. In April this year, the Government at Westminster devolved the rates rebate scheme to the Assembly. As the Member will well know, it was devolved with a 10% reduction in the amount of money that will be available. The Executive agreed last year that, for the next two years, we will keep the current scheme in place and will subsidise it. By the end of the two years, that will probably mean that we will have to put in £30 million of additional money to ensure that the most vulnerable people are safeguarded.

In the meantime, we have already had preliminary consultation at a high level about what should replace it, because we cannot keep going with the existing scheme, not only because of the cost but because, once universal credit comes in, we will not even have what is called the passport information to decide who would qualify and who would not. So we have to revise the scheme anyway and, with the Executive's permission, very shortly we will be going out to consultation on what to do to the existing schemes. That will consider how we will vary them or, indeed, whether we replace them entirely to ensure that we safeguard the most vulnerable.

Mr Dallat: I thank the Minister for his answer. I am sure that many people will be listening to what he is saying. To push the Minister a bit further, has he in mind a particular option that would give the maximum benefit to the most vulnerable people in society when the Executive finally decide to make a decision?

Mr Wilson: First, the Member is a bit optimistic to believe that many people are listening to what I am saying at the moment. I do not even have a majority of Assembly Members listening to what I am saying, let alone the majority of the public.

It is an important issue. One thing that I want to say is that I do not want to prejudge the outcome of the consultation. We will be undertaking another 12 weeks of consultation. We already have the results from the consultation on the general principles. Two things have come through from the consultation to date. First, none of the people who responded to the consultation believed that we should be putting more money into the scheme. There is an air of reality out there now that there are very many demands on the expenditure that the Executive undertake, and,

therefore, it is important that we do not make rash commitments. No one suggested that we throw more money at it.

The second thing that came through is that people do not want the easy way out to be taken by way of a general top-slicing so that everyone who benefits currently gets a 10% reduction in the amount of rates relief that they get.

It will be a case of targeting the most vulnerable groups, and I want to hear from Assembly Members and those who deal with vulnerable groups what they believe should go and what they believe should stay. I want to hear from them which reliefs should be enhanced and which ones would then be pushed to the side as a result.

So those are the kinds of principles or issues. I do not want to prejudge the outcome.

2.45 pm

Mr Weir: I thank the Minister for the answers he has given. Notwithstanding the options that are being looked at, will the Minister give us his initial thoughts on the developing relationship between rate support and the ongoing debate on the implementation of welfare reform?

Mr Wilson: There are two things. As I said, as the welfare reform debate goes on and given the way in which welfare payments are made, we will have to find new mechanisms to identify the people who should benefit — in other words, the vulnerable groups. A lot of the passports to benefits will be lost. The second thing is that, as a result of welfare reform, we have to accept that we will have less money because the Government have devolved this to us and have taken 10% of the cost — £13 million — off the available money. The third thing is that, once we have the range of people and the benefits or the amount of money that they will receive under universal credit, we will have to identify where the most vulnerable groups are — the people who are left in the gap — and design a rates relief scheme to help them.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answers. One of the most contentious areas of welfare reform is the so-called bedroom tax, and, at the weekend, we heard on the news about a lady in England who apparently took her own life as a result of the impact of that particular piece of legislation. Can the Minister give us any

assurances that vulnerable people will be protected?

Mr Wilson: I have said that the Executive have made a commitment and will try to protect the most vulnerable. As for the underoccupation of homes and its impact on benefits, the Social Development Minister has already made it clear that he and I have had discussions with the Treasury and the Department for Work and Pensions in England and that we will devise our own schemes, albeit that there will be a cost attached. Those schemes will be designed to deal with those kinds of issues and to make sure that we do not find ourselves with huge capital commitments in a very short period in an attempt to provide a number of one-bedroom units of accommodation.

Marriage (Same Sex Couples) Bill

4. **Ms S Ramsey** asked the Minister of Finance and Personnel what distinctions exist between civil partnerships and the proposals contained in the Marriage (Same Sex Couples) Bill 2012-13 going through Westminster. (AQO 4045/11-15)

Mr Wilson: The Marriage (Same Sex Couples) Bill is intended to give effect to the UK Government's decision to introduce, first, a redefinition of marriage and, then, same-sex marriage in England and Wales. The Bill allows for marriage by way of either a civil ceremony — for example, in a register office or approved premises such as a hotel — or a religious ceremony, which will be carried out on religious premises, with the marriage being solemnised through a religious ceremony.

Civil partnerships were designed to provide equivalent rights and responsibilities to marriage. However, there are some differences. Civil partnerships and marriage are subject to entirely separate legal regimes with different terminologies. Civil partners cannot call themselves married for legal purposes, and married couples cannot call themselves civil partners for legal purposes either. Marriages can be conducted through a civil or religious ceremony, but civil partnerships can be conducted only through a civil ceremony. Married couples and civil partners will have similar rights and responsibilities, but there are some differences in eligibility for pensions, for example, and the laws that relate to adultery and non-consummation and courtesy titles.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for outlining that

for us. Minister, given that you and, indeed, a lot of your party members talk about parity, do you agree that there is a possibility that, by not ensuring that gay couples have similar rights to what is being proposed in England, your Department — not you — could be open to legal challenge on this policy?

Mr Wilson: Absolutely not. During the debate last week or the week before, I read out a letter from the Minister that made it clear that this is not about and does not relate to an equality issue. Indeed, it is up to local Administrations to make their own decision. I find it very strange that, on this issue, there is now nobody more British than Sinn Féin, whose members preach to us all the time that the great thing about devolution is that we can do our own thing, we can reflect the views of the people of Northern Ireland and we can tailor legislation to suit our local situation. Suddenly, they have become Brits, and they want to have total equality with Westminster. The next step must be to have Sinn Féin MPs entering the doors of Westminster so that they can support the legislation that they so love.

Mr Copeland: Does the Minister believe or understand whether those who are currently or may potentially be in civil partnerships will be in any way financially disadvantaged with regard to benefits compared with those who may enjoy enhanced benefits under the Westminster Bill?

Mr Wilson: They will not. I cannot give the Member the exact detail, though, if he goes to the explanatory notes for the Westminster Bill, he will see it. There will be minor differences when it comes to pensions, but, on all other counts, a civil partner will have the same economic rights as someone who goes through a same-sex marriage in England and Wales.

Mr Allister: Does the Minister agree that there is no parity between heterosexual marriage and same-sex marriage? There might be a parody, but there is no parity.

Mr Wilson: I agree totally. Indeed, I made my views clear during the debate that marriage — even long before the law ever defined marriage — was always regarded as an arrangement that was there for support, comfort and procreation. On that ground, of course, there is no parity.

Mr Speaker: Question 5 has been answered.

Single-use Carrier Bag Levy

6. **Ms P Bradley** asked the Minister of Finance and Personnel how the Executive can retain the tax receipts from the single-use bag charge in what is a reserved matter. (AQO 4047/11-15)

Mr Wilson: The single-use carrier bag levy is not, in the Executive's view, a tax; rather, it is a levy that raises funding for environmental schemes. There were indications from the Treasury that it would treat it as a tax and, therefore, keep any of the money that was raised here, which would have gone into the UK Consolidated Fund and not to the Executive. However, I raised the matter with the Chief Secretary to the Treasury, and I am pleased to say that I have secured his agreement that whatever money is raised here in Northern Ireland will be paid to the Northern Ireland Budget to be used for environmental purposes.

Ms P Bradley: I thank the Minister for his answer. If he had not secured the agreement from the CST, what would have happened to the receipts from the levy?

Mr Wilson: The impact would have been that the money that was collected here would have gone to the Treasury and would have stayed as part of the UK Consolidated Fund. In other words, we would have raised the money here with the specific purpose, as the Assembly decided, of doing good environmental things but the money would have been absorbed into the general UK Budget. I said this in the House of Commons, so I will say it here: I have found that, when effective cases have been put to the current Chief Secretary to the Treasury, he has been very helpful to Northern Ireland, and he was very helpful in this case.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. It is good to see that the Finance Minister is now a strong supporter of the operation of the carrier bag levy here. It clearly shows that the Executive can have tax powers — even on a small scale — and operate them successfully. However, on the same theme, does he agree that the Department of Finance and Personnel and DETI need to get a move on with the air connectivity report and feed that into the debate about the devolution of air passenger duty?

Mr Wilson: How you get from plastic bags to planes I do not know, but the Member has done it. I repeat that we made the case to the Treasury on the basis that it was a levy and not a tax, and, on that basis, we were able to recoup some of the money. There is work to be

done on the air connectivity report. However, I remind Members again that, if we want to devolve all air passenger duty to Northern Ireland and if the purpose of doing so is to do away with air passenger duty, the Assembly has to find between £60 million and £90 million a year. Sometimes, the money being used to encourage people to take short-term breaks outside Northern Ireland could be used to get them to add to the tourist industry and spend in Northern Ireland.

Civil Service: Equal Pay

8. **Mr I McCrea** asked the Minister of Finance and Personnel to outline the impact of Judge Babington's decision to dismiss the equal pay claim for civil servants who worked in the Northern Ireland Office and the PSNI. (AQO 4049/11-15)

Mr Wilson: The issue of the payment to those who work as administrative assistants in the PSNI has been one that I have received a lot of correspondence on. I have some sympathy with the arguments that people have put forward, but let me present the case to the House, because a lot of disinformation from the police and from the trade unions, who are now running away from their responsibility on this issue, is being put around.

First, the County Court has confirmed that those who are employed by the PSNI in administrative and clerical jobs are not part of the Northern Ireland Civil Service scheme and, therefore, were not eligible for the payment that was made. Secondly, after the court judgement, NIPSA indicated that, when it took a tribunal case for 4,500 civil servants, it did not include PSNI staff because, first of all, there had been a break with NICS in 2008; secondly, there was a lack of a comparator to show that there was an equal pay case; and thirdly, pay had been delegated from DFP to the PSNI. Lastly, the PSNI is putting it around that this is a job for my Department. The PSNI has never made a formal business case to DFP to show that there is a legitimate claim. I do not think that anyone would expect that, where there is not a legitimate claim, we should pay money out. Indeed, I think that the Public Accounts Committee and the Northern Ireland Audit Office may have something to say about that.

Mr I McCrea: I welcome the Minister's response. No doubt he, like many of the rest of us, has received numerous representations on the matter. Will the Minister detail who exactly is to blame for the error? Who should take

responsibility for sorting out this issue once and for all?

Mr Wilson: First of all, it is not a case of who is to blame. It is this: is there a legitimate claim or is there not? Responsibility for establishing that legitimate claim lies with the PSNI. The PSNI has to show that, within its organisation, there is a group of mostly female clerical staff who are paid and have been paid at different rates from another group of mostly males who are doing a job that is similarly measured. If there is such an instance, they present a business case, and, if that business case stands up, payment will be made because there is an equal pay claim. However, the responsibility lies with the employer, and the employer is the PSNI. Until it does that, no pay claim can be put out. Indeed, NIPSA has now publicly stated that, when it was negotiating on the issue and taking a tribunal, it did not include PSNI staff because it recognised that no such claim had been established.

Ms Maeve McLaughlin: Does the Minister agree that, while the current equal pay settlement dealt satisfactorily with many outstanding cases, there are many other members of the public service, some of whom have retired, who have been left feeling aggrieved and feeling that their voices have been ignored? Go raibh maith agat.

Mr Wilson: As far as people who were members of the NICS and believe that they should be included in the pay settlement are concerned, we abided by the requirements under the equality legislation, which meant that we could go back only six years. Anyone who was in the Civil Service six years previous to the date of the claim was paid out for the full six years or for the part of the six years for which they were eligible for the claim, but we could not go beyond that. I think that the Member will fully understand. How far back in the claim would you go? Would you go back seven years, 10 years or 15 years? There was a time limit on the claim.

3.00 pm

Private Members' Business

Vehicle Fuel Duty

Debate resumed on motion:

That this Assembly calls on the Minister of Finance and Personnel to carry out an assessment of how a single all-island agreed rate of duty on vehicle fuel could increase revenue, combat fuel fraud and save the taxpayer money by mitigating environmental crime; and further calls on the Minister to discuss with the Treasury the possibility of using such savings towards a reduction in the rate of duty on vehicle fuel. — [Mr McKay.]

Mr D Bradley: I beg to move the following amendment: Leave out all after "how" and insert

"the introduction of a universal fuel duty with a rebate system for public transportation, aviation and farm and plant vehicles could increase revenue, combat fuel fraud and save the taxpayer money by mitigating environmental crime; and further calls on the Minister of Finance and Personnel to discuss with the Treasury the possibility of using such savings towards a reduction in the rate of duty on vehicle fuel."

Go raibh míle maith agat, a Cheann Comhairle. Tá áthas orm an leasú ar an rún a mholadh.

The amendment is necessary because the wording of the motion is such that, if implemented, it could not possibly achieve the objectives to which it seems to aspire. It is possible that a single all-Ireland agreed rate of duty on vehicle fuel could combat fuel fraud, but only the specific fraud normally referred to as smuggling. Even then, it may have limited impact because a number of factors determine the relative price of fuel north and south of the border, and excise duty is only one of them. However, given the scope and scale of organised fuel crime that we face in this country, smuggling is probably a relatively minor part of the problem. I cannot for the life of me figure out how a single all-Ireland agreed rate of duty on vehicle fuel would mitigate the environmental crime that is being committed day and daily by organised fuel criminals.

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

The problem is clear: it is diesel laundering on a massive, industrial scale. I regret to say that some of it is done in my constituency and in the

immediately adjacent areas of Monaghan and Louth. We all need to face reality: we are losing the war against the diesel launderers. In fact, it is difficult to say that we are really fighting that war because of the scattered range of agencies, North and South, that are involved in dealing with the issue. We need a radical policy agreed between North and South and operated in parallel if we are to have even a chance of eventually winning the war. However, this motion will not bring us any closer to such a solution because it simply does not address the laundering issue directly. It is not the differential between fuel prices North and South that motivates the criminal launderer; it is, of course, the differential between the price of road diesel and discounted agricultural diesel. That is the issue that must be addressed and the issue that our amendment seeks to address.

Let us look at the scale of the problem. According to the body that represents fuel retailers in the Republic, 12% to 14% of diesel sold there is laundered or "washed", as they say in the trade. Given the higher price of road diesel in the North, the proportion here may be higher and is unlikely to be lower. That means that the criminals have penetrated the retail distribution networks. Retailers as far from the border as Cork and Killarney have been found to have laundered diesel, and legitimate businesses are faced with succumbing to the criminals or closing their doors. That is how bad it is.

Estimates, North and South, of how much revenue is lost each year to organised fuel crime indicate that as much as 400 million litres of washed diesel may be in the system in any one year on the island of Ireland. Even if the gangsters made only 10p a litre, which is the lowest estimate that anyone has made, that would give them £40 million of clear profit per annum. That is in the same league as heroin and cocaine, but with a lot less risk of doing time for the crime. In fact, nobody is doing time for diesel laundering.

Mr Speaker, £40 million in criminal profits has the potential to corrupt any society, and it is corrupting ours. The motion does not confront the reality of that corruption. The House should confront it. In fact, I must make a plea on behalf of my constituents that the House do all in its power to confront the evil that is diesel laundering.

We hear about the environmental damage. In fact, we recently heard from the Environment Minister, Alex Attwood, that plastic cubes of laundered sludge had been dumped in the

same spot for the tenth time. Each of those cubes has to be sent to a toxic waste disposal facility abroad at a cost of £375 each. That cost has to be met by the ratepayer. That is still a poor measure of the evil that launderers do.

The time has come to give serious consideration to proposals from fuel retailers, hauliers, agricultural contractors and others for a different rebate regime for farmers and others, in line with the practice in other European countries: no dye in the fuel, no laundering; a single pump price for all diesel; and a simple reclaim system for those entitled to a rebate. It would not matter whether the price or the rebate was the same North and South as long as the jurisdictions acted in unison. Such a system might be open to abuse, but can anyone claim seriously that it could approach even a tiny fraction of the scale of social and economic harm being done by gangsters earning tens of millions of pounds and thumbing their nose at hard-working families?

Some farming organisations have opposed such a move because it would harm farmers' cash flow, as they have paid up front for fuel at full price. However, a change of regime would mean savings running into millions, North and South. Some of that money could be invested in transition grants and a fuel credit scheme for rebated users. The time has come to have a full public debate on ending the rebate system based on markers in fuel and replacing it with a simple cost-free reclaim system. We cannot let the gangsters win. They have robbed us of so much in our past; we must not let them destroy our future. We have had enough of it.

Mr Girvan: I oppose the motion and the amendment.

The point has just been made about markers. That is an area that needs more work. Fuel markers are probably of such a technological standard that they should be unable to be removed from any fuel whatsoever. Work should be carried out on that. I appreciate that the Republic of Ireland works with green diesel, whereas we have red diesel for agricultural use. I appreciate that most of the fuel duty that we are dealing with this afternoon probably relates to diesel in particular. Yes, it applies to all fuels, but the one that the Northern Ireland Budget loses out on probably relates more to what is laundered or smuggled across the border as cleaned fuel. I appreciate that there is red diesel, which people have tried to clean as well. The problem is not just the fuel that comes over the border but people attempting to

remove traces of agricultural dye from fuel in Northern Ireland as well.

Any tinkering with the duty would have a negative impact on the block grant. A calculation would have to be made of what that would mean for the Northern Ireland Budget. Currently, £928 million is raised from fuel duty in Northern Ireland, which equates to around 3% of what is raised in the United Kingdom through duty tax.

I feel that the battle is to eradicate those who are building empires through organised crime, which is really what we are dealing with. They are building up huge reserves of money through laundering, so they can afford to take a hit by losing the odd load of fuel, which is what has happened. Unfortunately, there seems to be lack of teeth in bringing prosecutions in the battle to curtail that. I am not just talking about Northern Ireland; I know that the very same is going on in the Republic of Ireland.

Mr Weir: I thank the Member for giving way. Does he agree that the prosecution side and, indeed, the enforcement side are very much at the heart of the problem? The motion and the amendment call for the equalisation of fuel duty across the border, but that is not really what is at the heart of this. It is not about duty being higher on one side of the border than the other on a particular occasion; it is about criminals trying to obviate the need for fuel duty, full stop. That is where they are pitching their market, rather than on any differential.

Mr Girvan: I thank the Member for his intervention. That is exactly the area that I want to focus on. It is about dealing with the criminality associated with this.

The House recently debated the National Crime Agency. That organisation would have had the teeth to deal with property seized here or elsewhere, and I appreciate that it also has the power to seize property overseas. Unfortunately, the House decided not to adopt that route, so those involved in this criminality have no fear of losing their personal possessions, homes or assets. That is a sad reflection on the make-up of the House.

I appreciate that the motion has an all-Ireland view. However, I still believe that we are part of the United Kingdom and that our taxation system should be part of the United Kingdom's.

Mr McKay: Will the Member give way?

Mr Girvan: No, you are all right.

I think that our taxation system should be part of the United Kingdom's and that we should reflect on that greatly.

We should focus on how we achieve the prosecutions of those involved in laundering. In 2004-05, 40% of diesel in Northern Ireland was smuggled or laundered. I appreciate that this reduced to 12% in 2009-2010. However, I take no comfort from the fact that 12% of diesel used on the roads of Northern Ireland has been laundered or smuggled. That has had an adverse effect on businesses. In the research packs that Members received, there was reference to the number of businesses that have disappeared. I know that petrol stations in the border counties have closed left, right and centre, which is sad to see, leaving those who deal in laundered fuel to fill the gap. That is what has happened.

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

Mr Mitchel McLaughlin: Will the Member give way?

Mr Girvan: Yes.

Mr Deputy Speaker: Sorry; time is up.

Mr Kennedy: I am grateful for the opportunity to speak on behalf of the Ulster Unionist Party on this important issue from the Back Benches this afternoon.

Members will be aware, of course, that I have raised my concerns about fuel fraud and the illegal dumping of fuel waste on a number of occasions. I have sought to highlight those issues not only in the Chamber but, indeed, in the context of the North/South Ministerial Council. Given my interest in highlighting the issues, it is with regret that I can only say that the motion is a disappointment. In my view, the motion, either by accident or design, fails to grasp the real issue. It talks of an agreed rate of fuel duty, presumably between Northern Ireland and the Republic of Ireland, though it does not even make that clear.

It may be that to make reference to the two jurisdictions was too much for the authors of the motion, given that it would have to fully acknowledge and recognise the significance of the border.

3.15 pm

The motion fails to grasp the issue. People who launder illegal fuel and dump the residue in my constituency and other places and on the land of my constituents are not seeking to achieve an agreed duty; they are seeking to evade duty. It is not about whether there is one tax regime or two; they simply do not want to pay any tax whatsoever. They are tax reformers of a sort, but they are tax evaders. They are criminals. They are motivated by greed and they have no respect for the environment that they damage, the people's lives they affect or the homes or land that their actions impact on. Their actions deprive the Treasury and ultimately Northern Ireland of important revenue that could be used for infrastructure, particularly roads, health, education, job creation or any number of things. In short, by engaging in this fraud, their actions impact negatively on the lives of all the people of Northern Ireland. They are not stealing from some abstract thing; they are stealing from all of us as taxpayers and beneficiaries of taxation spending.

Let me be very clear on the solution that I propose and what I want to see. I want to see the criminals involved in this sinister and destructive behaviour locked up behind bars. I want to see their assets seized and their liberty taken from them. I want to see those thinking about getting involved in or continuing to be involved in this crime sleeping uneasily on their beds in case the knock of justice comes at any time. I want to see proper legal justice. I want the criminals to be in fear. This motion would not have the criminals in fear. At best, it would have them punching numbers into their calculators to reassess what profits they could make. I want the criminal justice system to be the deterrent that it should be, with strong evidence gathering, determined investigations and aggressive prosecutions. Let us have a policy of zero tolerance, especially on the Mr Bigs and the shadowy figures.

If Sinn Féin is serious about tackling this issue, it should get behind Her Majesty's Revenue and Customs in investigating these crimes. If Sinn Féin and others are serious about tackling this issue, they should get behind the National Crime Agency. However, they will not. What conclusions should we draw from that? Many people believe and will continue to believe that Sinn Féin is not really serious about tackling fuel crime in any way whatsoever, so its challenge is to dispel those beliefs. This motion falls far short of that; it does not even get close. My constituents will continue to be disappointed by that attitude. They will be disappointed by the thrust of this motion and the apparent ambivalence to the real issues. The lives of my

constituents are not going to be improved by this motion or its outworkings. Their lives will only improve when people stop dumping sludge on the roads near their homes and on their lands. If it takes a prison cell to stop criminals dumping sludge and stealing from the taxpayer, then so be it —

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

Mr Kennedy: Let us get on with it.

Mrs Cochrane: I welcome the opportunity to speak to the motion as it raises a number of interesting points. However, I will not support it. We support the sentiment behind it, but we believe it is politically and economically unwise. Although we are in favour of tackling the illegal fuel trade, there are no other examples of harmonisation of tax, North and South. This proposal could require the UK Government to devolve responsibility to the Northern Ireland Executive. Perhaps that is not the meaning of the motion. Perhaps it is simply suggesting that the two jurisdictions could separately co-ordinate their level of fuel duty to avoid such differing costs, but that would only help to address the cross-border smuggling of fuel and would not address the issue of those producing illegal fuel that seeks to bypass —

Mr McKay: Will the Member give way?

Mrs Cochrane: I will not at the moment.

It would not address the issue of those producing illegal fuel that seeks to bypass paying duty irrespective of where it is produced.

Much of what I had planned to say has been covered by other Members, so I will keep my comments fairly brief. Fuel laundering and trading in illicit fuel represents a significant threat to the Exchequer and hurts legitimate businesses. It is a problem that is common to the UK and Ireland. Therefore, we must find better ways to combat that form of evasion. Illicit fuel sales in Northern Ireland account for an estimated 12% of all fuel sold at pumps. The fuel that has been tampered with can damage the vehicles of those who unsuspectingly use it. As has been mentioned by others, the considerable environmental impact from fuel laundering places a burden on taxpayers, who end up having to foot the bill for cleaning up the toxic sludge. If that were left, there would be a real risk of contamination to the surrounding countryside.

The proposal of a rebate scheme seems to have some merits, and could perhaps be operated by some form of claim system. However, we should recognise that that could be cumbersome. There may also be state aid rules for any rebate schemes. Nevertheless, if there are any schemes that could lead to savings that could be used to reduce the rate of duty on vehicle fuel, the Minister should explore the options.

Unfortunately, I cannot support the motion as currently worded.

Mr D McIlveen: I oppose the motion and the amendment. I have a number of concerns about the original motion. There are a lot of words, but very little substance. The three aims of the motion are to increase revenue, combat fuel fraud and save the taxpayer money. If increasing revenue while saving taxpayer money were possible, Sinn Féin would be financial geniuses. I struggle to accept that that is the case.

To increase revenue in the face of the facts does not stack up. As it stands, we have duties and taxes in the Republic of Ireland of 23%, and in the UK of 20%. ROI has unleaded fuel excise duties of €0.588, with VAT at €0.299. The UK has unleaded fuel excise duties of €0.674, with VAT at €0.268. Although there is a slight reduction in duties in the Republic of Ireland in the raw figures, when you add VAT, it becomes virtually financially neutral. In that context, it really does not make sense to say that revenue is going to increase. The motion states that it will save the taxpayer money. It is not going to do that either. There would be a small increase, if you look at what they have in the Republic at the minute. I do not see the Republic, given the dire financial state that it is in, wanting to reduce rates; I expect that there is probably a preference for it to go the other way.

That brings us back to the crucial issue of combating fuel fraud. I am astonished that we are having this conversation and that the motion has been brought forward after we had a fantastic opportunity to really combat and clamp down on fuel fraud. The police tell us time and again that we need more resources and more people on the ground. We are not able to get enough people out, particularly at the border, which is where a lot of the fuel is coming across. One really effective way to do that would be to introduce the National Crime Agency. On the one hand, Sinn Féin says that it wants to combat fuel fraud, as we all do, and, on the other, in its actions, it is showing very little in putting its hands up and asking what it

can do to make that happen. A free service was offered to us through the National Crime Agency.

We have to ask what the motivation is behind the motion. We do not want to get too bogged down, because we had the debate on the National Crime Agency. The bottom line is that somewhere in the region of £25 million of seized assets are being held by the serious organised crime branch of PSNI. If the National Crime Agency legislation is not introduced in the second week of October, the assets that are held under the existing legislation will have to go back to the people from whom they were seized, most likely with interest. The question has to be asked: if Sinn Féin is serious about combating fuel fraud or fraud in general, why on earth is it not allowing a piece of legislation to go through that would prevent £25 million of seized assets being given back to the criminals? It makes no sense whatsoever. If Sinn Féin is serious about wanting to combat illegal operations and fuel fraud in Northern Ireland, it has the opportunity to put its point across and vote accordingly when it comes to bringing the National Crime Agency legislation in front of the House again.

Ms Fearon: Go raibh maith agat, a LeasCheann Comhairle. I am glad to be able to propose the motion with my colleagues.

The current gap in fuel duty has been recognised as a key factor in fuel fraud, which evidence shows results in substantial revenue losses. The North is estimated to have lost £70 million in the period 2009-2010, and the loss was estimated to be as high as £250 million at one point. At the end of the day, that lost revenue means that there is less money at our disposal to spend on public services, which is an unacceptable loss to the public purse.

Fuel fraud is not just about tax revenue. A major concern is the mass amount of environmental damage that is caused, which, in turn, pulls even more at the public purse strings. In the past five years, the bill to safely dispose of harmful waste left by fuel laundering was estimated to be over £300,000. Regrettably, in my council area —

Mr McKay: I thank the Member for giving way. The Member referred to £70 million in uncollected revenue for diesel in 2009-2010. That was actually down from £140 million the year before. Revenue and Customs puts that down to a reduced level of cross-border shopping as the rates were converging more. That clearly shows that there is money to be saved by the public purse when rates converge.

Ms Fearon: Absolutely. On the theme of saving money for the public purse, regrettably, in my council area, Newry and Mourne District Council has spent over £162,000 cleaning up 50 sites since 2007, at a cost of £70,000 in 2011 alone. That is all covered by local ratepayers. Fuel fraud casts a heavy and unnecessary burden in the area, as well as allowing others to try to tar the reputation of a whole community with the actions of a small minority.

The harmful waste left behind also causes serious health risks to local users, and can often be damaging to vehicles. Due to the money spent dealing with the mess that is left behind, local resources are diverted away from other council services. It is very clear that that money could be spent better elsewhere, perhaps even on investment in the Crossmaglen area, for example, where there are high poverty levels, like we discussed yesterday in the Assembly.

This could all be avoided through the harmonisation of fuel tax and the removal of the incentive to engage in that activity. The border provides a differential in prices and fuel duty between two jurisdictions and, thus, an opportunity for profit. The motion provides an opportunity for us to consider how a single agreed fuel duty rate could mitigate lost revenue as well as improving the environment and health and safety.

A report by the Consumer Council in 2011 showed that consumers in the North faced the highest costs for petrol, when compared to Britain and the South of Ireland, in every single month of that year. Around the same period, between December 2011 and January 2012, we had the highest price for diesel in Europe. Rising fuel costs are a challenge not only to individuals and families but to businesses. The rates that we endure in the North need to end, and we have to do everything that we can to ensure that that happens. A single agreed fuel duty could allow us to identify important sources of revenue, which could allow us to reduce our rate and address the fact that we are subject to some of the highest fuel prices in Europe.

Per capita, levels of investment for public transport in the North have been much lower than in Britain and the South of Ireland. That means that we do not have the same standard or provision of public transport as other regions, leaving many people, particularly in rural areas, with no alternative but to use private cars and vehicles. In the North, it is businesses, families and everyday people who bear the brunt of volatile petrol and diesel prices. Three quarters

of the people in the North travel by car at least three times a week, and the majority of our freight and commercial businesses make use of our road network. Fuel is also a major input cost for farmers, and the rising cost of fuel for agricultural vehicles and machinery is a major burden on local farmers.

We must give full and detailed consideration to the possibility of removing fuel fraud and ending the price imbalance faced by local consumers.

3.30 pm

Mr Beggs: I, too, am pleased to speak on this issue because of the negative effect that it has on our economy and, indeed, on our local environment. There are a variety of forms in which this fraud occurs — laundering, mixing, smuggling and even the issue of misuse when people put red diesel into road vehicles illegally. We must stamp out all of it, because when it occurs, tax that ultimately goes into government coffers to pay for health, education and all government services is not paid.

Last April, Sinn Féin brought a motion calling on the Executive to start negotiations on devolving power on fuel duty. On an ongoing basis, Sinn Féin and the SDLP call for the further devolution of fiscal powers, including fuel duty. This just seems to be yet another example of that. The motion seems to have little regard for the financial realities of how we have to balance our books. If we take on such responsibility, any difference must come out of our limited block grant. There is already a widespread commitment to try to bring about economic improvement here by way of corporation tax, and I do not see any explanation of how this further hole in our finances would be balanced.

The scale of the problem here in Northern Ireland continues to be huge. It is worth highlighting the hypocrisy that is apparent in Sinn Féin in particular bringing forward this motion. It has been widely suggested that former republican paramilitaries are largely to blame for fuel fraud in Northern Ireland. In that respect, I am quite sure many involved with Sinn Féin could be assisting the authorities in bringing that to an end. I am also aware that loyalists have also been involved in this crime and have got rich quick through these illegal activities.

Mr McKay: I thank the Member for giving way. The only elected representative who I am aware of who has been caught and was involved in fuel fraud was an Ulster Unionist

councillor in north Antrim who got done for driving on red diesel.

Mr Beggs: I did not mention any particular representative. I talked about party members and their extended associates. It is wrong, whoever gets involved in it. However, where is the sludge being left? Where is the illegal activity occurring? The Member appears to be treating it very lightly. Let us look at where the serious action is happening and where it is corrupting legal businesses and adversely affecting them. Just as we wish Sinn Féin would come forward with information about former terrorists' past illegal activities and those who continue to be involved, but it has not, we wish it would come forward with information about fuel laundering activity.

My colleague Danny Kennedy set out in some detail the effect that such fraud has had on his South Armagh constituency. Much of the dumping detracts from the community and local environment in very picturesque areas, at a significant cost to our local economy. In its March 2012 report, the Select Committee on Northern Ireland Affairs estimated the loss in tax revenue for Northern Ireland in 2009-2010 to have been £70 million. Although that was down from an estimated £250 million five years ago, it is still quite a significant amount, and the figure in Northern Ireland is disproportionate compared with other parts of the United Kingdom. In fact, it is three times as much as estimated in other parts of the United Kingdom. Fuel laundering is still a very significant illegal activity that damages our environment and legal businesses.

The UK oil strategy, in trying to address this, wants the fraud and the misuse of the fuel rebates to be worked on with the support of the industry and the public. The cross-border fuel fraud enforcement group is also working to address this issue. We have to understand, as indicated by others, that this type of crime happens in the Republic of Ireland, where laundering also occurs. Co-operation is needed because, frequently, the criminal gangs may well be associated.

The idea of having a single agreed rate to solve the problem seems to ignore the fact that, to change taxation policies in Northern Ireland, we need the agreement of the Treasury. There is an ongoing difficulty with us filling any gap that would be created. There is also an issue of laundered fuel going from Northern Ireland to England at present. Full tankers have been found abandoned at our docks when people have been trying to use that as a source, and to simply go for some all-island approach would

not solve the problem. If Ireland wishes to harmonise its taxation rates with the rest of the United Kingdom, that may bring about some benefits.

In summary, I think that the parties opposite want a quick-fix solution that does not exist —

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

Mr Beggs: — and that we do not have the authority to do. Nor do we have the finances to go forward with that route.

Mr Irwin: The price of fuel in Northern Ireland is an issue that grows in importance with every fluctuation in pence per litre across every forecourt in Northern Ireland. Never before has there been such a keen interest in what appears on our local garage forecourt sign. Indeed, across the major supermarkets, price wars and discount vouchers are cleverly used to shore up customer loyalty.

In Northern Ireland, we pay some of the highest prices in Europe for our fuel, and that has an obvious knock-on effect, not just for the everyday motorist but for haulage businesses, delivery companies, coach companies, farmers and business in general. That is why our party, back on 24 April 2012, proposed the pursuance with Her Majesty's Government of a fuel duty relief scheme similar to that operating on various islands within the control of GB. I note that the latest Sinn Féin motion is a response to the previous debate last year, when that party abjectly failed to provide the detail that many in the Chamber required on the actual cost of its proposals and how any shortfall would be accounted for. Needless to say, its original motion was defeated. I now see that the job of coming up with the detail has been thrust on our Finance Minister to assess this latest variation on the theme. I am sure that Minister Wilson will have a suitable response of his own on that particular issue.

Fuel fraud continues to cost the economy here in Northern Ireland a significant sum of money. Were that money to be channelled through the Exchequer, it would go some way to assisting Northern Ireland in what we pay at the pumps. Not only do we face a loss of revenue from criminals laundering fuel and rogue retailers knowingly selling the laundered product, but we have a significant bill for the clean-up operations following the dumping of toxic sludge along our country roads, many of which are in my constituency. We also have the clean-up operation following the successful

closing down of laundering plants and all the costly handling of toxic material that goes with that dangerous task.

I am less impressed with the lack of arrests following the closure of such laundering sites. When HMRC, assisted by the police, swoops on those sites, there never appears to be anyone present. That is worrying, and it deserves further investigation. I have already questioned the Justice Minister on that issue and the possibility of insider information from within statutory agencies having been passed to criminals prior to a raid, thus enabling them to hotfoot it and avoid arrest. Those are issues that, I understand, were discussed at a recent debriefing by relevant agencies following Operation Loft. I have questioned the Justice Minister about the outcome of the debriefing, and I await his response.

There is no doubt that the authorities are having success in detecting and closing plants that are capable of producing millions of litres of fuel. That represents a saving to the Exchequer, as that illicit fuel is removed from the retail chain, protecting drivers and their vehicles and, indeed, the taxpayer in general. I have also been pursuing the issue of increasing the penalties for forecourt owners who are engaged in knowingly retailing laundered fuel, as the current patterns of detections and convictions have been very poor. I strongly believe that dealing with forecourt owners would leave fuel launderers with few outlets for their fuel.

From an agricultural perspective, I know that the cost of fuel and energy in general is placing a severe strain on farm businesses, as much of the machinery associated with farming relies heavily on diesel fuel. Although farmers are allowed to avail themselves of marked diesel for agricultural use at a lower rate, the rises in recent years have severely eroded the once-important saving that it represented for farming operations. In my opinion, that situation deserves to be reassessed by Her Majesty's Government. Indeed, a fuel duty relief scheme for all of Northern Ireland would be a welcome development.

I know that our Finance Minister will be keen to take this issue forward, and I look forward to his remarks.

Mr Allister: There is something inherently disingenuous about a motion that purports to express concern about fuel fraud but then focuses entirely on an issue that will do nothing to address it. As Mr Kennedy rightly pointed out, the issue — the cause and the problem — is not the rate of duty; it is the evasion of duty.

The crime barons of south Armagh do not stop work in their yards to tune in to the radio when the Chancellor makes a statement about fuel duty in order to hear whether it is going up by 0.5p or down by 0.5p. They are not flabbergasted — or is it "Slab-ergasted" — when it falls by 2p. It is really neither here nor there to them because their business is the evasion of duty. The motion utterly fails to address that because it takes us into the realms of the criminality of these operators. That is where the proponents of the motion do not want to go. They demonstrated that most cogently and indisputably in the House just a few weeks ago. Sadly, when they set about systematically blocking the effective operation of the National Crime Agency here, they were joined in that demonstration by the SDLP.

The result of that is that now in Northern Ireland, where we have this problem, the assets of the crime barons who live off this illegality are safe because the mechanisms of asset recovery have been stopped in their tracks. Who did that? It was those in the House who today pretend that they have some concern about fuel crime. Someone who stops the National Crime Agency doing its job in order to root out fuel crime and all other crimes has no interest in stopping fuel crime. That is the reality of this situation.

This motion is but window dressing from those who were active in doing that very thing. For good measure, of course, it takes us into the fantasy politics of Sinn Féin of an all-Ireland taxation system. Even though fuel duty is a non-transferred, excepted matter, Sinn Féin, somehow or other, thinks and believes that it should not only be a transferred matter but an all-Ireland transferred and designated matter. Such are the fantasy politics that Sinn Féin pursues.

The real test for those who want to address fuel crime is to empower the agencies that can do so. Unless and until that is done, there is no sincerity. Unless and until that is done, there will be no relief for my constituents in the haulage industry who try to live by the law. They compete on impossible terms with those who are in flagrant breach of the law and who are now more confident than ever that they will succeed in defying the law because there is no longer any prospect, through the National Crime Agency or anyone else, that they will be called to account.

The scandal whereby not a single person is imprisoned for this high-level offending will only get worse if now not even a single asset will be able to be recovered.

3.45 pm

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

Mr McKay: I thank the Member for giving way. The fact of the matter, which most parties have ignored today, is that in the North we have some of the highest rates of fuel duty in these islands and in Europe. Nobody has addressed that. Amid all the Member's bluster, does he have any ideas on how to reduce the cost of fuel for consumers?

Mr Allister: I have been urging the Member to address the core of the issue, which is this: where is the highest level of fuel crime anywhere in Europe? It is in south Armagh and such places. Why is that? It is not because of fuel duty but because those who are in that criminality receive the political cover and assistance that they received from the honourable Member when he and his colleagues blocked the National Crime Agency. That is where the problem lies. It is no surprise that he does not want to solve it, because, of course, those people are the acolytes of Sinn Féin.

Mr Wilson (The Minister of Finance and Personnel): I will seek to better the previous contributor's speech, although I have to say that he and the Member for Newry and Armagh hit the nail on the head. If this is about fuel crime, the way to deal with it is to ensure that you have the laws, resources and will to ensure that criminals who steal from all the people whom we seek to serve in this Assembly are put behind bars and have their activities stopped. I will not really deal with the part of the motion that mentions fuel crime. As the Members for South Antrim, Newry and Armagh and North Antrim have indicated, nothing in either the motion or the amendment really addresses the issue of crime. Indeed, I suspect that there is a bit of embarrassment among both the SDLP and Sinn Féin on this issue, especially given their attitude to the National Crime Agency, which was set up to deal with it.

It is an issue of fuel costs. The Member for North Antrim was right in his intervention. There is a pressing issue in Northern Ireland regarding the cost of fuel and the impact that it has on motorists, industry, transport, and so on. However, I have to say that the motion does not deal with it. Indeed, I do not think that the House does itself any favours if it gives support to shallow or cynical motions that are brought forward as solutions to a problem yet are clearly not solutions.

Mr McKay: I thank the Minister for giving way. The motion calls for the Minister's Department to carry out an assessment of what we are proposing. If the Minister is going to turn down our assessment of fuel duty, will he carry out one of his own?

Mr Wilson: He brings me on to my first point, which is to make an economic assessment of the motion. When I was in my old job, I would have been starting to mark A-level exam papers around this time of the year. If anyone had written what is in this motion in an economics exam answer that I received, I can assure you that it would not have even been considered for a pass grade, never mind the A* that I suspect the Member hoped for as a result of tabling the motion.

This is yet another tax that Sinn Féin wants devolved to Northern Ireland. It is a tax that it intends to reduce, and, as such, we would have to find the money for it. However, even leaving that aside, let us make no mistake about it, under EU rules Westminster cannot set a rate of duty for Northern Ireland that is different from that in the rest of the United Kingdom. It has to be devolved if we wish the rate to be different; and if the rate is going to be different, we will have to pay the price.

Look at what the motion says: that we should agree an all-Ireland rate of duty that would increase revenue and combat fuel fraud. I do not need to deal with combating fuel fraud because, as other Members have pointed out, the only way to do so is to have no duty; or, you might reduce it somewhat if you had an equal rate between the duty for red diesel and that for the ordinary diesel that we all use. If you were to do that, you would have to reduce the rate of duty from 58p a litre to 11p a litre. You would have to reduce it to a fifth. Given that the tax revenue is nearly £1 billion, and that has been accepted by all Members in the House today, it would mean that we would finish up with a gap of £800 million to bring the duties in line in order to combat fuel fraud so that it was no longer worthwhile making a distinction. However, as Mr Allister pointed out, even that 11p a litre would still be an incentive for fraud, because people would try to avoid the tax altogether.

To get the same revenue — not an increase in revenue — fuel consumption would have to go up by five times or, since the price of fuel would go down, households and everybody in Northern Ireland who buys fuel would have to spend about three and a half times more on fuel than they currently spend. Nobody could believe that that makes for sensible economics. I do not think that I need to do an assessment

of this; it is not worth doing an assessment. Are people going to be able to spend three and a half times more on fuel than they do at present? Can we afford to fill the gap that would be left if they did not? We are certainly not going to get any increase in revenue, even with those dubious figures.

I used to talk to youngsters about elasticity of demand. This would need an elasticity of demand that you could not even imagine. It is an increase of nearly 14. The change in demand would have to equate to change in price 14 times. It does not make economic sense to go down this route. The economics do not stack up.

It is just as well that the wee Green man is not here today. If he were, he would be apoplectic that we would be increasing our consumption of fossil fuels by five times. You would have the great global warming. You would have the great south Armagh desert. It was not there before Sinn Féin brought its policy into being, but once we started burning all those fossil fuels, global warming situated over Northern Ireland — we could do with a bit of it, mind you.

Improve the environment? I remember, when I was Environment Minister, that I used to get lectured by this man about my views on global warming. Here he is bringing forward a motion that wants us all to increase our consumption of fossil fuels and motorcars by five times. He has forgotten his environmental credentials, as well as any economic sense that he might have.

Mr Mitchel McLaughlin: Will the Minister give way?

Mr Wilson: I will, yes.

Mr Mitchel McLaughlin: This is just a straightforward question: does this mean that the Minister now accepts the existence of climate change?

Mr Wilson: I was simply using the Member's argument against him. If people want to spend five times more on fuel, that is up to them. We would all be spending more time in the motor car than we did at work, running around Northern Ireland trying to burn up all that fuel just to make sure that we do not have a reduction in the amount of money available to the Assembly to spend.

It does not make economic sense. It does not make environmental sense either. Members opposite lecture us about the need to reduce the consumption of fossil fuels, but in order to

keep the revenue, we are going to have to spend so much more money on fuel.

Before we even start going down that route, we have got to look at the economic consequences. I have already mentioned that I do not believe that it will deal with fraud. As far as cross-border trade and people going to the Republic for their fuel is concerned, let us assume that somehow or other we all agreed that it would be good to have a cross-border rate of duty. Let us say that we took leave of our senses and decided to have a common all-island duty. We would have to go a step further, because one of the big reasons why people move across the border to buy fuel is the exchange rate differential. If you look at the movements within the last five years, the exchange rate between 2007 and 2009 went up by 48%, and between 2011 and 2012 it came down by 14%. So, we would have to join the euro as well.

So, we would have a rate of duty that would leave us with a huge financial gap of £800 million, and then we would join the euro. Mr Allister talked about fantasy politics, and this really is getting into the realms of Disneyland, because you are not going to do away with movements across the border and bringing fuel across the border in tankers if you do not do away with exchange rate fluctuations. It does not add up economically, it does not add up environmentally, and it does not meet the requirements — if Sinn Féin is genuine about it — for dealing with fraud.

Turning to the amendment, I do not know but I suspect that the SDLP was seeking to be a bit constructive by talking about the fuel rebate. The fuel rebate, if you were going to remove the differential totally, would have to be somewhere around 50p per litre. I am not so sure that we could afford that. If one looks at the fuel rebate in the Republic, it is 7.5 cents. That was designed not to do away with fraud but to reduce costs in a fairly modest way. There are huge costs associated with administering that, and the Government in the Republic are going to find that separating businesses that are eligible from those that are not and deciding what fuel is eligible and what fuel is not is going to be quite difficult.

The Treasury has been asked to look at this by the road haulage industry, and it has said no because of the costs of administering it. No tax or tax change should be introduced if it is going to be a costly exercise. Why would you spend more money on administration? You are far better reducing the tax burden than building up the bureaucratic burden in society.

Even if the proposal were to be introduced, there would be huge potential for fraud. I hope I am not going to demonstrate some criminal tendencies here, but if we were to have a fuel rebate of that amount, I could cut significantly my fuel bill by going to the guy down the road who has a lorry that has two tanks on it that hold about 1,000 litres and saying, "By the way, could I siphon my week's fuel out of your tank into my car, and then you can go and replace it because you can get a rebate? I can't get a rebate."

Mr Kennedy: You are very well informed.

Mr Wilson: That is why I said that I hope I am not demonstrating criminal tendencies here.

The difficulty in policing this and making sure that you would not increase criminal activity in that way and have further losses to the Exchequer would be very difficult. Therefore, that suggestion in the SDLP's amendment is not workable, first of all, when it comes to administration. Secondly, if anything, it would probably increase petty fraud of that nature. Thirdly, the overall reduction in the amount of revenue would be very costly.

What, then, is the way forward, because there is no point in just being negative about all of these things? There has been heavy lobbying at Westminster, and the Government are finally getting the message that fuel costs in the United Kingdom are too high. It is significant that, in the Budget this year, the Chancellor, under immense pressure from parties from Northern Ireland and across the United Kingdom and his own Back-Benchers, decided not to go ahead with the fuel duty increase. On average, that saved hauliers in Northern Ireland £1,200 a year.

4.00 pm

If we are to deal with this issue, we should do it in the place where it is decided and face the people who make the decisions. We should make the arguments to the people who make the decisions. As Finance Minister, I am quite happy to spell out the difficulties of high fuel duties for Northern Ireland. If Sinn Féin was not engaged in a cynical exercise here, it might well consider that the place to make the argument about a tax that is levied by the UK Parliament is in the UK Parliament and, instead of abrogating its responsibility, it could go there, argue its case and add its weight. That is the way forward. There are a lot of resources in the Government here: the Minister of Enterprise, Trade and Investment can spell out the

consequences for individual firms, and I, as Finance Minister, can spell out the difficulties that the issue causes. That is what we should be doing, and that is the way forward.

Mr A Maginness: I reiterate what my colleague Mr Bradley said when moving the amendment: the amendment is necessary because the wording of the motion is such that, if implemented, it could not possibly achieve the objectives to which it seems to aspire. If we accept the bona fides of Sinn Féin in trying to deal with the problem — I have no reason to say anything to the contrary — any analysis of the motion drives one to the irresistible conclusion that it could not effectively deal with the widespread problem of fuel laundering. It might help a little bit, but I doubt very much, as Mr Bradley asserted, that it could deal comprehensively with the situation and lead to a solution to the problem.

The problem today has been the overlay of politics and people scoring political points on historical issues. It is important for us to look at the actuality of the situation. We have a serious problem, and I do not think that anybody in this room doubts that. The ordinary diesel retail trade is being corrupted, and haulage firms are being equally contaminated. That is a serious problem. That level of illegality needs to be addressed urgently.

I do not think that any other part of the UK is affected more acutely by this than Northern Ireland. We need a specific solution to our problem. I do not know how we do it in the context of the UK and its fiscal arrangements, but the current system whereby users can freely buy discounted diesel is no longer sustainable because of the grotesque abuse of the system. The amendment might be inelegant and not as precise as it could have been; nonetheless, there should be a rebate system.

I heard what the Minister said about bureaucracy, and so forth, and potential abuse. However, at the moment, the system is so abused that it is laughable. We have to replace the current system. If we do not, the situation will only get worse, and contamination and corruption of honest people will take place. There are people who regard themselves as law-abiding citizens who are using illegal fuel because they are in despair about their businesses.

Mr Wilson: Will the Member give way?

Mr A Maginness: Yes, go ahead.

Mr Wilson: I thank the Member for giving way. Will he agree that the potential for fraud could be even greater? At least, at present, if people want to buy cheap fuel, they buy fuel that can be identified if they get stopped at the side of the road. If the rebate scheme that he is talking about were to operate, people could, as I suggested, siphon off fuel that was not detectable, and it would encourage people to do even more fraud.

Mr A Maginness: Not if it is washed. There are very effective methods of washing it now. Other methods that have been used in the past have been imperfect, but, if it is washed now, it can be washed clean, and there is no physical or chemical differential unless on the most minute analysis. That is the problem.

We can all say that a new system of rebate will not work, but I have to say to this House that the current system is clearly unsustainable. That is why we have tabled this amendment, which we think is sensible. We are not making a political point or trying to score points. We are just trying to bring forward what we consider to be a practical solution, and the very least that the Minister can do is look at this and invite the Treasury to look at it to allow us some exemption from the current system so that we can deal with what is a local problem and find a local solution to a local problem.

Of course, the problem affects the rest of Ireland as well, and we need co-operation between North and South to try to address this, because there are people out there — criminal gangs — who are enriching themselves and corrupting communities, which is entirely unacceptable. I accept the point that the Minister, Mr Kennedy and Mr Allister made about the apprehension and the prosecution of these people and the use of all sorts of resources. The point was made about the NCA.

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

Mr A Maginness: I will just finish up by saying that the current efforts have been proven to be unable —

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

Mr A Maginness: — to address the situation, so we need a solution.

Mr Mitchel McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I speak in favour of

the motion and against the amendment, and I will explain why in my remarks.

I will address some realities. The fact of the matter is that we have had law and order responses to this problem for a very long time, and, in fact, the Minister of the Environment told us this afternoon that there has been no diminution in the problem since the days of conflict on our streets. So, the policy — the law and order response — has been ineffective.

The Minister of Finance referred to his background as an economics teacher. It seemed to me that you provided a rationale for continuing with the present, ineffectual law and order response because the revenues that would accrue still made that a profitable experience. Our motion, in fact, attempts to remove any motivation or opportunity for people to profiteer from, for instance, the price differential.

A second fact that I want to address was addressed by Paul Girvan. Drive along the border and you will notice, time after time, that the vast majority of boarded-up and closed filling stations are on the northern side of the border. Perhaps we should be asking ourselves why that is and whether that issue is subject to a policy solution.

There is a third issue that has to be addressed, and that is this issue of whether we as an Assembly can open our minds to the possibility that there is mutual benefit here. An example has been set by our Minister of Health to act decisively to our mutual benefit and in the interests of our community.

Behind all of the stories, we have the huge cost to the environment in remedying the fuel-laundering processes.

There is the huge cost of enforcement, which has not addressed or solved the problem. There is the huge cost and the lost opportunities in the fuel delivery industry for employment and careers. In fact, the jobs that remain are at a significant risk. We must address the competitive disadvantage, and it is understandable that people adopt partisan positions on that issue. For me, however, all those costs taken together amount to a significant issue that is avoidable with a bit of thinking outside the box and not making ourselves hostage to legacy arguments. That was dreadfully depressing and predictable about today's contributions.

We cannot accept the SDLP amendment. I join with the Minister in thinking that the SDLP

amendment is an attempt to be constructive. It is possible that the SDLP responded to the initial Order Paper, which, by mistake, omitted the "all-island" reference. We believe that the existence and origins of that competitive disadvantage or differential lie at the heart of the issue. I thought that Danny Kennedy's remarks also indicated that he had not used the updated second Order Paper that was sent out by the Business Office to correct the original mistake. The first Order Paper contained a direct quote, which was an inaccurate reflection of the tabled motion.

Today, the Assembly had an opportunity, which it has not taken, to study, examine and analyse ways to address the issue, including a significant challenge to the exchange mechanism. However, we will never be in a position of having to address that issue unless we examine the implications to see whether there are revenue-neutral solutions to fuel laundering and revenue opportunities in creating a level playing field so that our industry on this side of the border does not suffer. As I said, all the derelict filling stations that necklace the northern side of the border demonstrate a policy and economic failure that has not been addressed for a considerable time. The Assembly could and should study the matter.

If a report is brought back for discussion, and we decide on action, we will have to follow through by opening negotiations not only with the London authorities but with the Dublin authorities to see how we can have an all-island approach. I do not think that that has constitutional implications. It is my belief that it has economic advantages that should be explored. I am quite happy to allow that to be analysed forensically and for a report to be brought to the Assembly.

We could then have a discussion that is prepared to examine why the problem exists, why the problem has continued, and will continue, to exist, and whether the revenue authorities have decided on an investment that, I assume, is significant in trying to catch the people responsible but not succeeding in eradicating the problem. If those authorities have decided that there is still a cost or revenue benefit to them in continuing with the present regime, it is inexplicable that, in the face of all the evidence, their counter strategy is ineffective but they just continue with it.

So they must be deriving revenues that are so significant that they can absorb the cost, the lost tax revenues, and the cost of enforcement and remedying the pollution to our environment. All that would add up to quite considerable

counterbalancing revenues and incomes that could be set against the current failed investment and expenditure, and the consequences of that failure to this economy.

Whatever way it works out today, the issue cannot be allowed to sit as a status quo outcome. Let us think about the issue and revisit it. We considered the SDLP's voucher scheme and think that it has considerable benefits, but only — this is where the SDLP amendment left us at a loss — if it is applied on an all-island basis. It cannot work here in the North in isolation to the source of fuel that will be washed, laundered and sold up here and, in some instances as we have discovered, transported to Britain.

4.15 pm

We want to solve the problem and to avoid the knee-jerk reactions that there will be, if you like, a security or a law-and-order solution to what is an economic issue. That is visiting the past. People have tried to come up with security solutions to political problems. It was only when they decided to abandon that that we got agreement and that we have the Assembly. I think that the Assembly should take it to the next level and decide that, as a policy objective, it will study the problem and put proposals in front of Members, and that we will address it on the basis of trying to eradicate what has been a very costly failure up to now. I recommend the motion to the House.

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

Main Question put.

The Assembly divided:

Ayes 25; Noes 50.

AYES

Mr Boylan, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Ms Fearon and Mr McKay

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr D McIlveen and Mr McQuillan

Main Question accordingly negatived.

Rural Schools

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

Mr Storey: I beg to move

That this Assembly calls on the Minister of Education to consider the issues associated with the future of rural schools in the context of area planning; and to work in partnership with his Executive colleagues to achieve a holistic solution for education in rural communities.

4.30 pm

At the outset, I want to say that I am glad to be able to move the motion on my party's behalf. There is no doubt that the future of rural schools has caused considerable concern across our communities. I welcome to the House the Minister, who I trust will be able to give us some clarity on a number of issues that need to be addressed specifically if we are to have an informed debate that benefits educational provision.

It is also useful to have with us those organisations that have helped in the debate and discussion over the past number of months. We are very thankful that they are here. There are representatives from the Primary School Governors Association, the rural committee of the Ulster Farmers' Union, the Integrated Education Fund and individuals who have an interest in the future of their schools. We are very pleased that they have taken the time to come and be with us today.

It is not normal procedure in the House for one to use objects to display one's presentation. However, if we look at the map, which shows coloured dots representing the schools across Northern Ireland with fewer than 105 pupils, it will give us only a sense of the challenge and issues facing the Department of Education, the Minister and all of us in the debate. Our purpose in coming to the House today is not to try and be politically clever and set some agenda that is driven purely by political ideology or outcomes: it is a genuine attempt to ensure that what we have in the debate is a degree of

equity and fairness on the issue, which is gravely lacking at present.

My colleague Michelle McIlveen will outline that although we will accept the amendment tabled in the name of the Deputy Chairperson of the Committee, and the education spokesman for the Ulster Unionist Party, Mr Danny Kinahan, we have reservations about the way in which something like that could be interpreted and that, somehow, we will be giving people a false hope that we, in every circumstance, will defend every possible school in Northern Ireland. That would be a false hope. However, there has to be a debate that is fair, accurate and that is based on information.

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

The current process is flawed. It aims to sow widespread fear among schools in the hope that many will decide to close voluntarily. The concern raised with us by principals, boards of governors and individual teachers over the past number of weeks is, indeed, palpable. If the current process does not tackle the issue of a school in every parish, as the maintained sector would like to have it, the Minister needs to clarify in the House that when we talk about area planning, we are not talking about area planning on the basis of a school in every parish, but about a genuine area plan for an area. How do we define an area? To date, we have no specific policy.

I say at the outset that if the Minister were to bring forward a small schools policy, it would be immensely helpful. The current process looks at the number of schools in each geographical area under an education and library board. When there has been a recommendation by the Salisbury review of the common funding formula, which the Minister has referred to in the House, on the need for a small schools policy and a desire to bring such a policy forward, that needs to be done as a matter of urgency. However, it also needs to be done — and the reason why our motion is formed in the way in which it is — with a holistic approach that recognises that a rural community is not just about the school, where it sits and its bricks and mortar, but about all of the other elements that define, make up and give us the tapestry of that rural community.

I do not think that any Members in the House or the wider public will be surprised to know that the Department has a very strange view of what is a rural school. It is defined as any school that is outside the speed limit of the city of

Belfast or the city of Londonderry and has fewer than 300 pupils. So, rural schools that currently have 50, 60 or 70 pupils are worried, as are those with 295 to 299 pupils because they also come under the definition of a rural school.

We must not have of repeat of the Minister saying, "This is not a numbers game", because we have heard that before. He must give clear direction to schools in order to give them confidence that this is not being driven by a bricks-and-mortar rationalisation policy and that it is not merely based on numbers but is based on a very clearly defined schools policy that identifies the needs of pupils who attend a school.

Not all sectors are properly represented in the current debate, especially the controlled sector. The Minister knows that we have raised concerns about the make-up of the departmental working group on area planning and about the need to ensure that the controlled sector has a voice and a place on that group. We need to be reminded that the controlled sector has played an invaluable role in the education of our children over many years, and we are thankful for what it has done.

We believe that the current process is flawed. Let us look at the reorganisation and ask this question: does it save money? Many people believe that it is, yet again, about trying to rationalise the system solely to save money. Saying that the process is about saving money is, I think, one of the greatest myths that has been put around for a long time. Research published by the University of Ulster has shown that there are little savings to be gained from the current process. In fact, in some cases, when you add in additional transport costs, you see, from the evidence, that some closures will actually cost money. We are still working in a vacuum because we do not have clear information on the overall cost of providing education in a rural context. There is a need to understand that funding follows pupils, not school buildings. So, when a school is closed, the key cost of staffing is often simply transferred to the new school, with the added burden of additional transport costs.

There is a need for a proper policy that refers to rural schooling and that does not oscillate between justifying this on the basis of raising standards or saving money but which looks at the issue in a holistic manner. Over the past number of weeks, I have repeatedly said to boards of governors that they need to address two issues in responding. First, they need to ensure that they provide educational quality to the young people and children who attend the

school and, secondly, that they live within the financial means given to them. That is why the motion refers to a holistic approach.

As MLAs, one of our main aims is to improve the quality of all our people's lives. Although that is a challenge in the current economic climate, it is important that we keep the needs of our community at the centre of all that we do. Rural communities present a particular challenge, especially when the thrust of policy in the 20th century was towards the urban dweller. We need a joined-up approach from all Departments. This is not just about the Department of Education, because it cannot solve this problem in isolation. There needs to be a coherent approach that takes account of all the dimensions, including health and transport, which concerns DRD. Tomorrow, the Education Committee will look at the performance and efficiency delivery unit (PEDU) report, all the variances in transport costs across our education and library boards and the way in which DE subsidises a very key element — 40% — of DRD's operational costs. We have to seriously ask questions about that.

It is not about trying to minimise parental choice and close down certain schools because children have to go on a bus from location A to location C. It is about ensuring that we work —

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

Mr Storey: — in a holistic way that benefits and incorporates our rural schools and addresses the transport issues. Today's motion is a call to the Minister to pause the current procedure of area planning and introduce —

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

Mr Storey: — a small schools policy. Let us have a real debate that does not cause concern, which the current policy and procedure is, unfortunately, doing.

I support the motion and the amendment.

Mr Kinahan: I beg to move the following amendment: After "planning" insert

": introduce a legislative presumption against the closure of rural schools as well as an additional duty to consider the impact a closure would have on the community similar to the protections already in place in England and Scotland".

I welcome the motion. I congratulate its proposers on bringing it forward, because the perceived plight of our rural schools is of very real concern to all of us. I acknowledge how similar the motion's intentions are to those of the Ulster Unionist Party. However, we did not feel that the original motion went far enough or into enough detail. It most certainly did not offer enough protection, or hope of protection, for our rural schools.

When we consider the elements of our towns and villages that represent the focal point of community life — the local shop, the pub or off-licence, the post office, the police station, the sports club, the play park and the community hall — we begin to realise how central rural schools are to the fabric of our life. They are at the very core. Local shops, as well as pubs and off-licences, are under threat from superstores. Post offices are being rationalised in the same way as police stations. Banks are going online, and church attendances are falling. The local school may well be all that is left to hold rural communities together. That is food for thought, and I urge the Minister to keep that in mind. When the Minister says that all decisions will be made purely on educational grounds, he must remember that families and communities play a huge part in early learning. Therefore, so do rural schools.

We put forward our amendment because we recognise that the consultation system that is used here in Northern Ireland does not work. Everyone believes that, by the time government policy reaches the point of a consultation, a decision has already been taken, and no amount of public engagement will alter it. Although Scotland's legislation is not perfect and is, at present, subject to a commission, it offers ideas on consultation procedures that we feel should be adopted in a form that is suited to the needs of Northern Ireland. We can learn from the Scottish experience and, indeed, from other jurisdictions to ensure that we put in place a good system that will protect rural schools.

A total of 55% of Northern Ireland's primary schools and 20% of post-primary schools are situated in rural areas. The viability audits, however questionable, show that they are much more likely, when it comes to enrolment, to be under stress. That is a self-fulfilling prophecy. If you place rural primary schools under threat, add a viability audit such as Bain or Salisbury, and top that with vague directives and arbitrary guidelines from the Department, parents who would love to provide rural education for their children will start to second-guess the system and lose confidence in local provision because they cannot guarantee continuity. Those

parents will cause schools to close for the wrong reasons. Maybe that is what the Minister wants. We ask the Minister and his Department not to make decisions exclusively on educational or financial considerations. Rather, they should make completely holistic judgements, to borrow a term from the DUP motion.

The motion calls on the Minister to "consider the issues". I am sorry, but that is just too weak — it should be "give due regard", or even stronger. It also requests that the Minister work in partnership with his Executive colleagues to achieve a holistic solution. The past has shown that that is not very likely. In the Education Department, we see budget matters being not fully disclosed. Last week's announcement of Together: Building a United Community, on which there was a statement this morning, was not even discussed with us. That is hardly "together" or "united".

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

Mr Kinahan: Have I not got 10 minutes?

Mr Principal Deputy Speaker: Sorry; you have 10 minutes. My apologies.

4.45 pm

Mr Kinahan: Thank you very much. I could give many more examples, and you might say, "So what?" So, we want good government and, in this case, a better education for our children and young people. As we all know, the Belfast Agreement promoted the notion of "consensus", a word that is notably absent in this instance. So, I also hope that Sinn Féin and the DUP will surprise us all by making holistic decisions and working in partnership with all Executive colleagues from now on. It is time that this started with everyone, including us.

As I mentioned, in Scotland, they are looking at making the future of their rural schools better and, with regard to the consultation process, their ideas are not far-fetched or unreasonable. They start with a clear, detailed proposal that includes the educational benefits and defines a clear time frame within which the process must be completed. They consult with parents, parents' councils, future parents, pupils, staff — all staff, that is — trade unions, the local community, community groups and any other groups that are suggested by the local education authority. Almost most important of all, they hold a public meeting. They also ask the inspectorate to prepare a report on the

educational aspects, and then — the key element — the education authority is required to review the proposals with regard to the inspectorate report and, almost more importantly, take on board and answer all written and oral submissions. If closure seems the most likely outcome, all viable alternatives and factors are taken into consideration — those that affect the local community, the use of premises, travel and pastoral consequences. Does that not seem a fairer and more thorough system? It does not have to be slow, and it does not have to clog up the process. It is simply efficient and fair.

Agriculture is the cornerstone of our economy. We have a duty to provide rural children with an education that suits their needs. I propose that we adopt legislation that provides an automatic presumption against the closure of rural schools, provides a rigorous process of active engagement, compels the Department of Education to acknowledge the value of rural education and places the onus on the Department to demonstrate that there is absolutely no feasible alternative to the closure of our rural schools. That does not mean that, with our amendment, we are saying that we can save all the schools. It just means that we are trying to put in place a clearer and fairer system.

Mr D Bradley: Will the Member give way?

Mr Kinahan: I am happy to give way.

Mr D Bradley: I thank the Member for giving way. Does the Member agree with me that the recent reviews of primary schools made general assumptions about small rural schools and applied them across the board? In other words, a broad-brush approach is being taken and all rural schools are being tarred with the same brush, whether or not the evidence is there to support that. Does he further agree with me that this is a flawed approach that leads to flawed outcomes?

Mr Kinahan: Thank you very much. Yes, I feel that it is a flawed approach. We have managed to somehow scare all our schools and leave none of them really knowing where they stand and all fearing that they may close. Instead, what we are proposing is a nice, clear and concise way of going forward so that they know that they have had their chance to argue for their school and show their place in the community and, as such, feel happy with the end result. That is why we proposed the amendment.

I will probably have to leave the Chamber for a little while in the middle of the debate. I apologise to the rest of the Members who will speak.

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I will speak in favour of the motion. Indeed, I am even prepared to support the amendment in principle. Although I am supportive of the sentiment that is suggested in the amendment, I feel that, in all likelihood, the outworkings of the legislation that is requested would not only serve to narrow the definition of a rural school but would, in effect, become somewhat unworkable. As I say, though, I agree in principle with the sentiment.

However, I am convinced, too, that the sustainable schools policy and the current development proposal process offer the same protections for rural communities here in the North as are afforded elsewhere across these isles. As somebody born and raised in a rural community, I am acutely aware of and sympathetic to many of the issues touched on today by the proposers. I am a member of a rural GAA club, a rural credit union and, indeed, of a rural Sinn Féin cumann. Indeed, the vast majority of my wider family live and work in rural Ireland.

At a time when many facets of modern living bring considerable strain on rural communities, I am a strong believer that government must do all that it can not merely to keep our rural communities alive but to empower them in the years ahead with the appropriate services and opportunities. It is with that in mind that I welcome the Minister's plans to create and resource a rural schools estate that is fully equipped to play a significant role in the continued growth of our local knowledge-based economy. Those of us immersed in rural life are grateful that we have an Education Minister who is committed to making tough decisions in the interests of our children and young people in rural Ireland.

The Minister could stand up here and announce that every school in the land is free to remain open. Indeed, he has previously replied to Members' questions by saying that he has the budget to keep open all our schools across the board, if he so wished. So, if he wants to, he can stand up here today and announce that he is going to continue to pour huge investment into dozens of unsustainable schools, and, undoubtedly, at the end of the school year, we would all be staring at the same levels of underachievement and be wondering what went wrong.

The worst thing that anybody could suggest that we do is to stick with the status quo. If there is one sure and fast way to increase the numbers from rural Ireland heading for the dole queue or the passport office, it would be to sit back and do nothing. Moreover, we have seen hundreds of millions of pounds invested in the local schools estate in recent years, so we must ensure that we are sustaining and investing our resources in the best possible way and in the right places.

That is the context that has informed a wide-ranging discussion surrounding area-based planning and the future of education provision. Thankfully, this discussion has, to a large extent, led to the acceptance of the rationale for change and the grasping of the need to address deteriorating situations with innovative and, most importantly, locally based solutions. As outlined earlier, area planning is the mechanism that enables the sustainable schools policy to be delivered across the schools estate, with a framework criteria and indicators for addressing the range of factors that may affect a school's sustainability. Crucially, the policy explicitly recognises the particular needs of a rural community, including a lower enrolment threshold, accessibility criteria and community links criteria. Indeed, before it was published, the sustainable schools policy was assessed against the Rural Development Council's rural proofing checklist — set out in the report 'Striking the Balance' — and it was found that no adverse impact was identified.

Mr D Bradley: Will the Member give way on that point?

Mr Hazzard: Sorry, I just want to finish.

Currently, and in the future, any and all proposals to close or amalgamate a rural school will be subject to an assessment using the above criteria. Most importantly, a public consultation giving the local community the opportunity to voice its concerns will always take place.

The various boards, CCMS and the Minister will no doubt have very difficult decisions to make, decisions that will not always prove popular, but if we are serious about raising standards and opening up educational opportunities for all our children, we must be prepared for this journey.

The Minister has repeated to the House on several occasions that the central consideration in any and all proposals will be the educational benefit of the pupil of today and of tomorrow. It is in that light that I welcome recent assurances from the Minister that area plans will be

reviewed regularly to ensure that they remain fit for purpose and will reflect local circumstances in years to come. If we all accept the need to raise standards and to tackle underachievement and inequality in our system, we must all consider the gaps in achievement to be unacceptable. Few could argue that at the heart of addressing such issues must be a focus on the provision of our education services and schools estate. We simply must address the fact that we have too many schools that do not have the capacity to give our children the broad and rich educational experience that they deserve; schools that, in some cases, have lost the confidence of the parents, pupils and the communities they were first built to serve.

Mr Storey: Will the Member give way?

Mr Hazzard: I just do not have too much left to finish this off.

The Minister has repeatedly said that this process of area planning, just like the common funding review or the recent report on the future of shared education, is not a numbers game and not an economic equation.

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

Mr Hazzard: Instead, it is an education necessity to enable future educational excellence for all.

I call on all public representatives and educational voices to approach this debate with reason and caution —

Mr Principal Deputy Speaker: I am sorry but the Member's time is up.

Mr Hazzard: I support the motion.

Mr Rogers: I thank the Members opposite for bringing the motion to the House. The SDLP will support the motion and the amendment. I declare an interest as chairman of the board of governors of Grange Primary School.

Members of the House recognise the importance of our rural schools. We only have to consider the number of times the topic has been debated here. Rural schools, despite having small numbers, are the key to the maintenance of the rural identity. The shop and the post office may have gone, but the school is the heart of the community. Generations of the same family have attended the school. Good schools are a reason why people want to settle in an area. What encouragement is there for a

young couple to settle in a rural area if the school is removed?

Schools like Clontifleece and in Burrenreagh in my constituency, despite being well under the 105 threshold, deliver a high-quality education and are within budget. They have survived the famine and are now under greater threat. The Minister tells us that it is not about numbers but what is best for children. Let me quote from the Clontifleece inspection report:

"The strengths of the school include: the strong family ethos and effective links with the local community; the very good quality of the pastoral care provision; the very good working relationships at all levels; the quality of the teaching observed; the effective leadership of the Principal; and the standards achieved by the children in literacy and numeracy."

As for St Patrick's Primary School, Burrenreagh:

"A strong sense of community pervades the life and work of the school. The Principal and his staff are dedicated and committed to the school ... the staff ... work very well ... to provide a secure and supportive environment for learning."

Is that not what is best for children — a quality education?

Small schools are at the top of the national performance, not least in low-income and remote areas. The effective ingredient is the close partnership between home and school. The children feel safe and secure. They feel that effort is worthwhile and achievement possible. The evidence shows exactly that, and a high quality of teaching relationships and related achievements endures. Those schools are able to promote the talents of each child and to support all children with learning difficulties.

Much has been said about area planning as the mechanism for the delivery of the sustainable schools policy. The audits leave a lot to be desired, considering that both CCMS and the education and library boards have a limited knowledge of rural proofing. They have worked in isolation. The penny did not drop that shared education could be a win-win for the school and the wider community, giving children the opportunity to be educated together and maintaining the rural school.

The Minister's emphasis, in fairness, is on raising standards and tackling

underachievement and inequality in the system, but if he carries through those proposals — the buck stops with you, Minister — he will create the inequality, in that rural children will not have access to a local school. Such decisions would be contrary to the rural White Paper action plan.

As the Member opposite said, it is not about the Department of Education alone. Other Departments, such as the Department for Regional Development (DRD) and the Department of Agriculture and Rural Development (DARD), have a big role to play. I am thinking particularly of DARD. If rural schools are forced to close, there will be an exodus to towns. That will erode the rural social fabric, and young couples will settle in the urban areas, which, in turn, will limit rural development opportunities. Surely that is an important part of the DARD brief.

Time limits me in doing justice to the post-primary sector, but right across the North there are rural secondary schools with numbers well under the threshold. How many schools will remain in rural Fermanagh if the threshold is observed? Minister, you must give time and due consideration to the community development plans, be it the cross-sectoral proposals from St Aidan's or the cross-border proposals from St Mary's in Brollagh. Minister, you have said that it is not about money, and it has been repeated by your party colleague. I do not want schools that are failing pupils to be kept open either, but you must realise that closing schools will not realise significant savings and will potentially incur extra costs through transportation, staff redundancy and renovation of remaining schools.

Mr Storey: I thank the Member for giving way. In an answer to the Member's colleague Dolores Kelly, the Minister clearly indicated that it is about money, because he highlighted the differential, which in some cases is between £14,000 per pupil in one school and £2,500 in another. So, clearly, the Minister is looking at the disparity on a financial basis, which is very worrying, and is another issue that the Minister needs to address when he speaks to the House today.

Mr Rogers: Thanks for the Member's intervention.

It is totally unacceptable that, despite area plans being completed last year, it took CCMS until late February or March to bring its proposals to the schools. There is no consideration of school communities in rushing this through. I call on the Minister to allow rural

schools the time and breathing space to come up with what he himself calls creative ideas.

Mr D Bradley: I thank the Member for giving way. The Member referred to the sustainable schools policy and how it is being delivered. Does he agree that the viability audits and the subsequent reviews carried out in the primary sector were based on only two of the policy's six criteria? So the policy has not been properly applied, and the outworkings of that are that smaller schools have been earmarked for closure regardless of the standard of education that they deliver, their standing in the community and the other criteria, including leadership, management and accessibility.

5.00 pm

Mr Rogers: I thank the Member for his intervention. I beg your indulgence, Mr Principal Deputy Speaker. I hope that you will give me a little while to finish off.

Mr Principal Deputy Speaker: The Member has one more minute.

Mr Rogers: Thank you. As I said, schools such as Clontifleece Primary School, St Patrick's Primary School in Burrenreagh, St Aidan's High School in Derrylin or St Mary's High School in Brollagh will rise to the challenge and produce a viable alternative to closure, so I ask the Minister to put the brakes on.

If the Department continues its crusade to close rural schools, it will not be for reasons of inadequate education provision or poor financial management —

Mr Principal Deputy Speaker: I am sorry, but the Member's time is up.

Mr Rogers: — but simply because they are small country schools that fail to meet the enrolment criteria. I support the motion.

Mr Lunn: I support the motion and will not die in a ditch over the amendment. I am not sure that we need a legislative presumption or otherwise. To me, there is almost a de facto presumption against it already, but we will not fall out about it.

There has been a lot of talk about rural schools being the centre of the community, and that is absolutely valid. That could, in fact, be the main reason for keeping some of them open. A lot of fear has been expressed about the flawed process. I am not sure what process would not

be flawed when we are talking about something as emotive as the potential closure of small schools to which people have such an attachment. Whatever process is used, there must come a point — probably the one we are at now — where schools have been named and a doubt set against them. Minor suggestions in the area plans go nowhere near far enough, in my opinion.

Then, of course, we get a self-fulfilling prophecy. I see Jonathan Craig looking at me because we went through this in Lisburn a few years ago when four schools closed. When it was suggested that they close, they had about 200 pupils, but, by the time they closed, there were only about 70 pupils across all four schools. The point is that parents vote with their feet. I have some sympathy with the Minister on this because, whatever the right process is, I do not believe that we have come up with it yet.

The criteria are very well known. The Minister has said frequently that this is not a numbers game, and everyone around the table in the Committee for Education agrees with that. It is not about numbers; the main criteria are quality of education and the ability to live within budget. I take the point about some small schools in which the cost per pupil is enormous compared with the norm. The question is whether it is worthwhile, and I have no doubt that, in some situations, it is, but we will just have to suffer that.

Other considerations include community involvement, which I mentioned as being vital in a rural area. I also take the point about the definition of a rural area being quite ridiculous. I do not regard Lisburn as a rural area, certainly not its centre. Lisburn is a city.

There are other issues to do with transport and the maintenance of the school estate. If the maintenance of a building was costing a fortune, a decision would have to be made about keeping a school with 20 pupils open.

The final consideration is extremely important. Mr Deputy Speaker, you would expect me, as a supporter of the integrated movement, to say that parental choice has to be high on the list. Let us face it: if parental choice was paramount, we would still have 1,200 schools at the end of this process because not one would close.

Ultimately, we and the Minister are here to make decisions. I just hope that he comes at these decisions in a fair-minded and open-minded way. There is a development process, and he is at the head of the pyramid. He will

have to make some very awkward decisions, and I trust that he will make them in a sensitive way.

To my mind, the area plans were flawed in a different way. There is no escaping the fact that they were going to cause consternation. However, in my opinion, the area plans were flawed by the fact that the boards and CCMS were tasked with working jointly to produce them. I see no evidence whatsoever that they did work jointly. In fact, I think that they worked in separate rooms or buildings and tried to dovetail their two reports at the end of the process, with the inevitable result that there are effectively no cross-sectoral proposals in the area plans. I have no doubt that somebody will come up with one somewhere in some townland that I have never heard of, but there are basically no cross-sectoral proposals in the plans.

We need an element of realism in all of this. At the end of the day, we are the legislators. We have to make decisions, and I hope that some of those decisions will be cross-sectoral. Quite how you go about that is another legal minefield. You may have a school that is the centre of a small community. If you have two schools in the same small community, both with 20 pupils, but one is maintained and one is controlled, what is the answer? Do you keep them both open? Do you create a Moy situation?

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

Mr Lunn: I am glad that I got that in, because I could talk about that for five minutes. I think that you know where I was going with it, Mr Principal Deputy Speaker.

Miss M McIlveen: I support the motion. My colleague Mr Storey has already noted that we accept the principle of the Ulster Unionists' amendment. A presumption in favour of keeping a rural school open is part and parcel of what should be contained in a small schools policy. A presumption, however, is only a minor part of what is needed. The most important thing to consider is how, cross-departmentally, we can take positive steps to improve rural schooling and enhance not only pupil outcomes but rural communities. The motion is about more than simply creating a hurdle. It is also about adding value to those schools.

My colleague Mr Storey outlined the problems with the current process being based on fear of closure, its failure to tackle the one-school-per-

parish policy in the maintained sector, and the lack of savings that would come from such a reorganisation.

The proposer of the motion referred to Scotland in his opening remarks. The independent Commission on the Delivery of Rural Education was established by the Scottish Government and the Convention of Scottish Local Authorities in July 2011. Its report was published just last month and makes 38 recommendations on the delivery of all aspects of education in rural areas. Of course, here is not Scotland, and we face very different challenges. It would be impossible and foolish for us to attempt to transplant what is proposed there to our circumstances.

However, there are very important and valuable themes that could be applied to the Northern Ireland context. At the heart of that report is the principle of not only Departments working together but local government, the voluntary sector and the third sector. If such recommendations were to be taken forward in Northern Ireland, it would involve not only the Department of Education and the Department for Learning and Employment (DEL) but the Department of Enterprise, Trade and Investment (DETI), the Department of Health and DARD, working together with the boards, trade unions, schools, universities and further and higher education institutions.

There is little point in simply having a presumption against closure without being innovative and visionary about the central role that we want rural schools to play in our communities. The Scottish report highlights the importance of developing rural schools as community hubs that offer accessible integrated early education services. There is also a need to truly understand the vital nature of what rural schools currently are and to realise their potential.

There is also little point at this stage in a presumption against closure, given the broad definition of a rural school. What is needed — this is the purpose of the DUP motion — is a small schools policy. The Minister has plunged us into the midst of a process without such a policy being in place. That policy needs to provide clear guidance on what constitutes a small rural school and how agencies, Departments, local councils, unions and other sectors can work together to bring the best out of our small rural schools. Area planning is being treated simply as a schools estate issue, but it has a cross-departmental impact. Those Departments should be working together on transport, rural development, economic

regeneration, further education, health and the use of the schools estate for the wider community.

The policy also needs to develop a means to assess that impact in order that it can be taken into consideration when a decision on the viability of a school is being made. However, importantly, it also needs to address the impact of a school's closure on a community.

The policy needs to look at innovative ways of income generation for schools and the delivery of early years provision in rural communities. We should look at whether a success can be made of such schools before a decision about closure is contemplated. Like my colleague, I find it incredible that the process is ongoing without such a policy. At the moment, it looks like it is financially expedient for the Department to close these schools without taking those considerations and factors into account.

Mr Storey: I thank the Member for giving way. As we understand it, the Minister will bring forward recommendations in a few weeks in relation to Sir Bob Salisbury's report that will possibly remove the small schools factor, and in the absence of a small schools policy. Does she accept that this is the reason why the Minister should clarify today what will come first; the small schools policy or removing the funding?

Miss M McIlveen: Absolutely. Without that, it looks like area planning is going to close those schools by stealth.

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

Miss M McIlveen: As I said earlier, the Ulster Unionists have tabled something that we would consider as being part of such a policy. However, the detail of such a presumption needs to be fleshed out. In Scotland, where a presumption exists, there are problems in its application. The recent rural schools report has called for clearer guidance to be issued. I have already touched on the definition of rural schools, which would need to be seriously reconsidered in the light of any legislative presumption against closure being put in place. At present, schools not in the urban areas of Londonderry and Belfast are rural schools. If we are to have a legislative presumption against them, it must be a workable one.

I commend the motion to the House.

Ms McGahan: Go raibh maith agat. I support the motion and the amendment. Rural schools go to the very heart of our communities. Not only do they sustain rural communities, they create employment in local communities. I am a parent living in a rural area, and my daughter attended a rural primary school. We as a community have always wanted our children to have access to the full range of the curriculum and, at the heart of that, to have a quality education. Rural areas deserve that in the same way as urban areas. I want to take this opportunity to commend the contribution that some small schools make to educational attainment and community cohesion.

The Minister of Education has stated during many Question Times that:

"Area planning is the mechanism for delivering the sustainable schools policy. Enrolment trends are only one of a full set of six criteria specified in the policy against which a school's sustainability is assessed."

He goes on to say that:

"The policy is not used ... to close schools that fall below enrolment thresholds. The policy also includes an accessibility criterion that provides guidance on home to school travel times."

The Minister has alluded to the sustainable schools policy, which provides the basis for this work, and he does take account of the particular needs of rural areas. The policy specifies six criteria to be used in assessing a school's educational viability: quality educational experience, sustainable enrolment trends, a sound financial position, strong leadership and management by boards of governors and principals, accessibility, and community links.

Accessibility is one of the key measurements of poverty, especially in rural areas. Regardless of location, a school must be educationally viable and deliver a quality education to today's generation of young people.

As I said, the sustainable schools policy contains a section on rural issues. The particular needs of rural communities are central to the policy and are reflected in the lower enrolment threshold for rural primary schools and in the accessibility criteria, which provide guidance on home-to-school travel times.

The Department of Education has consulted with the Department of Agriculture and Rural

Development regarding the development of a sustainable schools policy. The Department of Education was an active participant in the development of the rural White Paper, and the Minister of Education has given his commitment to ensure that children from rural areas have access to high-quality education.

5.15 pm

It is important that local communities look at options for sharing provision to maintain a school in the local area to serve local children where that school faces challenges. In my constituency of Fermanagh and South Tyrone, I attended a meeting designed to work out a way forward for two small schools in the Moy, which is a rural village. The Moy Regional and St John's primary schools have decided to look at options that will allow both schools to maintain their identities while securing their future so that they provide first-class education to their communities. I welcome the acknowledgement from the Minister of Education that there are no legal barriers to the options that have been brought forward. I commend the responsible attitude of teachers and school governors in both schools, who are prepared to look at all options to secure a good education for the children. I will continue to give my support to the efforts of both schools to work out the best option possible that will maintain the separate identities of both schools whilst meeting the requirements of the area plan to deliver a first-class education.

Finally, whether they are in an urban or a rural setting, schools are there to meet the needs of the pupils and provide high quality education.

Mr Anderson: I welcome this debate, which is on an issue that goes to the very heart of our rural communities. I commend my party colleagues for bringing the motion to the House.

The education and library boards' draft primary area plans have been out for consultation since 19 March, and the consultation has been extended to the end of next month. Those plans, which set out a framework for future provision, have caused considerable alarm across Northern Ireland, and nowhere more so than in the rural areas. I know that the area plans on their own cannot lead to schools being closed, but I fear that that is the direction in which we are headed.

The Ulster Farmers' Union's deputy president, Barclay Bell, has warned that the plans will have:

"a severely detrimental effect on rural primary schools."

He has also warned that, even though no final decision has been taken regarding the majority of school closures, there will be a negative impact on new enrolments to schools where there are suggestions of closure. That, he said, could signal the death knell for many schools by eroding their sustainability.

It is vital, therefore, that people take the opportunity to respond to this consultation. School principals and boards of governors must respond. Parents and, indeed, anyone who has interest in the education our children and the future of our local communities should make their voices heard and their views known.

As I have already said, this issue strikes at the heart of rural communities. While the Minister tells us, as has been mentioned today, that the planning process is definitely not a numbers game based solely on enrolments, there is considerable concern in the rural areas of Northern Ireland about the future of some of our excellent primary schools. In some ways, our concerns go beyond the potential impact of the area plans. The current situation that some primary schools find themselves in is far from satisfactory. Indeed, it is quite worrying for parents and the children.

In the time available to me, I want to illustrate those concerns by focusing my remarks on the issues and challenges in Richmount Primary School in the village of Scotch Street, which is just outside Portadown in my Upper Bann constituency. I declare an interest as a member of the board of governors of Richmount Primary School.

Several years ago, preschool provision was withdrawn from Richmount Primary School. Since then, parents have had no choice but to send their children to other preschool nurseries and playgroups outside the area. That has had a detrimental effect on the enrolments. A couple of years ago, a privately funded initiative ensured that preschool provision was restored to the school with the formation of the Richmount Preschool Playgroup, which is privately funded. Despite our best efforts to get funding for that playgroup, we are repeatedly told by the preschool education advisory group (PEAG) that there is no unmet need in the area and that Richmount does not meet its funding criteria. We are told that if the playgroup gets eight applications, it will qualify for funding. However, although that seems straightforward in theory, it is very hard to convince parents to apply to Richmount when there is no guarantee

of funding. Therefore, we are trapped in a vicious circle.

The demographics of the area are interesting. Scotch Street village and the greater Richmount area have seen very significant population growth in recent years. There has been a 700% increase in the population of Scotch Street over the past decade, it has one of the highest birth rates in the Craigavon and Armagh council areas, and it is attracting many young families. I have to ask: what data are now being used by the PEAG as the basis for its admission criteria? It seems to me to be greatly out of date and in urgent need of review.

If things stay as they are, the Scotch Street village children will continue to be forced outside the area to take up places in schools in urban areas. If Richmount cannot attract children to its preschool provision, it will, to put it mildly, face a very uncertain future, yet, as I have shown, that school has so much potential in an area with a growing population. I understand that the Minister is well aware of the issue, and I look forward to what he has to say about it later. I am also aware of the concerns of a number of other primary schools in my constituency and the neighbouring constituency of Newry and Armagh — Blearly Primary School and Eglis Primary School in Annaghmore near Portadown are two. It is clear that it cuts right across schools in the controlled and maintained sectors.

The rural White Paper plan commits the Executive to the development of rural areas and to supporting our rural communities. Every effort should be made to support the rural way of life and its obvious benefits to society as a whole. Serious thought needs to be given to an education strategy that will preserve and enhance the role of rural schools, which are at the very heart of our communities. I support the motion and the amendment.

Mr Sheehan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I support the motion and the amendment, although I do so with no great enthusiasm. I tend to agree with Trevor Lunn that the six criteria of the sustainable schools policy are effectively legislative presumption against closure.

I started my speech last week in the debate on primary schools in south Belfast by stating how agreeable the debate had been. I did not realise that the Chair of the Committee was about to lob a couple of grenades into the Chamber — metaphorically, of course. However, I will start today by saying that I am glad that there is at least some agreement:

every Member so far has said that there is no way that we can defend all rural schools remaining open. That is a starting point.

The motion calls on the Minister to consider the issues associated with rural schools in the context of area planning. First, we need to understand the background to area planning. Area planning, as has been stated, is merely a mechanism for the delivery of the sustainable schools policy, which provides a framework of criteria and indicators against which the sustainability of any given school may be measured.

Mr Storey: Will the Member give way? I promise that I will not throw a grenade.

Mr Sheehan: OK.

Mr Storey: If the sustainable schools policy is everything that it is supposed to be, why is the Minister proposing to bring forward a small schools policy? We need a small schools policy because the sustainable schools policy is not adequate to deal with the issues facing rural schools. As promised, no grenade.

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

Mr Sheehan: I never said that the process was perfect, and I am sure that the Minister is quite capable of answering the question about the small schools policy when speaks.

The six criteria have been mentioned in the House on numerous occasions: quality of education; sustainable enrolment trends; sound finances; strong leadership; accessibility; and community links. Dominic Bradley said earlier that only two of those criteria — enrolment trends and sound financial management — are being used. I see no evidence that only two criteria are being used. If Dominic has evidence that only two are being used, let him bring it forward, because I certainly would not —

Mr D Bradley: Will the Member give way?

Mr Sheehan: Let me finish this point. I certainly would not support just two of those criteria being used. Go ahead.

Mr D Bradley: I thank the Member for giving way. The Minister, to my knowledge, directed that three of the six criteria — standard of education, enrolment figures and financial situation — be used in the viability studies and

in the reviews. Mr Sheehan, if you care to read the reports on some of the reviews, you will see very clearly that they are based mostly on finances and enrolment. Absolutely no consideration is given to the standard of education, even when there is an objective inspector's report stating that a school has reached a very high standard of education. Wake up to the fact, Mr Sheehan, that the sustainability policy has been set aside and that schools are being treated unfairly and disrespectfully.

Mr Principal Deputy Speaker: Interventions should be short. You are using other people's time.

Mr Sheehan: I thank the Member for his intervention. I do not accept what he says. I do not know what criteria were used in the viability audit, but if the Member wants to bring evidence to me that only two criteria are being used, I will certainly make representations on his behalf to the Minister. In any event, any decision to close or amalgamate a rural school is subject to an assessment using the criteria that are set out in the policy, and it is worth noting that because rural schools play an important role in helping to sustain rural communities, it was decided, rightly, that the sustainable schools policy would be rural-proofed prior to its publication in 2009. That rural-proofing ensures that proposed policies do not indirectly have a detrimental impact on rural dwellers and communities.

It is also worth noting that the Minister of Agriculture and Rural Development has said that her Department is willing to give support and guidance to the Minister of Education, if required. The motion talks about working in partnership with other Departments, and there is evidence that the Minister of Agriculture and Rural Development is willing to do that. She has also stated clearly that the schools estate is a matter for the Minister of Education. However, she is willing to help where she can. It is similar to last week's debate on the issue of the location —

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

Mr Sheehan: — for an amalgamation of schools in south Belfast. We hope that there will be partnership between the —

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

Mr Sheehan: — Health Minister and the Minister of Education.

Mr Principal Deputy Speaker: I call Mr Joe Byrne. Unfortunately, I have to call the Minister at 5.30 pm, Joe, so I ask you to limit your remarks to three minutes.

Mr Byrne: Thank you, Mr Principal Deputy Speaker. First, this issue of rural schools is running very strongly in west Tyrone. In the Omagh district alone, 28 out of 42 primary schools are under threat because of the criterion for 105 pupils. In the Strabane district, 12 schools are under threat because of the numbers criterion. I am disappointed that only Mr Buchanan and I are here from the West Tyrone constituency. I thought that the Minister's party colleagues, who have been so vociferous about rural development in the past, would have been here.

The sustainable schools policy, as outlined by the Minister, is centred on a number of criteria, as others have mentioned. The Western Education and Library Board has done very good work over 20 years. It has a small schools support structure that has been very good in preserving and protecting rural communities and the rural infrastructure in many places. However, devastation of our primary schools is the looming fear, given what I have outlined. These issues are causing major concern. I have attended a number of public meetings. Three weeks ago, there was a massive public meeting at Envagh Primary School that was attended by parents, former pupils and, indeed, principals of other schools both from the controlled sector and the maintained sector. They were all echoing the same sentiments.

The reality is that the rural primary school is at the centre of the community. It is more than that: it is the heartbeat of the community, because it represents the future prospects for that rural community. If rural development is to mean anything, the protection of the rural primary school is crucial.

I have a lot to say about secondary schools, but that is not the issue today. I commend the Members who tabled the motion and, indeed, the amendment. The issue is affecting many groups and stakeholders. I am delighted that the Ulster Farmers' Union, NIAPA and other rural community organisations are waking up to what is happening. The question I have to ask is this: is urbanisation the only policy ahead of us? That is what is being promoted: urbanisation on an ever bigger scale. That begs the question: is the game plan about

urban social engineering? That is the fear. I come from a county in which the GAA is very strong. There are over 50 GAA clubs, and they are all centred around the parish structure and the rural primary schools. If there are no local primary schools, those clubs will have no future.

5.30 pm

Mr Principal Deputy Speaker, I see you nodding at me advisedly. I respect your position, but in another area of my parish, there are six primary schools: two very large urban one, Christ the King and St Mary's in Killyclogher, and four smaller ones, Recarson, Mountfield, Knockmoyle and Tyrcur.

Mr Principal Deputy Speaker: The Member's time is up, and I thank him for his co-operation. I now call the Minister of Education, Mr John O'Dowd.

Mr Byrne: I call on the Minister to please implement and bring forward a small schools policy soon.

Mr Principal Deputy Speaker: Order.

Mr O'Dowd (The Minister of Education): I am tempted to say to Mr Byrne, "Welcome to government". If the rumours are true, and he has to make decisions going into the future, he will find that more detail will be required than broad sweeping statements and platitudes to satisfy the needs of government.

Cuirim an-fháilte roimh an deis labhairt libh faoin méid atá ar siúl agam le freastal ar riachtanais páistí i bpobail tuaithe. I very much welcome the opportunity to outline what I am doing to address the needs of children in rural communities. Since 2011, my focus has been on putting pupils first; in fairness, some Members recognised that. However, if Members review most of this evening's contributions, they will see that very few people actually mentioned pupils. There was a lot of talk about pubs, shops and schools. Schools are neither a pub nor a shop. They are a public service, and their function is to deliver high-quality education to the young people whom they serve. That is their function. No other function: that is their function.

I make no apology for wanting to ensure that all children, whether they live in an urban or rural setting, have access to the same high-quality education. You will, therefore, not be surprised when I tell you that my focus is on the children in rural communities and not on the school buildings. Schools are there to serve the needs

of the children who attend them. They cannot continue to be there simply because they have always been there. What was good in the past may — I emphasise "may" — not be what is needed in the future.

Our education system must be fit for purpose and must serve the needs of children, regardless of where they live. That is why I am pushing forward with area planning and the implementation of a suite of policies aimed at school improvement and raising standards. Our geography is such that there will always — I emphasise "always" — be a need for a significant number of small rural schools.

Members may want to temper their language in the sense that, when Members stand up and suggest that 28 out of 45 schools in their constituency are under threat, are they doing anything to help the debate or are they just adding to the concerns of the schools, the parents and the pupils in those areas? No school is under threat. No decisions have been made. A consultation document is out, and I encourage all Members, and their local schools and communities, to respond to it. We then go into a process of possible decisions on the future of individual schools, based on the area planning context. That is where we are.

Mr Bradley made an assertion about the criteria, which rose from two to three during his contribution. That was the viability audits, and those criteria were valid in those audits in the sense of moving towards area planning and sustainable schools. They will not, however, be taken in isolation. All six criteria will be used to measure the future of an urban or rural school going into the future. It was a valuable exercise, and I am going to repeat it. On the one hand, you cannot ask for more information to be made public because parents have a right to know, and then say, "Hold on", there is only some information we should give them. We have given the information to parents and communities and allowed those parents and communities to make decisions. You cannot, on the one hand, demand full public consultation and then deny information to communities.

The sustainable schools policy defines small rural schools as areas that fall outside the Belfast and Derry city council areas. The Ulster Unionist Party amendment will greatly narrow that definition, and that has to be taken into consideration. The policy takes into account the needs of rural schools through the inclusion of a lower enrolment threshold for rural primary schools. It also has a criterion on accessibility.

This provides guidance on home-to-school travel times. Many Members referred to the strong links with the community during their contribution today. I am born and reared a rural boy. That is my background. I was born and reared in the rural community. I am not saying that I know and can define the rural community in every way, but I lived in it, I went to school in the rural community, and I know the links between a rural community, its school and its sporting or other organisations.

That criterion is very strong and prominent for me moving forward, but you cannot take that on its own and ignore education. You simply cannot do that. Although those links are important, I must stress that they must be balanced with the primary importance of ensuring that a school is delivering a quality education experience for children. I believe that that is the best way forward for sustaining rural communities. If you can promise a rural community that they will have excellent education, why would rural dwellers leave the rural community? There would be no need, because their children would be receiving an excellent education.

During the development of the policy, my Department engaged with officials from the Department of Agriculture and Rural Development to ensure that rural needs were addressed. The policy was also assessed against the Rural Development Council's rural proofing checklist — set out in its report 'Striking the Balance' — and no adverse impact was identified.

My Department was an active participant in the development of the rural White Paper, and I have given a commitment to ensure that children from rural areas have access to high-quality education. The rural White Paper also contains commitments from my Executive colleagues on matters relating to their responsibilities, and I can assure you and all gathered that I will work closely with my ministerial colleagues to secure the best education possible for children in all communities. Indeed, I am due to meet the Minister of Agriculture and Rural Development in the coming weeks to discuss this very issue.

I commend the contributions that many of our small schools make to educational attainment and community cohesion. However, we must also recognise that a number of small schools encounter difficulties not only in delivering the curriculum but in operating within their budget. As Mr — the Chair of the Education Committee; how could I forget your name? — Storey pointed out or suggested, I have said that this is

not budget driven. We could continue with the current budget. He used the example that perhaps I have deviated from that because he said that, in response to another Member, I said that in one school we can educate a child for £2,000 and in another school it takes £14,000. If that has to continue, that has to continue, but I have to use resources wisely. I suspect that the Department of Finance and Personnel and, indeed, the Minister, will expect me to use resources wisely in the future.

The challenges for small schools increase greatly in primary schools with more than two age groups in a composite class. Small post-primary schools also face a number of challenges, particularly in ensuring the availability of sufficient specialist teachers to provide effective teaching and assessment in all areas of the curriculum. Let me be clear: the sustainable schools policy does not, and will not, seek a one-model-fits-all solution to the problems brought about by demographic decline or movement.

Mr D Bradley: Will the Minister give way now?

Mr O'Dowd: I will, yes.

Mr D Bradley: I thank the Minister for giving way. He mentioned that two criteria were used during the viability exercises and that the other four criteria of the sustainable schools policy would be applied. Will the Minister tell us when they will be applied, by whom they will be applied, and whether they will be applied objectively and fairly?

Mr O'Dowd: The Minister actually said that three criteria were used during the viability process. All six criteria will be used during the development proposal. How will they be applied? They will be applied by my Department, and I will not make a decision — I am the final decision-maker on all these matters — with regard to any school without taking into account all six criteria of the sustainable schools policy. I hope that that satisfies the Member.

The sustainable schools policy provides a consistent framework within which any review of a school's viability can be handled carefully and sensitively, taking account of local circumstances on a case-by-case basis. Indeed, when Mr Kinahan was reading out how the Scottish apply their policy, I, for a moment, thought that he was reading out our policy with regard to consultation. We involve all those measures that you read out in a consultation and a development proposal. No decision can

be made about the future of any individual school through a development proposal without the consultation process you mentioned.

We have moved towards area planning, and it should not come as a shock to any Member that the need for area planning has been obvious for several years. We are moving towards it. Yes, it causes sensitivities in the communities and schools that it affects. However, I urge that the best way to keep any rural school open is for the local community to send their children to that school. That is the most definitive way to keep it open. In areas where there is a falling population or a very isolated population, or where there is an isolated community within a larger community, you have to look at that in a different way. You have to look at the six criteria in the policy and ask what are the best needs for the education and the community in the area. The area planning process will take that all into account.

As I have said, if development proposals come forward after the area planning process and the consultation process have ended and I respond to the consultation process, I will take each one of those into account individually. I will engage with local communities, the school, the pupils and political representatives before I make any decision about any school.

The Chair of the Education Committee has advised that I do not say this again, but this is not a numbers game. I do not know how many times I have to say it, but I will keep repeating it time and time again. This is not a numbers game. I am not responsible for the editorial stance taken by a number of our local newspapers, which printed a list of schools that fell under 105 and said that all those schools were under threat.

Mr Storey: Will the Minister give way?

Mr O'Dowd: Just give me one moment. I am not responsible for that. I assure you that I will not take my guidance on the future of any school from the editorial stance of any newspaper.

Mr Storey: I thank the Minister for giving way. You are responsible for the sustainable schools policy. It states 105 and 500, and you know that there are others who have now made recommendations to you to reduce that to 84 for rural primary schools, namely CCMS. I want clarity around the use of arbitrary figures. If it is not a numbers game, remove the arbitrary figure and use the policy to determine the future of the school.

Mr O'Dowd: The policy will be used to determine the future of a school. The figure is only one criterion against which a school will be judged. It is a sensible figure in the sense that it measures against the needs of the curriculum, etc. I believe that you need a figure in the policy, and that is the right policy.

In regard to recommendations from anyone else about what the figure should be, I am more than happy to engage with bodies and to have discussions. However, at the end of the day, I make the decisions around these matters, and I will continue to make the decisions around these matters.

Mr Byrne: Will the Minister give way?

Mr O'Dowd: I am conscious that I am running out of time.

In respect of public services, I have said that a school must be fit for purpose. Where it can be clearly demonstrated that a small school is needed, it should be retained and supported to ensure that quality education is the prominent characteristic of that school. That is one of the instances where we have to offer additional financial needs to some of those small schools.

In regard to the amendment, I understand that the legislation and process in England and Scotland to deal with rural schools differ from ours in some ways and match ours in other ways. The Members who proposed the amendment will need to decide which they prefer, and they need to admit that English and Scottish legislation can and does lead to the closure of rural schools in those jurisdictions. However, I believe that we share the same goals. We all want to provide the best education possible for our children. That is what schools are for. That is my prime consideration in looking at schools, whether they are urban or rural.

I am confident that the processes that we already have in place — the sustainable schools policy and the development proposal process — take proper account of the particular circumstances of an individual school and of our rural schools estate. However, I have no difficulty in principle in agreeing to the spirit of the amendment, although area planning, as currently constituted, will continue until the full implications of any decision by the Assembly today are fully investigated.

All children, whether they live in rural or urban areas, deserve the same high quality of education. No Member of this Assembly can dispute that. The key focus, therefore, must be

on the provision of the best education for all our children. I assure Members and the public that I am fully committed to ensuring that that happens, and I am fully committed to consultation. No decision has been made in regard to any rural or urban primary school or post-primary school. The only way that a decision will be made will be through the development process. As part of that process, I commit to engaging with all key stakeholders, fully implementing all six recommendations in the sustainable schools policy before making any decisions about the future of any school. Go raibh míle maith agat.

Mr Principal Deputy Speaker: I call Mrs Jo-Anne Dobson to make a winding-up speech on the amendment.

5.45 pm

Mrs Dobson: I thank the Members who tabled the motion and welcome the opportunity to make a winding-up speech on the Ulster Unionist amendment. My colleague Danny Kinahan spoke in detail on that, and I support all that he said, especially about the importance of the introduction of a legislative presumption against the closure of rural schools — it is just a pity that the Minister would not let Danny come in again to defend the attacks on him.

Rural schools are, and should remain, at the very heart of what it is to be a rural community. Both my boys attended a rural primary school and benefited from being educated close to home in their community and with their friends. Although it is right that we recognise the need for ongoing improvements in all public services, including schools, creating a culture of fear and uncertainty among the public is no way to create a 21st century education system. Area planning strikes fear at the heart of rural communities — fear that their schools could be shut down or will remain unfit to accommodate the needs of families moving to the countryside.

Last week marked the sixth anniversary of Sinn Féin holding the Education Ministry. Instead of standing up for all that is good about our schools, the Minister's bulldozer approach to education could cause irreparable damage to the rural way of life in Northern Ireland.

Parental choice should be the cornerstone of our education system, but I am sure that I am not alone in the Chamber in having parents approach my office in recent days and weeks because that choice has been denied them — parents unable to secure a preschool or primary-school place for their son or daughter

close to home. The schools affected include Orchard County Primary School, Donaghcloney Primary School and St Francis' Primary School, Loughbrickland, in my constituency. Parents of young children told me that they will categorically not allow their four-year-old to travel on the bus from Loughbrickland to Banbridge from September. These are the voices of real parents concerned that policies introduced by the Minister could put their children in danger.

Imagine, for a moment, the impact on parental choice if the Minister shut down rural primary schools across Northern Ireland. How many more children would be denied the option of going to school in their community with their friends? How many more four-year-olds would have to join a queue at a bus stop in the morning? These are the real human consequences of departmental policies: the consequences of denying the rights of rural people to a rural service.

The Department of Agriculture and Rural Development will soon publish its rural White Paper. If it is to mean anything to rural communities, it must champion the retention of rural schools as a means of ensuring that isolated communities remain sustainable. The stripping of services from those in isolated areas must be avoided, be it in health, leisure, education or postal services, among others. We should be looking at ways of improving access to services, not denying access. That makes it all the more disappointing that, when given the opportunity, the Department refused to seek the assistance of Department of Agriculture officials to train its staff in rural proofing.

The motion calls on the Education Minister:

"to work in partnership with his Executive colleagues to achieve a holistic solution".

Yet this Minister refuses to seek assistance when offered an opportunity to do so. Instead, as revealed in a written answer to me, he chooses to hide behind the belief that the Rural Development Council's 2009 rural proofing checklist in the 'Striking the Balance' report rubber-stamps his policies. He claims that his sustainable schools policy explicitly recognises the needs of rural communities and that, when measured against the checklist, "no adverse impact was identified."

Tell that to young families who are already struggling to secure a place for their children at a school.

Rural Community Network recognises that the 2009 rural-proofing assessment needs to be updated.

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

Mrs Dobson: If the Minister is truly serious about ensuring that the needs of rural communities will be protected in area planning, he should work alongside his Executive colleagues and not adopt a silo mentality on the issue.

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

Mr Craig: With over 50% of primary schools being situated in what anyone would describe as rural areas, and with most of them being subject to lower enrolments than their counterparts in urban areas, we are all being given a disproportionate sense of the difficulty and problems in rural communities. Although the Minister has outlined strongly the sustainable schools policy and the whole process that has been carried out so far, he needs to recognise that it has caused a lot of concern in rural communities — not unjustifiably, but justifiably so.

I speak as someone who, decades ago, was affected by the same process, which was carried out when I was at primary school. Ultimately, the school was closed. I have to say that this morning I found out who one of the culprits who made the closure decision was. I went through that process as a child. One thing that we all need to take on board, and which the Minister referred to, is that there was not enough talk about the pupils themselves and the impact that the process has on them. I have brought the issue to the Minister on several occasions, having gone through a number of very difficult closures in my area.

A system is needed that looks not only at finances, the number of pupils being enrolled in the school and the impact that the school has on its local community, but at, much more importantly, the impact that closure will have on the individual children in the school. Are we creating a policy that will ultimately see mass closures in rural areas? We are in danger of actually getting there.

From experience in Lagan Valley, which my constituency colleague Mr Lunn referred to, I can say that we have seen rural areas being totally denuded of primary school provision. At present, that is being carried out under the

boards in the controlled sector. We have seen it time and time again. The only criteria that were taken onboard were finance and enrolment — nothing else counted. Will we preside over a system that looks at two or three criteria, or will we look at this in a much more holistic way, by looking at the impact on a community and, more importantly, on pupils themselves?

I am not standing up here to defend the idea that we keep every single school open. I am the first person to realise that that is not a sustainable policy. However, we need something in place that will give us a better solution for the pupils in those schools. I have looked at this map. I see that a number of schools in my area have been highlighted as being unsustainable. The difficulty that I have with that is that I have also looked at the reports that tell me that the achievement of pupils in those small schools is superb. In fact, one is highlighted as being one of the best in the Province. Is the solution just to close that school and send the children to other schools that, frankly, are not performing anywhere near as well as that small school? That would leave a rural area completely denuded of what is seen as the centre of that community.

Mr Sheehan: Will the Member give way?

Mr Craig: I will, yes.

Mr Sheehan: I am slightly confused. The same point has been made by a number of Members. I am not sure whether people are happy with the six criteria of the sustainable schools policy or whether they are concerned that only two or three of them are being used. Are you happy that a process in which the six criteria are applied properly would give a satisfactory outcome?

Mr Craig: No. I think that this goes to the heart of the situation here. Some of us fear that only a number of the criteria will be applied in reality. The Minister has given the House assurances that that will not be the case, and that is fine. However, the difficulty is that all of us are unconvinced that there has been complete rural proofing of the policy. Whether you use six, three or two criteria is irrelevant, because we are not convinced that there has been rural proofing of the policy. That leads me on to my next point.

I did not hear the Minister mention anything about the rural schools policy, which goes to the heart of why the motion was brought before the House today. We believe that we need to

have a clear policy position on rural schools sitting in front of us. We need guidance on what criteria and other factors will be taken into account when looking at a rural school. I understand that the most difficult decision the Minister will probably ever have to make is whether to close a school or keep it open. I have been on the brunt of such a decision, so I understand.

Mr O'Dowd: Will the Member give way?

Mr Craig: Yes.

Mr O'Dowd: In terms of a rural schools policy, as recommended in Bob Salisbury's report, I am reviewing the Salisbury recommendations, and I will report to the Assembly in due course. Members need to understand that, regardless of what policy you bring forward, you will have to make a decision at some stage. If you decide to close a school, that will not be popular with those affected. If you keep it open, you might not hear the outcomes for a number of years, but I can assure you that if that was not the right thing to do, it will affect that rural community.

Mr Craig: I welcome the Minister's intervention and the fact that he will bring forward a policy, which I look forward to seeing. I think that all Members in the House want clarity on the situation, and we will welcome that when it comes.

Mr Byrne: Will the Member give way?

Mr Craig: Yes, but I am starting to run out of time.

Mr Byrne: I thank the Member for giving way. Does he accept that putting 105 up there in big lights is making parents worried and apprehensive about what will happen to their school, with the result that they may try to get their kids into another school that they believe will be viable in the long term, thereby scattering children all over the place? So, the sooner that number of 105 is removed the better, and I hope that the Minister realises that pretty soon.

Mr Craig: I find nothing in that statement that I could disagree with. Whether the number is 85, 105 or whatever, it becomes a self-fulfilling prophecy, and the worst thing that we can do is highlight a number. I know that the Minister said that he is not responsible for this, and I agree with that. However, once a number is highlighted, it becomes a self-fulfilling prophecy,

and that is very dangerous for those schools. I think that we all need an understanding of what will be included in this policy as regards focusing on the pupil first.

I had a major discussion with the Minister about the closure of a certain school in my constituency and what will happen to the pupils in that school. Will they end up being moved from one school to another and then to another and to another? That must become part of the policy too. We need to understand the full impact of this on the educational experience of the children affected by the proposed closures. I accept that they are proposed closures, and that nothing has been settled. I welcome the fact that the Minister will eventually bring out a policy on this, because we in the House need a clear understanding. I am making the assumption that you agreed to bring forward a policy.

Mr O'Dowd: Will the Member give way?

Mr Craig: Yes.

Mr O'Dowd: I hope that I did not give him that impression. We can check Hansard. What I said was that I am studying the Salisbury recommendations, and that I will respond to the House on all the recommendations in due course.

Mr Craig: That highlights our concerns here and why we need this debate. We certainly need clarity on this, and that is why I support our motion and the amendment. Our proposals are quite clear: we want a policy to be brought forward so that we can all understand how these decisions will be made, because they will clearly have a major impact on any small rural community. I commend the motion and the amendment to the House.

Mr Principal Deputy Speaker: I thank the Members for the conduct of that debate.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly calls on the Minister of Education to consider the issues associated with the future of rural schools in the context of area planning; introduce a legislative presumption against the closure of rural schools as well as an additional duty to consider the

impact a closure would have on the community similar to the protections already in place in England and Scotland; and to work in partnership with his Executive colleagues to achieve a holistic solution for education in rural communities.

Assembly Business

Mr Principal Deputy Speaker: As Members will know, Mr Newton is unable to introduce the Adjournment topic today.

Adjourned at 6.00 pm.



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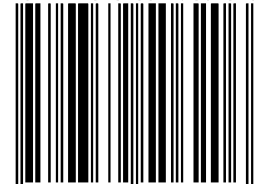
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