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Northern Ireland Assembly

Monday 13 January 2014

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

Members observed two minutes' silence.

Matters of the Day

Paul Goggins MP

Mr Speaker: Dr Alasdair McDonnell has been given leave to make a statement, which fulfils the criteria set out in Standing Order 24, on the death of Paul Goggins MP. If other Members wish to be called to speak, they should rise in their places continually. All Members will have up to three minutes to speak on the subject matter. I remind Members again that no points of order or any other items of business will be taken until we finish this item. If that is clear, I will call Dr Alasdair McDonnell.

Dr McDonnell: It is with sadness that I rise this afternoon before the House. It is extremely appropriate that I offer my sympathy and deepest condolences, and those of my party, to the family of our friend Paul Goggins.

Paul came here some years ago as a junior Minister. Many of us met him as a stranger, but he very quickly became a trusted Minister and, in time, a valued friend to all of us.

Paul was humble. He never sought benefit, glory or publicity for himself. He constantly sought progress on issues that would bring the greatest benefit to those in greatest need; those around him on the margins of society. Perhaps that was driven by the fact that he represented Wythenshawe, one of the biggest housing developments in Britain. He was very aware of poverty and how people struggled on the margins of society.

Paul was a very valued and good Minister here. Beyond that, I was very lucky that, following my election to the House of Commons in May 2005, I got to know Paul even better. Unlike many of those who served here as Ministers, Paul never forgot us as individuals or parties, and he never forgot the interests of the people of Northern Ireland. As I got to know him better, I came to depend on him as a trusted confidant, adviser and reliable friend. We did not agree on everything — that would be

exceptional — but differences were always honourably dealt with and respected.

For me, Paul's standing was recognised last week in the House of Commons when political opponents from all parties, from all corners and of all hues, as well as his colleagues in the Labour Party, queued to sing his praises and pay tribute to him and his many outstanding human qualities, of which there were too many for me to go into in detail.

Paul had a deep Christian faith. I say that because he was Christianity in action as he pursued his political career. At the time of his death, he was attempting to arrange a memorial service for my good friend and colleague Eddie McGrady. We will remember Paul in his standing for a long time. I think of not just his wife and sons and daughter but his elderly father, and of the deep sadness that they are experiencing. I hope that that sadness will be eased somewhat by the recognition and tributes in the House of Commons and our tribute today.

It is my earnest wish that almighty God, in His mercy, will show ultimate mercy to Paul and reward him for his selflessness and tremendous generosity in life. May God bless him.

Mr Campbell: It is with a deep sense of sadness that I stand on behalf of my party to join the honourable Member for South Belfast Mr McDonnell in passing our condolences and sympathy to the family and wife of Paul Goggins MP.

I, as did many others in the House, got to know Paul when he came to Northern Ireland. Many former Northern Ireland Office Ministers will just periodically refer to their time in Northern Ireland. It was not the same with Paul. He had a deep sense of companionship and humanitarianism, and he loved the people of Northern Ireland.

I remember when I met him over the Magilligan prison issue that he made it clear to me that the civil servants with whom he was dealing would

prefer to move the prison away from Magilligan, but he said to me, "If you can make a case to retain the prison at Magilligan, you will have me on your side". As I said in the House of Commons last week, he was a man of his word, because we made the case and he took that decision.

He was a humanitarian and a man who always had time to speak to you. I always found the distinction between politics in Northern Ireland and in London to be that many in London do not pass you the time of day, whereas in Northern Ireland we do. However, Paul Goggins was a Northern Ireland man even though he represented Wythenshawe in Manchester, because he would always speak to you. He always had the time of day to stand and talk and ask about Northern Ireland.

We pass on our condolences to his wife and family. He will be deeply and sadly missed.

Mr McGimpsey: On behalf of the Ulster Unionist Party, I join Members in expressing our sincere sympathy and condolences to Paul's wife and family.

I first got to know Paul in 2007 when I took over the health brief from him. I found him to be very supportive. In a world used to cynicism, I also found him to be a sincere, genuine and committed politician. There is no doubt that his strong Christian faith and values informed his politics. In that respect, his will be a sad loss for not just the Labour Party in Manchester but the House of Commons and politics in general.

I took over a number of the health policies that he laid down. There was the Protect Life policy, which was the anti-suicide policy; the smoking ban in public places, which again was Paul's initiative; and the negotiations with him to ensure that the Fire and Rescue Service formed part of the new police training college at Cookstown, allowing him to proceed to that announcement as well. So, in those respects, Paul touched the lives of everybody in Northern Ireland, and his loss is a sad one. On a personal level, I extend our sincere sympathies to his wife and his family.

Mr Maskey: Go raibh maith agat, a Cheann Comhairle. I rise on behalf of Sinn Féin to express our deepest sympathies to Paul Goggins's family and very close friends.

Like all those who contributed, I met Paul Goggins when he was appointed as a Minister here. I had occasion to work with him at meetings and engagements over a number of years, and I always found him to be very affable

and amenable. Obviously, he was a good and skilled political representative, and testimony to that are the universal declarations of support and sympathy that have been expressed across the wider political spectrum. They are testimony to the impartial way in which he did his work and to the way that he treated people with fairness and respect.

My party colleague Martin McGuinness has placed on record our party's sympathy to Paul's family and expressed the fact that it was a great pleasure to work with him. Like others said, we may not have agreed on everything, but we had great respect for him when working with him when he was a Minister. Very often, we were looking at challenging issues, and, as he did with everyone, he gave us the respect that we believed our mandate entitled us to.

My colleague Francie Molloy, on behalf of our group of MPs, made it clear that, as recently as December, he and other colleagues met Paul Goggins and discussed with him issues of common concern, including justice matters, which would have been close to his portfolio when he was here.

Again, a Cheann Comhairle, I place on record our deepest sympathy for Paul's family, friends and colleagues. He will be missed deeply from the wider political arena.

Mr Ford: On behalf of my colleagues, I add our sympathy to the wife, family and colleagues of Paul Goggins MP.

He was described almost universally in tributes in the House of Commons last week as "a gentleman". However, that does not convey everything that there was about Paul, because he cared deeply about his constituents and about those who were suffering in difficult economic circumstances. Indeed, his previous work as a social worker and as director of Church Action on Poverty showed where his heart was and where his faith led him to.

He carried that through when he came to be a Minister in Northern Ireland and showed the care that others talked about for the people of this Province, just as he showed it for his own constituents and colleagues. The universal tributes that have been paid to him — in the Commons, by politicians here, in the media, by the two Governments or all those he came across — show that he was a very special person and a very special Minister.

I got to know him particularly well, because he was my ministerial predecessor as Minister of Justice, just as he was to Michael McGimpsey.

In the difficult days leading up to that very significant devolution of powers almost four years ago, he went out of his way to ensure that the Department of Justice and its agencies were ready for devolution. He showed very significant personal kindness to me by informing me of issues that were coming up in the time immediately preceding the devolution of the powers being passed. I am extraordinarily grateful at a personal level for what he did.

Last week, those who are my civil servants and who were also his were deeply shocked. Other Ministers have come and gone, but Paul Goggins is one of the few who will be remembered warmly for what he did not just by those he worked immediately with but by staff across the Department and all the agencies of the justice system. He demonstrated his care for the people of Northern Ireland, even in the period after he left office. I had regular phone calls and text messages from him in which he encouraged me. He spoke regularly to Naomi Long and passed on good messages via her of warmth for the work that was being done in the DOJ, and he gave his encouragement for keeping that work going. So, I am extraordinarily grateful for that level of encouragement from a deeply caring person, and I extend my sympathies to his wife, his children and his family circle.

12.15 pm

Mr Agnew: The Green Party NI extends its deepest sympathies to the family, friends and colleagues of Paul Goggins after his sudden death at the age of just 60. It is clear from today's tributes that he was well respected by politicians across all parties. He was renowned for his work with children, and I know from my work with people in the children's sector in Northern Ireland that they highly regarded him and his commitment to children. Poverty was another key issue for him, which I share. As has been mentioned, he saw poverty in his constituency, and that informed his work in the House of Commons.

Paul Goggins had a very personal style and a genuine approach to politics, which probably contrasted in a lot of ways with what was expected of new Labour politicians. He seemed to offer a warmth that was genuine, honest and in no way orchestrated. As has been mentioned, he was very much a man of faith, and his strong values came through in the work that he did not just as a politician but before that as a social worker, when he experienced at first hand the significant disadvantage faced by many in society.

Paul Goggins was Minister of State for Northern Ireland, and it is often the case that the NIO and its Ministers are accused by one side or the other of being partisan. It is a testament to him that, to the best of my knowledge, that criticism was never levelled at him. Indeed, the warm tributes from all sides of the House show that he worked in Northern Ireland as a fair and honest broker for the common good of the people. Clearly, he was not divisive among politicians or the people, and we should welcome that in Northern Ireland because it is something that we need to focus on.

On behalf of the Green Party NI, I would like to pay a warm tribute to Mr Goggins. I wish his family and friends all the best at this difficult time. Today, I congratulate him on and celebrate his efforts.

Mr McNarry: UKIP wishes to be associated with the kind remarks and tributes that have been genuinely made in the House about the late Paul Goggins. On a personal note, it does not seem all that long ago since I talked to him, and it reminds you of how time passes by. It only remains to say that our thoughts and prayers, as always, are with those who are left behind, and I express genuine thanks for the contribution that Paul Goggins made to the country of Northern Ireland.

Mr Wilson: Gregory Campbell spoke on behalf of our party about Paul Goggins and the role that he played here. Nevertheless, personally, I would like to add to the tributes that have been made and to pass on my condolences to his family.

As has been said, for lots of politicians who come here, it is either a climb up or down the ladder, but the degree of interest that is shown does not sometimes even last during the period when they are here, let alone afterwards. In Paul Goggins, we saw someone who came here, got a genuine love for Northern Ireland and showed it even when he was out of office. I can hardly think of a month that went past in the House of Commons when he did not ask what was happening back home here, and he showed a knowledge of what was happening through the questions that he asked, indicating that he kept up that interest.

It has also been said that a lot of Paul's politics were driven by his faith. He never hid that, although he did not preach it. He took the view that his faith was best shown by his works and by the things that he drove in his political life. Indeed, only last week, I had the opportunity to speak on a Bill in the House of Commons dealing with people who had been affected by

exposure to asbestos. Many in his constituency had been affected by that, and, after many long years, a Bill was finally going through the House of Commons. Many of those who spoke were on the Committee and indicated the amount of work that Paul had put into it because it was obviously a big issue for many disadvantaged people in his constituency — those from low-income backgrounds who had been impacted as a result of exposure to asbestos. So, I pay tribute to someone who showed his deep commitment, driven by a personal faith. It was not shallow, as was seen and evidenced by his genuine interest in Northern Ireland.

Sometimes people such as that can, of course, be driven and divisive, as has been said. The Speaker in the House of Commons summed it up when he said that Paul Goggins was Labour to the core but never tribal. That indicates the kind of man he was.

Mrs Cameron: I will add to what both of my colleagues said. The loss of Paul Goggins at such a relatively young age is shocking and terrible for his family and friends. It also leaves politics a poorer place without him.

Paul was a great friend to Northern Ireland. As the tributes to him have shown, he was someone who gained the respect and trust of local representatives of all shades and from all traditions. My husband had the privilege of serving as Paul's private secretary, and, while we miss Paul as a friend, we are proud to have known him, and I know that his family has been touched by all the tributes from Northern Ireland since his death.

First and foremost, Paul was a good man who loved his family and worked tirelessly for people everywhere, whether in Manchester or Northern Ireland. His family specifically asked me to convey Paul's eternal wish that all politicians here continue to build the trust and deliver the future that Paul hoped everyone in Northern Ireland would enjoy. We indeed lost a great man and a dedicated politician, and he will be missed.

Flooding: Impact on Coastal Areas

Mr Speaker: Miss Michelle McIlveen has been given leave to make a statement that fulfils the criteria set out in Standing Order 24. Other Members who wish to be called should indicate that that is so by rising in their places continually. Members will have up to three minutes in which to speak on the subject. I again warn that no points of order or any other

item of business will be brought before the House until this item is dealt with.

Miss M McIlveen: Some coastal parts of Northern Ireland are in recovery mode following last weekend's tidal surge, which was caused by a combination of high tides, low pressure and strong winds. To provide some context, those weather conditions are incredibly rare and were last seen in 1903.

East Belfast was in a particularly precarious position, with many homes there situated below river level. At pre-planning on Thursday, potentially 6,000 homes might have had to be evacuated. In Newtownards, an evacuation of homes around the canal began on Friday, but that was ultimately abandoned as the tide receded. At that stage, it was possible that several hundred homes would have to be abandoned.

Although the impact in Northern Ireland was thankfully not as bad as had first been feared, we did not escape being affected. While we should be thankful that there were no serious injuries or loss of life, we should remember the families in the rest of the United Kingdom who were not so fortunate.

Several homes and businesses at Portaferry in the Strangford constituency were flooded, as was the Saltwater Brig, just outside the village. I am told that one house was flooded twice — on both Friday and Monday. It was devastating for residents and businesses to be faced with such unstoppable forces of nature. The Whitechurch Road, which is the main coastal route between Millisle and Ballywalter, collapsed and I am informed that it could take up to three months to reopen that route. Parts of Portavogie promenade were destroyed. The promenade was reopened last year following significant investment by DARD and Ards Borough Council. Along the Ards peninsula, caravan parks that bring a huge proportion of tourists into the area suffered significant damage as a result of the tidal surge.

I am sure that other Members will give accounts of what happened in their constituencies. While media outlets focused on what might have happened in Belfast, other areas of Northern Ireland were bearing the brunt of a weekend of tidal damage. Some may say that there was an overreaction, but we can never be complacent in these sorts of circumstances. In many places, the difference between catastrophe and not was measured in millimetres and centimetres. I express my party's gratitude for the huge efforts made across Northern Ireland by local councils, Roads Service, the Rivers

Agency, the PSNI and the Northern Ireland Fire and Rescue Service. A number of months ago, the relevant Departments came together to discuss plans for events such as this. The coordination of resource information and delivery last weekend showed the benefit of that planning. Whether it was the delivery of sandbags, the release of information to media outlets or even the phone service, I can only commend all the agencies involved.

In addition, I recognise the selfless efforts of voluntary, community and church organisations that helped in the provision of facilities and other assistance. It showed just how well the people of Northern Ireland can work together in the face of adversity. That said, it also shows the need for a coordinated civil response programme throughout Northern Ireland like the Belfast model, Belfast Resilience.

In conclusion, I ask for Northern Ireland's coastal defences to be looked at in light of what did happen, and could have happened, to assess whether investment is needed for Northern Ireland to remain as safe as it can be.

Mr Speaker: I remind Members of the three-minute rule in matters of the day. Members will know that I am very reluctant to intervene, especially in matters of the day, which are sometimes very sensitive. They need to understand that, while there may be some latitude, it certainly does not extend to four minutes.

Mr McMullan: Go raibh maith agat, a Cheann Comhairle. I would like to remind Members of the damage that was done in my area: Cushendun, Cushendall and Waterfoot in the glens area and Carnlough in the east Antrim area. Devastation is not the word for it. It is only because of the quick and prompt action of the emergency services that we were not left with a bigger catastrophe than what we had. I want to congratulate the Roads Service — and the Minister for Regional Development is here today — the Fire and Rescue Service, the PSNI, the councils of Moyle and Larne, and the volunteers who were there to distribute sandbags etc.

The one thing that came out of all of this is that there is a lack of information coming from the coordinated meetings. The information is not getting out to MLAs. We are usually the last ones to find out. I would have been lost, only for the people on the ground telling me what was going on.

We now need to look at our coastal defences, which are hundreds of years old. The sea

defence wall in Carnlough, for example, gave way completely. Waves battered down the wall on the coast road. Only for the quick action to shore up that wall again, the coast road would have been closed. At one stage, the village of Carnlough was completely closed because of surging water. In Cushendall, the sea wall has been breached in six places at the beach, and there are cracks in several other places. It is going to cost quite a lot of money to repair that.

An interdepartmental approach is needed. Councils need help to correct the damage that was done. Everyone needs to take a look at our coastal defences because, as I said, they are hundreds of years old. They have stood the test of time up to now, but they are now starting to wilt and crack. We are looking at more disasters in Carnlough especially, as it is right on the sea. The sea wall there was breached and is still lying open today. It has still not been built up again. We need help and guidance on how that wall should be put back up. I ask the Minister, as one of the relevant Ministers, to look at this.

Again, I say a big thanks to all the emergency services and statutory bodies for the help that they gave. Their quick and prompt action averted a disaster. Now that it is all over, we need help, and MLAs must be included.

12.30 pm

Mr Rogers: Thank you, Mr Speaker, for the opportunity to speak about the flooding in the South Down constituency. At the outset, I must commend the work of Down District Council and Newry and Mourne District Council and the good coordination of the agencies, under the guidance of the PSNI, that were out there working for the benefit of everyone.

Flooding happened right around the coast from Strangford to Newry and in places such as Minerstown Road, the Annalong coastal path and the Greencastle Pier Road. Indeed, the Rostrevor Road in Warrenpoint was closed at one stage. It is no consolation for the people who were flooded, but the saving grace for us in south Down was that there had not been two or three days' torrential rain and the rivers were not in flood. That must be remembered.

I agree with the Members who spoke earlier, and, to move on, two or three things need to happen. Repairs need to be carried out as a matter of urgency. A study needs to be carried out on how we can improve our coastal defences. The various agencies, particularly with many of our rivers being environmentally sensitive areas (ESAs), need to review how we

can improve our flood defences to ensure that, when this happens again, we are as well, if not better, prepared.

Mr Nesbitt: I begin by thanking those who rolled up their sleeves in the face of the storm and did what they could to mitigate the anticipated damage two weekends ago. I also give our thanks to those who are currently working to repair the damage that was done, not least in my constituency of Strangford. I am reliably informed that Portavogie witnessed some of the worst weather in a generation. My colleague Councillor Angus Carson, a resident of Portavogie and a former captain in the fishing fleet, said that he had not seen anything like it at the Harbour Road corner of Portavogie in 50 years. Boats rose to the height of the Harbour Road, and that is how close we came to an extremely serious situation there.

Coastal defences are an issue. Civil contingencies and emergency plans have been mentioned. I want to reassure the House that the Committee for the Office of the First Minister and deputy First Minister has been looking at the issue and has spoken to some who are involved in that area, and, as we stand here this afternoon, we await news on when the Department will come to the Committee for a briefing and a discussion on how we take these matters forward in the coordinated manner that some Members have called for.

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

It is clear from inspecting the damage on the coast in the lower Ards that rock armour is an essential defence, but even at that, it was obvious to me, when visiting the promenade at Portavogie, which one Member has mentioned, that, in those very unusual weather conditions, huge slabs of rock had been lifted right across the promenade and through the wooden fencing. So, they were exceptional circumstances. Where the rock armour was not present, such as at the Portavogie side of Ballyhalbert, the debris on the road was shocking. Indeed, where new defences have been put in — I lobbied the Minister for new defences on the north side of Ballyhalbert — they withstood the high tide and the weather conditions rather well.

As has been mentioned, we have a major problem with the Whitechurch Road to the north of Ballywalter. I congratulate DRD and Roads Service on being on the ground early the next morning clearing the debris. I understand that it will take many weeks to repair that road. It was not just the damage on the Friday; more

damage was done on the Monday. There was also the issue of BT cables, including a fibre-optic cable, which is a very expensive bit of kit. So, care has to be taken to coordinate the repair effort on those 40-odd yards of road.

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

Mr Nesbitt: I pay tribute once again to all who helped to mitigate and repair the damage, and I am sure that the House will not be found wanting in putting things right.

Mr McCarthy: The Alliance Party fully supports the comments made by my Strangford constituency colleague Michelle McIlveen on the very vexing problems that we have experienced recently with flooding and, indeed, the fear of flooding in many areas throughout Northern Ireland. I pay tribute to the Police Service of Northern Ireland for leading all the services at the onset of the gales, storms and excessive rainfall to get help to homeowners in all the districts to prevent distress and disaster. We are very grateful to the Met Office for forecasting the storms, even though they were not as bad as was forecast. Nevertheless, all the agencies, including the councils, pulled out all the stops to serve the community in many ways, particularly in delivering sandbags to those who were in danger at the time.

I am so privileged to live in the Ards peninsula, with water all around us. It is a fantastic area in which to live, but at times, when there are storms and excessive rain, we have real problems. Coastal erosion and land drains being unable to cater for the excessive rainfall is and has been a problem that must be tackled with more investment made before the next storm.

Both sides of the peninsula suffered. The main roads were undermined, and homes and businesses suffered as sea defences were breached. One area along the lough wall was breached by water that entered homes and an old church. The Saltwater Brig — one of the main watering holes in the area — was nearly washed away, which was a disaster. I hope that, in the near future, we can debate my motion, which is down on the list for debate, on coastal erosion and more investment in flood prevention.

Mr McCallister: As colleagues said, we probably witnessed some very difficult weather conditions in many parts of Northern Ireland over the entire Christmas period, including very strong winds and stormy weather that caused a

tidal surge along our coast and resulted in huge problems. As my colleague Mr Rogers rightly pointed out, it could have been worse, had there been a combination of very heavy rain and the tidal surge. We were maybe spared the worst of that.

There were difficult issues in places such as Greencastle, which sustained significant damage, as well as the coastal path at Annalong. We have to look at how we can restore and improve those areas. Over the past number of years of severe weather events, we have started a process of learning some of the lessons. This time, the response from the district councils, Roads Service and other government agencies and Departments seemed to be more coordinated, which made a difference to response times, and that is to be commended.

I agree with the comments that this is always going to be a learning experience. We should always evaluate how we respond and see whether we can improve, because these things, sadly, will be a regular occurrence at various times of the year when we get heavy rainfall, winds and tidal surges. When those things combine, they can cause serious problems, serious damage to our infrastructure and serious danger to the citizens whom we serve.

I encourage the First Minister and deputy First Minister and the Committee to look at the response and study the evidence on how the response was carried out. Where it has been carried out swiftly and well, we need to build on that and congratulate those involved. Where systems need to be changed, we should not be afraid to question them, look at that and see how we can improve for future events.

Mr Agnew: On behalf of Green Party NI, I thank Michelle McIlveen for bringing this forward today. It is important that we should mark these events to acknowledge to our constituents not just that we are aware of what is going on and the difficulties they face when flooding events happen but that we realise that these freak weather events, as we sometimes call them, or extreme weather events are not freak any more. This is becoming a pattern, and it is clear to anyone who experiences these events — people are aware that they are happening more often — that climate change is happening. Although some in the Chamber would like to bury their head in the sandbags and, indeed, continue to bury their constituents in sandbags, we have to be proactive.

I add to the tributes paid to the emergency services and council workers, who have

stepped up their game and are learning from flooding experiences, but we need to help them in the Chamber and at Executive level by taking proactive measures to prevent such weather events causing flooding in people's homes. We must introduce climate adaptation strategies. Every piece of evidence suggests that we will face more extreme weather, so we need to improve our coastal defences and reinforce our river banks. We need a climate Bill to ensure that we do that strategically and coherently.

I pay tribute to all those who braved the storms to serve our constituents, but they sometimes do so in spite of the work that we do in the Assembly rather than with the help of it. It is now time for us to work together to produce a climate mitigation and adaptation strategy.

Mr Douglas: I thank my colleague Michelle McIlveen for raising this important issue. In east Belfast, we had the potential for major flooding. In fact, some people said that it was a potential disaster, a view with which I concur. Some have said that maybe there was a bit of an over-reaction. I was there with the First Minister, Councillor Gavin Robinson and my colleague Robin Newton at the height of the surge, when it was millimetres from spilling over into possibly thousands of homes in east Belfast.

I concur with what has been said already about the statutory agencies and the emergency services and the excellent job that they did, spearheaded by the PSNI, which was excellent and was on the ground literally 24 hours a day over the period. I also pay tribute to Belfast City Council for the work that its officials did. However, it was much more than just the agencies involved. I was very proud of the community response in east Belfast. People came together. I remember seeing my colleague Robin Newton hawking sandbags up and down the street. I think that his back has not been too good since then. Seriously, however, the community response was so encouraging. We have had our difficulties in east Belfast over the years, but it was good to see so many community organisations, local residents, churches and other organisations come together to avert the crisis, and it definitely was a crisis.

I am also encouraged by the fact that schemes are now under way in east Belfast to alleviate flooding. We have the Connswater Community Greenway scheme — a £40 million scheme — working in tandem with the Rivers Agency on a flood alleviation scheme in Sydenham, the area that had the potential for major flooding. Hopefully, that will be implemented within the

next year. The other day, I was at Orangefield Park, where we have had major problems with flooding causing major difficulties for local residents. There is a major scheme there that is diverting the river away from the homes of local residents. Some of them have had to move out, never to move back in again. I pay tribute to the various agencies and the Office of the First Minister and deputy First Minister for their co-ordination.

Mr Newton: I echo in many ways the words of my party colleagues Michelle McIlveen and, from my constituency, Sammy Douglas. I pay tribute to Belfast City Council for its role in the work leading up to what might have been the largest disaster that east Belfast had ever witnessed — at one stage, there was talk of 6,000 homes potentially being flooded — for the work that it did in bringing together all the emergency response teams and, indeed, for the further step that it has taken to form an emergency and severe weather working group that will be in place permanently and hopefully do constructive work over the coming years.

12.45 pm

I agree with Sammy about the response from the community and the statutory bodies. In particular, I pay tribute to the Lagan rescue team, which, in the most atrocious conditions, particularly on the Saturday, was out in the cold and wet. They were there all day in Inverary Community Centre, where they unloaded sandbags from the vehicles arriving and, indeed, loaded sandbags into the cars of individual members. Indeed, I pay tribute to the other statutory agencies that toured the area depositing sandbags for people who felt under threat and putting them at their door. There was a tremendous feeling of a community coming together with the statutory bodies to address a potentially major crisis in the area.

To finish, I pay tribute to the Connswater greenway project and to the fact that a flood alleviation scheme is built into it. However, it is critical that nothing happens that in any way impedes that scheme going forward. People who are sitting on the riverbank facing potential flooding will demand that this be at least one measure —

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

Mr Newton: — that is put in place. I call on the Minister of Agriculture and Rural Development to ensure that the work is completed satisfactorily and to a high standard.

Mr Wilson: I also pay tribute to those who worked in very hazardous conditions during the weather conditions that we experienced over the period of the recess. I thought that we might have got through this discussion without any mention of global warming, especially given that America, which we were told about five years ago would see no snow ever again, is now gripped in arctic conditions. Those who went to see the polar cap melting in Antarctica got trapped in the encroaching ice, so I thought that we might have escaped any reference to global warming, but I think that the Green Party maybe cannot leave this alone.

The one thing that we do know is that, because of the patterns that we have, people now live in areas that are more vulnerable to extreme weather conditions. They live in floodplains, and we have more industry etc close to the coast. That means that, whenever there is freak weather, more people are affected, so it becomes a bigger issue. We have seen some of the very vulnerable areas during the conditions that we have experienced over the past couple of weeks. Those areas have been vulnerable now for some years, and the likes of Cushendall and Carnlough have experienced flooding over the past number of years. I hope that, having identified the vulnerable areas, the Minister for Regional Development will make bids to get short-term measures in place, as capital moneys may well be available in the monitoring round coming up soon. I hope that a longer-term capital strategy will look at where those vulnerable areas are to ensure that more permanent work is carried out so that the fears that people have had to live with and, indeed, the experiences that they had to live with in the past number of years will be alleviated.

Assembly Business

Extension of Sitting

Mr Deputy Speaker: I have received notification from members of the Business Committee of a motion to extend the sitting beyond 7.00 pm under Standing Order 10(3A).

Resolved:

That, in accordance with Standing Order 10(3A), the sitting on Monday 13 January 2014 be extended to no later than 9.00 pm. — [Mr P Ramsey.]

Ministerial Statements

Apprenticeships: Interim Report

Dr Farry (The Minister for Employment and Learning): Today, I am announcing my proposals for the future of apprenticeships in Northern Ireland. I believe that they have the potential to radically reform and improve our skills and training landscape. Last year, I launched major reviews of apprenticeships and youth training. Today marks the publication of the interim report on the review of apprenticeships and the launch of a public consultation on its proposals. Shortly, we will announce the interim outcome of the review of youth training, and I will make a similar statement to the Assembly in that regard.

There is very clear necessity for the reviews. Rebalancing and rebuilding the economy is the Executive's top priority. In achieving those goals, we must recognise that our main asset is our people. It is on the basis of their talents and skills that we will transform the economy, increase employment and social mobility, raise productivity and compete globally. It is my job to ensure that we have a pipeline of appropriately skilled people so that our economy can operate at maximum efficiency. That involves making sure that current and potential employers have access to the skilled employees that they require and providing people, particularly young people, with the opportunity to secure and sustain meaningful employment. Arising from that is an ongoing imperative to closely match supply and demand for skills, bring people closer to the labour market and increase economic participation.

Our skills strategy, 'Success through Skills – Transforming Futures', demonstrates clearly that the economy will require a significant increase in higher skills. For example, by 2020, around half of our workforce will need to be trained to level 4 or above. Although we have an overarching requirement to deliver a greater volume of higher-level skills, including in STEM areas, it is clear that there is a range of pathways to secure that outcome, including the traditional university route and, increasingly, through apprenticeships at higher levels. It is clear to me that some of the most successful economies in the world, judged by both productivity and employment, have well-developed professional and technical training systems with highly respected apprenticeship programmes. In order to compete, it is vital that Northern Ireland also has in place a strong and efficient route for the delivery of high-level professional and technical skills.

The concept of an apprenticeship remains reasonably familiar in Northern Ireland. However, it is overly associated either with a long-lost age or, in today's terms, with a narrow range of occupations. Shortly, I will set out how we propose to transform the concept of apprenticeships locally to capture the opportunities of the modern, knowledge-based economy. First, it is important to understand in greater detail the rationale for change.

Although the current model for apprenticeships in Northern Ireland — ApprenticeshipsNI — has served us well, it needs to be transformed to meet the needs of the economy now and in the future. The current model is limited in a number of ways. Firstly, current provision is almost entirely focused on levels 2 and 3, with two thirds of apprenticeships at level 2, which is around GCSE level. In the past couple of years, we have begun to pilot some apprenticeships at higher levels. The present offering is, therefore, increasingly out of step with the needs of the modern economy. In addition, there is almost no provision in the public sector, and many of the growth and professional sectors do not engage in or offer apprenticeship opportunities. Furthermore, there are few progression routes available to apprentices. As a consequence, the training offer is not able to compete with higher education alternatives.

Secondly, in many cases, the main relationship is between the apprentice and the provider of off-the-job training. Therefore, the employer becomes a passive partner who takes on an apprentice but is not engaged sufficiently in training or in the outcome of the programme. That results in the off-the-job training being less valuable to the employer and the apprentice losing out because there is insufficient integration of what he or she learns off the job and the skills that they use in work. In addition, the qualifications landscape is complicated, and changes are slow to take effect.

Thirdly, access to information regarding the benefits and opportunities of apprenticeships from the perspective of the employer and the potential apprentice is, at best, imperfect. That leads to low participation rates by businesses and individuals.

Over the past year, much work has taken place, leading to the findings set out in the interim report. My team has engaged in significant analysis of our economy and the practices, experiences and outcomes in other jurisdictions. It is an evidence-based report.

At the outset of the review, I established an expert panel, and the work has benefited from its views. I am very grateful for the advice provided by its members, which is reflected in the report's proposals. I am grateful also for the advice provided by a wide range of other key stakeholders, which has helped to inform the findings of the review. It was obtained through a series of stakeholder forums and a call for submissions.

I also thank the Committee for Employment and Learning and other Members of the Assembly for their comments and views over the past number of months; those have further shaped our thinking. The Committee will have further opportunities to provide comment on the formal proposals.

In our vision for the future of Northern Ireland's apprenticeship system, it will deliver highly skilled apprentices in areas of economic importance for the jobs of today and tomorrow. Apprenticeships will be highly sought after by young people and recognised as a key route into many professional and technical occupations. They will be held in the same high esteem as the traditional format of higher education. In essence, quality, breadth, progression and portability will form the blueprint of Northern Ireland's apprenticeships of the future, delivering skills excellence and recognised nationally and internationally as the gold standard.

In total, the review is making 32 proposals for the future of apprenticeships. They can be grouped into four categories: the components of an apprenticeship; increasing participation; the roles of the key players; and ensuring quality. First of all, an apprenticeship will be defined as a system of learning, irrespective of branding. It is accepted that different sectors may wish to use different terminology to describe their on-the-job-training. Instead, an apprenticeship will be recognised by government if it contains a number of key components.

An apprenticeship will be for a new employee or, in the case of an existing employee, a new job role. Perhaps most significantly, an apprenticeship will commence at professional and technical level 3 or higher. This represents a major shift in the balance of focus towards intermediate and higher-level skills. The rationale for the change is strong and reflects the evolving skills needs in our economy and the need to make an apprenticeship something that people can aspire to. The proposal also needs to be read in conjunction with the review of youth training, which will provide revamped

provision at level 2. I want to emphasise that we envisage that there will be an increasing number of apprenticeships offered beyond the current cap at level 3. Indeed, under our new plans, apprenticeships will be possible at any level up to and including level 8, which is PhD level. An apprenticeship will be for a minimum duration of two years. That will ensure a degree of rigour to training and will distinguish it from other forms of in-work training. An apprenticeship will involve a breadth of training beyond the specific needs of a job. When compared to other work-based learning systems, it is the combination of on-the-job and off-the-job training through a programme of learning, formal assessment and recognised certification that differentiates apprenticeships. An apprenticeship will be designed to enable individuals to progress into higher professional or technical training or on to a more traditional academic pathway. It is important that apprenticeships are framed with those progression routes in mind. I will return to that aspect shortly. Collectively, these commitments will constitute the core components of an apprenticeship in Northern Ireland.

A number of underpinning elements will support the core components. Apprenticeships will have a single award or qualification for each occupation at each level. The need for simplification of the qualifications was a consistent message that we received, in particular from employers. Apprenticeships will be open to everyone irrespective of age but with a primary focus on young people aged between 16 and 24. This is something that my team and I have reflected on.

Given levels of youth unemployment, there is a particularly strong rationale to focus exclusively on young people, but, after consideration, we believe that we should provide flexibility in the system to reflect the realities of career changes and the growth in lifelong learning.

1.00 pm

Apprenticeships will support progression beyond the initial apprenticeship through a variety of pathways, including to higher-level apprenticeships and to further and higher education. It should be understood that apprenticeships do not exist in isolation from the wider training and education system, and, indeed, that they should facilitate access to higher-level technical or professional training and to more traditional academic pathways.

Apprenticeship awards and qualifications will facilitate portability within a sector and mobility within the wider economy. Apprenticeships are not about training for a specific job. The training should involve a breadth of skills that should service an entire sector and assist with an appropriately trained individual having transferable skills relevant across the economy.

Measures will be put in place to support individuals to make the transition into apprenticeships at level 3. While apprenticeships will be readily accessible for those with GCSEs, A levels and, potentially, degrees, we will work to ensure that additional support is provided for others to achieve the required level 2 entry requirements so that they can access apprenticeships. Furthermore, in recognition of the shift of apprenticeships to level 3, the review of youth training will examine current provision at level 2, including simplifying the offer and providing clear progression pathways to an apprenticeship, employment or further and higher education.

International opportunities for placements and exchanges will also be important for our future apprentices. That will give apprenticeships enhanced status. We are working with the European Commission on the European alliance for apprenticeships and the new ERASMUS+ programme to facilitate that.

Although we can design a gold standard system of apprenticeships, it will be effective only if employers create opportunities and, in turn, people — particularly our young people — take up those opportunities. For the first time in Northern Ireland, a central service will be introduced to market, promote and support apprenticeship provision by engaging with employers and potential participants. The central service will provide advice and guidance for employers and potential apprentices on the range of support and training available.

An online service will be introduced to advertise apprenticeship vacancies across all sectors. This will make information matching much more efficient.

Applications for apprenticeship places will be supported via a UCAS-style portal to inform young people of the range of opportunities available. This offers the potential to create a better parity of esteem between alternative pathways.

Apprenticeships will be offered in a wide range of professional and technical areas, reflecting the needs of the Northern Ireland economy. In particular, it is worth stressing the potential to

expand the apprenticeship system into the professions, noting my earlier point around flexibility on branding. That could see apprenticeships being applied to positions that have recently been filled almost exclusively by graduates. Higher-level apprenticeships may, therefore, exist alongside graduate entry, providing an alternative pathway and perhaps, at times, a more efficient and effective pathway to the same destination.

Furthermore, apprenticeships will be expanded to include professional and technical occupations in the public sector. With our public sector likely to constitute a major source of employment for the foreseeable future, it is only right that it offers such opportunities. In turn, I am confident that the on-the-job training offered in apprenticeships will be very appropriate for aspects of the public sector, and I am pleased that there have been preliminary expressions of interest in that regard.

A range of incentives will be considered to support employers, particularly SMEs and microbusinesses, to participate in apprenticeships. There are a number of models to be explored, including an upfront payment on apprentice start-up and achievement; collective group arrangements; larger employers overtraining for their sectors; and public-private partnerships.

The Careers Service will provide impartial pre-entry advice to all young people considering the apprenticeship pathway. It will intervene at key transition points for young people to provide impartial advice and guidance. The forthcoming joint review of careers between my Department and the Department of Education will be instrumental.

We also need to encourage our young people, their parents and other key influencers and schools to see apprenticeships as a really valuable way of securing an excellent career, getting qualifications while gaining experience and progressing through a route that has equal value and prestige to the university pathway. To secure that, we must be bold, innovative and creative to break new ground.

Apprenticeships will include a range of measures to support participation by both genders across occupations. Although the participation levels in the current ApprenticeshipsNI programme are reasonably even at present, there is significant gender segmentation. Female participation in some of the key growth sectors is particularly low. That was the subject of a general statement that I made on gender issues in June 2013. We will

put in place a range of measures to encourage balanced gender participation.

The most successful apprenticeship systems are based on a partnership between the key stakeholders. Partnership and an economy-driven approach will become a key feature of the apprenticeship model. An advisory group based around a partnership comprising employers, trade unions and the providers of off-the-job training will be established to advise government at a strategic level on apprenticeship provision, including oversight, consideration of supply and demand issues, devising new support mechanisms and balancing the specific training needed for a role against the broader, more transferable skills required for an apprenticeship. That partnership approach will better ensure an economy-led approach. It is important that employer participation is facilitated in every respect of the design and delivery of apprenticeships.

At a sectoral level, partnership groupings, including representatives from employers, sector skills councils or equivalent bodies and providers of off-the-job training and government, will be established to design and agree apprenticeship provision, including the content of qualifications that will be taken, and to advise on any exceptions to the standard model. That sectoral-focused partnership is essential to create a model that is flexible and responsive to the needs of the economy. Recognising that the economy and demand can often be unpredictable, resulting in skills and job mismatches, I will also put in place a system to estimate demand and inform supply. That annual skills barometer approach will facilitate the development of any interventions to increase participation levels.

Quality, achievement and progression will be key measures of success for apprenticeship provision. Employers and industry specialists, in partnership with other key stakeholders, will inform the content, duration and assessment of each apprenticeship, including tests at the end of the training period. That will provide for employers and apprentices a guarantee of the quality of the training and education they have received. Apprenticeship training will be subject to rigorous assurance by inspectors who have up-to-date experience in the professional and technical areas, supported by industry experts to ensure that each apprenticeship meets the needs of employers and apprentices.

To support the quality of teaching and learning, criteria will be set for all teaching staff that will

establish minimum qualification requirements in the subject area and related pedagogy, as well as significant and up-to-date experience in industry. Stringent conditions will be established for continuous professional development to ensure that those delivering training remain experts in their field. Only the providers that meet the minimum quality standards, as determined by the Department, will be funded to deliver apprenticeship training.

From today, the proposals will be subject to a 12-week consultation period. Feedback received through the process will be used to inform our final policy for apprenticeships, which will be published in the early summer of 2014. In parallel with that consultation, some further exploratory work will be taken forward by my Department. First, we will seek to develop a financial model to determine how best to resource the new model of apprenticeships and support employers. There is an existing budget for ApprenticeshipsNI, which can be reallocated. In the past, the European social fund has been used to support apprenticeships locally. It is my intention that the fund will provide greater support over the 2014-2020 period. Furthermore, we will examine how best to engage with the HMRC model announced by the UK Chancellor of the Exchequer on 5 December 2013.

Secondly, we will seek to pilot a central service to market, promote and support apprenticeships for employers and individuals. I have already outlined the purpose of such a service. It will bring a degree of cohesion to apprenticeships locally that hitherto has been lacking. Thirdly, we will develop a demand estimation model. That will assist us to better plan for future provision. Fourthly, we will seek to support SMEs, with the aim of encouraging them to participate in apprenticeships. I have already set out some of the options in that regard, and we will now proceed to explore them with employers and to develop and test their effectiveness. Finally, we will proceed to open up the public sector to apprenticeships and to work further on opening up higher-level apprenticeships.

The review articulates a blueprint for the future of apprenticeships in Northern Ireland. I believe that it will transform the supply of skills, particularly at higher levels for employers and, at the same time, inspire all who participate in an apprenticeship programme. This will be a system that works in the interests of the individual, the employer and the economy. It will be driven by strategic partnership, put employers at its very heart, better match supply with demand, afford opportunities in a much

wider range of occupations and offer flexible progression pathways across vocational and professional education and training. These proposals will help to develop a modern, knowledge-based economy and will play a huge role in transforming our economic fortunes.

I commend the proposals to the Assembly.

Mr Swann (The Chairperson of the Committee for Employment and Learning):

I thank the Minister for his timely statement on tackling apprenticeships. It is timely when it is taken into consideration that the number of young people entering apprenticeships through ApprenticeshipsNI has fallen from 8,948 in 2010-11 to 6,345 in 2011-12; a drop of 30%. Will the Minister explain how he will set about changing parents' mindsets about apprenticeships? That is where we need to change the perception.

I am glad that he has taken on a number of recommendations from the Employment and Learning Committee's inquiry into careers; they are smattered throughout the statement, and I welcome that. Will the Minister expand on the detail of the incentives and what funding or support will be available to SMEs? They are the backbone of our economy. How will he encourage them to take on an apprentice? Could the model being put forward by HMRC threaten the work that he intends to do?

Dr Farry: I thank the Chair of the Committee for his comments. I will address his points in the order in which he made them. First, he is right to identify that we are seeing a dip in the number of apprentices in recent years. That tells me that the current model is not working. It is not being pitched at the right level of skills pressures that employers are seeing. There may well be other issues that we need to consider. However, as we look to the future, it is important that we do not simply focus on numbers progressing through the apprenticeship frameworks. Ultimately, this has to be judged on the impact on the economy and whether employers are satisfied that they are getting the skilled young people, in particular, that they require to fill their job vacancies and to drive their businesses forward. It will also be judged on whether, as a result, productivity is increasing in our economy and whether individuals are finding and sustaining secure employment. Obviously, numbers are a secondary issue in that regard, and it is important that we maximise the number of people who are availing themselves of that training. We do look to other countries around Europe that have a much bigger footprint in

apprenticeships than we have in Northern Ireland.

The Chair is right to stress the fact that parents are a key influencer in decision-making in this regard as in others. That leads neatly into the review of careers. I recognise and thank the Committee for its efforts on the report that it published just before Christmas. Efforts are being made between my Department and the Department of Education to finalise the terms of reference for the formal review of careers, and I want to discuss those with the Committee before they are formally launched. That will be an incredibly important piece of work that will inform the future needs of our economy. It is a much broader issue than simply apprentices, although there is considerable overlap in that area.

Finally, the Chair is also right to make reference to the need for incentives, particularly for SMEs. It is important to recognise that our economy is disproportionately made up of SMEs and microbusinesses in Northern Ireland. Around the world, SMEs are, generally speaking, less willing to engage in apprenticeships than larger businesses. That is a reality for all of us. That said, we must do as much as we can to encourage them to participate in apprenticeships. We are looking at a number of different schemes. We will explore and study those in greater detail and, indeed, pilot some of them. Those would involve some sort of group training systems. We can also look to see whether there are some financial incentives that we could give directly to those employers and how we phase the payments and also whether larger employers could be encouraged to over-train for sectors, particularly those in their own supply chains.

1.15 pm

It is important that we go out and sell apprenticeships to SMEs in particular. There is the notion that taking on an apprentice is a burden; that it is something that you may wish to do for the common good but is of little benefit to businesses. However, it is important to stress that taking on an apprentice is good for the productivity of a business directly. There will be a cost to business for perhaps the first year, but, over the lifespan of an apprenticeship — bear in mind that we are stressing a minimum duration of two years — an apprenticeship will pay for itself through the benefits accrued by the business. There are international studies that prove that.

Mr Buchanan: I thank the Minister for his statement. It is quite lengthy and very appropriate for today. In it, he said:

“Apprenticeship training will be subject to rigorous assurance by inspectors who have up-to-date experience in the professional and technical areas”.

Will he elaborate a little on how those inspectors will maintain that up-to-date technical experience, given that that was a problem in past training programmes?

Dr Farry: I thank the Member for his comments. It is important that we stress the importance of quality throughout all of this, for the employers, who will know that they are getting a product that will work for them, and for the individuals who go through the training, who will know that they have the skills that are relevant not just to their employer but the wider sector.

We will attain the outcome that the Member referred to through a smooth transition of people into and out of industry. It is important that those who engage in the assessments and the quality assurance of apprenticeships have direct, current experience of the industries in which they operate. It is also important that we take on board the views of employers, use employers where we can for the benefit of the wider sectors and create opportunities for placements for those who are involved in that work so that they can spend time in industry. That is something that we have begun to do over the past 12 months in the Careers Service, where careers advisers now spend some time, perhaps a week at a time, in different industries to get a feel for how they operate. I wish to see that type of approach expanded as we take forward our new beginning for apprenticeships.

Mr P Ramsey: I welcome the very detailed statement to the House. I wish the Department well in bringing forward the proposals and look forward to engagement in Committee.

Minister, as we move towards a more intermediate and higher-level form of apprenticeships, are you not concerned that we will leave behind marginalised and vulnerable groups, particularly disabled young people? You recently spoke to an all-party group on disability. It is of concern to the parents of disabled young people that their children could be left further behind by the new strategy.

Dr Farry: I thank the Member for his comments and appreciate fully the point that he makes.

Let me make a number of comments in response. First, it is important that my Department, the Executive and the Assembly realise that we have a full spectrum of interventions to deal with people and their different aptitudes and skill levels across the board.

As far as the review is concerned, we need to develop apprenticeships with skills at intermediate and higher levels. It is about trying to ensure that we address the real pressure points in industry. It is also about ensuring that the apprenticeship brand is something that people can aspire to and that is viewed as being of real value and something that people want to do, for which they see a real sense of achievement in getting there. I should make the point that higher-level and intermediate-level apprenticeships can be offered to those with disabilities. People with disabilities can operate at every skill level across our economy and particular support will be made available to those with disabilities who wish to engage in an apprenticeship, as it is to those who are in work.

There are other interventions at different skill levels that we need to be conscious of. We are conducting a parallel review of youth training, which, in particular, will look at the level 2 provision for those who have the potential to move on to an apprenticeship, into work or into further and higher education. I will come back to the Assembly to report further on that in the coming months. Beyond that, we have the Pathways to Success strategy, which deals with those who are not in education, employment or training and, in particular, those who face barriers. That strategy is working well. I appreciate that that is a major problem in this society, as it is in other societies, and that there is always more that we can do. Looking to the future, I can say that the United Youth programme will offer opportunities for us to reassess and better corral many of the existing interventions, bring new interventions to the table and provide a more cohesive approach to how we deal with our young people.

Mr Deputy Speaker: I call Bronwyn McGahan. Thank you for your understanding.

Ms McGahan: Go raibh maith agat. I welcome the Minister's statement. As he is aware, I have raised through correspondence the fact that, due to differences in funding, young people above the age of 18 face greater difficulties in finding employment as apprentices compared with 16- and 17-year-olds. How does the Minister propose to change that anomaly through the review?

Dr Farry: I thank the Member for her comments. As I indicated, we will be doing some more detailed work on a funding model. The key point is that we want to eradicate the anomalies in the present system that sometimes work against the interests of employers and young people entering into apprenticeships. We want to ensure that it is a properly demand-led system where employers are in the driving seat.

We stress that, hopefully, this is primarily for young people, because there is a strong rationale for addressing youth unemployment. If you look around Europe, you will see that it is often those societies that invest most in vocational training and apprenticeships that have the lowest levels of youth unemployment. That is no coincidence. Equally, we are making the point that we are not going to wrap it up in bureaucracy or make it so inflexible that it makes it more difficult for older apprentices. As we move to level 3 and above, we should bear in mind that it is likely that we are going to get entry at higher levels from people who are looking to change careers or who are engaging in lifelong learning. People will enter into apprenticeships at different stages. It will no longer be simply something that is entered into by people who are 16 or 18. So, it is important that, as we design the very particular funding rules for this, we respect that flexibility.

Mr Lyttle: I welcome the action that the Minister has taken to radically reform and improve apprenticeships for trainees and employees across Northern Ireland. Will he give some examples of how he will judge the success of the new system of apprenticeships?

Dr Farry: I thank the Member for his question. He is right to stress that this is a radical change to apprenticeships in Northern Ireland. It is perhaps the most radical change for several decades. It has been very clear to me over the past number of years that there is a need to refresh apprenticeships and to have radical innovation. We have seen frustration expressed both by employers and young people who have not had the progression routes in vocational training as was the case in the past.

The ultimate judge of this is whether we can improve our economy and whether a revised system of apprenticeships will make a major contribution to that transformation. It is about increasing productivity and about increasing employment levels. Through a better and more efficient matching of the supply of and demand for skills, we will achieve that type of outcome. It is not as simple a process as a headcount of

those going through apprenticeships. Nonetheless, that is important, and we want to radically upscale the number of people who are going through apprenticeships. However, ultimately you have to judge it on the impact that it has on turning our economy around. We want to be noted around the world as an exemplar of how people are trained to engage in the modern knowledge-based economy.

Mr Hilditch: I thank the Minister and welcome his statement. I look forward to further opportunities through the Committee to discuss the detail.

Minister, you stated that there is currently almost no provision in the public sector and that many of the growth and professional sectors do not engage with or offer apprenticeship opportunities. I think that you indicated later that there may be some provisional interest. Do you have any more detail on how that is going to change?

Dr Farry: I thank the Member for his question. He is right to identify some of the new areas where this can be of relevance. In addition to branching into the public sector, we are keen to see the model advance into the traditional professions. This model of apprenticeships will be highly relevant, particularly to the new innovative areas in our economy — for example, the creative industries and information technology — as well as to developing the areas that are perhaps more associated with apprenticeships, such as engineering and construction.

The Member will be aware that, when it comes to the public sector, my Department, alongside the Department of Finance and Personnel, will pilot a level 3 ICT apprenticeship. It is probably premature to give precise examples of where that can go in other areas, as those discussions are still at a very early stage. However, there have been some indications, particularly in some of the more technical areas in the public sector, that the model of on-the-job training would be highly relevant and appropriate.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. We will be making a detailed submission to the consultation, and we encourage any other interested groups to do so. It is good to see that the Minister is colour-coordinated; I have never seen brighter yellow paper in my life. It must be election paper or something.

Will the Minister outline the potential economic benefits to society of making higher-level apprenticeships more accessible and available to people across community?

Dr Farry: I am glad to respond to that. I hope that my yellow tie is not too bright for Mr Flanagan. He is right to identify that the new form of apprenticeship, particularly higher-level apprenticeships, will be an enabler of growth and transformation of our economy.

Apprenticeships will be good for raising productivity. There will be a real productivity gain for individual businesses and organisations, and the economy as a whole. It should also lead to better outcomes in employment and sustaining employment because we will see better matching of supply and demand, and better addressing of required skills in our economy. It is a source of huge frustration when we have ongoing problems with unemployment but, at the same time, hear stories of employers saying that they have vacancies that they cannot fill and for which they cannot find the people. That tells us that something is not quite right in our education and training system. Often, we may well be educating people to a very high standard but not in the right areas. Sometimes, we educate people to a very good level of competence in their areas but they lack the necessary skills for employability. By having a form of apprenticeship in place, particularly at higher levels, we will address those problems with a combination of the on- and off-the-job training.

It is also worth stressing that apprenticeships will provide very good outcomes in social mobility and breaking down traditional structures. They are a way for people who perhaps come from more difficult backgrounds to get a foot on the ladder and progress through an organisation or a particular sector. In the past, there have been many examples of people who had their first opportunity as apprentices progressing and becoming leaders in society. We have tended to lose that over the past number of decades but I hope that, through this revised approach, we can begin to recapture that.

Mr Ross: The Minister talked about the establishment of a new central service. I wonder whether he can give the House a little more information on the role of such a service. How much will it cost the public purse? Will it be created within his Department or sit outside it? Will that body be responsible for offering financial incentives to employers who are willing to take on apprentices?

Dr Farry: I thank the Member for his question. This is a consultation and we are open to responses, particularly on how best the proposals can be taken forward. At this stage, we envisage a service provided within the scope of my Department. It would provide a range of functions, including managing the financial incentives that are available. The rationale is that, at the moment, we have a very fragmented system for the matching of opportunities with those who are interested in taking them up. It is somewhat haphazard. We need to overcome that and have a much more efficient form of information exchange. That is why the central service is such an important aspect.

Where exactly the service would fit within the Department and what other synergies we can make with employer interfaces is a wider debate that we also wish to take forward. The Member may wish to look at the National Apprenticeship Service in England as an example of how that type of brokerage service can make a difference. However, it is not a case of us seeking to replicate that. We want to do something bespoke in Northern Ireland that opens up new opportunities. It is worth highlighting one area in particular: the development of a portal for young people. We describe that in the document as a "UCAS style portal". It does not necessarily need to be a part of UCAS itself; it may well be free-standing. However, we think it important that young people have almost a parity of pathway when they are at the stage of choosing options for future careers, rather than a situation where university entry is the primary goal to which they aspire in school and then, if they are not successful, they look around for other options, perhaps including apprenticeships.

The opportunities for apprentices sit alongside opportunities to go to university at the age of 18. Young people can make a balanced choice and there is genuine parity of esteem between those pathways, both leading potentially to lucrative, well-paid careers and sustainable jobs.

1.30 pm

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement and answers. I broadly welcome the potential of the initiative to enhance the status of apprenticeships and increase opportunities for social mobility. Will the Minister agree that additional support to enable the most marginalised and disadvantaged

young people to achieve the required entry level is fundamental to its success?

Dr Farry: I thank the Member for his question and concur with his points. We are building what will be, hopefully, a very new and effective model from level 3 and beyond, but we need to ensure that we can facilitate a pathway for young people who are accessing apprenticeships. For some, this will become a natural choice as they progress successfully through school, after GCSEs or A levels.

There will also be young people who maybe have come across barriers in their development and have not succeeded in their academic abilities so far regarding the basic entry requirements for apprenticeships. We need to put support in place for them. The review of youth training will put a new system of traineeship at level 2 in place. We are developing that model as we speak, and I hope to make announcements on that in the near future.

There will be stakeholder events later this month when we will engage with the community and voluntary sector and young people, to get a feel for how we can best shape that future provision. We also have to bear in mind the more fundamental interventions that we have to make to deal with people who fall into the NEET category to get them on to the first rung of the ladder. That is why the Pathways to Success strategy and whatever successors come along through United Youth are so important.

Mr Rogers: I thank the Minister for his statement. Today's apprenticeships and, indeed, tomorrow's apprenticeships will need a high level of skills and knowledge. Minister, can you assure me that young people entering an apprenticeship will have a sufficient level of STEM knowledge? If there is a shortfall, what has been put in place to ensure that they get the STEM qualification as well?

Dr Farry: I thank the Member for his question. It will be for the individual sectors, as part of the sectoral partnership, to set the precise entry qualifications for particular apprenticeship frameworks that may be offered. He is right to stress that this will be about higher standards across the board and that apprenticeships will be highly relevant to sectors that require a strong knowledge of STEM.

Knowledge of STEM subjects can be gained in a number of ways. There is the more academic route, in which people will achieve qualifications through school, further education college or

university. Indeed, graduates can go on to become apprentices under the new scheme that we are setting out today. The on-the-job and off-the-job training that accompanies that will also be about giving people real knowledge in science, technology, engineering and mathematics. The off-the-job training will be rigorous. It is not there simply for the particular job but to provide people with the portability and breadth of training that will allow them to function across an entire sector and have skills that are transferable to other parts of the economy.

Mr McCallister: I welcome the Minister's statement. He briefly mentioned the European Alliance for Apprenticeships. Will he go into more detail on that and the discussions he has had with EU counterparts on that, particularly about learning from countries that are much more advanced in the level and uptake of apprenticeships?

Dr Farry: I thank the Member for his question and comments. Learning from Europe was a core component of the work that we conducted over the past year. We have made a number of visits — to Switzerland and Germany, to name but two — and much closer to home in other parts of these islands. The Germanic countries in particular have very successful forms of apprenticeships, and, while we have sought to learn as much as we can from them, we have to be realistic about our ability to replicate what are often deep cultural attitudes towards vocational training that have built up in those societies over decades. Nonetheless, they have very heavily influenced our thinking, and, as he goes through the formal report, the Member will see that being referenced on a consistent basis.

The European Union can directly assist us with two components. The first is the European Alliance for Apprenticeships, which has come in over the past 12 months. That is something that local employers or sectors — for example, the sector skills councils — can sign up to, and we will encourage them to do so. That will provide opportunities for exchanges of information and best practice. There are also potential opportunities under ERASMUS+. Members may well be familiar with ERASMUS, which facilitates exchanges for university students in the context of Europe. ERASMUS+ will be much more flexible and will allow for potential apprentices to go on placements and learn from best practice in other jurisdictions, which they can bring back to Northern Ireland and enrich the companies and organisations in which they get their main training. I have had discussions with the European Commission and

expressed our keen interest in using ERASMUS in that manner, and hopefully that will develop.

It is also worth stressing that the OECD, which is not strictly part of the European Union but is another international organisation, has commented favourably on the need for the review to take place in Northern Ireland. The OECD can also offer a wealth of information on best practice, and we will take further soundings from them on the details that we have announced today.

Mr Douglas: I thank the Minister for his statement, which I welcome. In light of the high levels of unemployment across Europe, particularly among the young people whom we describe as “hard to reach”, has he come across any models through which countries have been successful in targeting those young people, who very often leave school without any qualifications?

Dr Farry: I am grateful for the Member's comments. He is right to make the general comment that we have issues with youth unemployment across Europe. As we drill down beneath that, we will see a correlation between the countries with the lowest youth unemployment, particularly the Germanic and Nordic countries, and the areas where vocational training is most developed. Those societies engage with young people across a range of skill levels and aptitudes, so there are lessons to be learned. As we take forward the review of youth training over the coming months, we will go back to Europe. We are taking advice on the best exemplars for engaging with marginalised young people and bringing them into training opportunities. I will be glad to report back in more detail on our findings in that regard over the coming months.

Mr Allister: If someone was looking for a straightforward and streamlined apprenticeship scheme, the verbosity and complexity of the Minister's statement might not give much encouragement. The point that struck me most about his statement was the distinct absence of any thread of coordination with our education system. Is it not the case that, where apprenticeships in other countries are a huge success, there is a very distinct sync between education preparing the kids and streaming them into apprenticeships? The statement seems to have very little to say about how we should shape our education system.

Mr Deputy Speaker: The Member has asked his question.

Dr Farry: It is easy to engage in cheap shots around what is a fairly detailed statement in which we set out and explain in considerable detail a substantial change in practice on apprenticeships. Like a number of other Members, Mr Allister has been in touch with me to complain about the complexities of the current system, so I would have thought that, like others, he would be keen to welcome a change that would lead to a simpler approach both for individuals who want to be apprentices and employers who want to avail themselves of opportunities.

This statement relates to my responsibilities as Minister for Employment and Learning as regards the apprenticeship offer. As the statement makes clear, this is very much a level 3-and-above commitment that we are making today, and it will be subject to consultation.

Of course, we have issues with regard to our education system. Those are well known to Members and have been the subject of numerous debates in the past and, no doubt, will be in the future. I hope that what we have announced today and what will be confirmed in due course after the public consultation will help to inform and influence wider discussions on the future of our education system. It is important that we consider alternative pathways for our young people and recognise that there is a range of academic and vocational pathways available. We can move away from labelling people as successes or failures as a result of things that have happened to them in the early days of their education. It is important that all young people understand that there is a range of opportunities out there for them, and it is important that the education system, in turn, orientates itself, as, I believe, it is beginning to do, to ensure that that takes place.

Minister O'Dowd and I have a joint responsibility for a strategy for 14- to 19-year-olds, and, no doubt, what I am doing in respect of apprenticeships and what he is doing in respect of his reforms of the education system will come together, and we will look to see how we can best coordinate and ensure that we have a seamless transition pathway for young people.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire as an ráiteas go dtí seo. I thank the Minister for his statement. He announced that an online service would be introduced to advertise apprenticeship vacancies. I cannot understand why that was not being done. Nevertheless, recently, I met a business, and its major concern was that it had to go to places

such as Poland to find welders. So, there seems to be an incredible mismatch between vacancies and apprenticeships. That does not surprise me. Will the Minister indicate what practical measures will be taken to match up vacancies in businesses with apprenticeships to make sure that locals who are unemployed get those opportunities?

Dr Farry: I thank the Member for his question. It raises a number of issues. First of all, we want to see the most efficient system of matching vacancies to those who wish to avail themselves of opportunities. We also need to ensure that more employers offer apprenticeship opportunities and that young people are encouraged to think about becoming an apprentice. At times, however, businesses will need other forms of support for their training. They will need training for people who are in their companies already who need to refresh some of their skills. Also, at times, they will need support to recruit individuals, perhaps sometimes for more short-term-type contracts.

There is a particular issue with welding, which came to the fore around a very recent contract that Harland and Wolff secured. That was a victim of the very short-term nature of the work and the timescales involved with that, which, sometimes, does not lend itself readily to the longer- or medium-term planning that is involved with apprenticeships. So, it is important that we invest in a range of interventions. Not everything will go into our apprenticeship system in the future. We will continue with other forms of support for employers and training, and, hopefully, through that, we will capture all the diverse needs of employers to ensure that they capture as many of those skill opportunities and pressures that they have.

Common Agricultural Policy 2014-2020: EU Budget Allocation

Mr Deputy Speaker: The Minister of Agriculture and Rural Development has indicated that she wishes to make a statement. Members will be aware that Question Time commences at 2.00 pm. Should time permit, we will commence questions to the Minister on her statement prior to Question Time, but we must break for Question Time at 2.00 pm. Questions to the Minister on her statement will continue after questions for urgent oral answer.

1.45 pm

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a

LeasCheann Comhairle. I am grateful for the opportunity to make a statement regarding the EU CAP funds available to the North of Ireland for pillar 1 to fund direct payments to farmers and for pillar 2 to fund rural development.

The recent CAP agreement allows each European member state to transfer up to 15% of its direct payment allocation to rural development or, alternatively, up to 25% of its rural development allocation to direct payments. Under EU rules, member states were required to notify the European Commission of their decision by 31 December 2013. The next and only opportunity for review of this decision will be by 1 August 2017 for the 2018 and 2019 years.

Members will be aware that, on 20 December 2013, I made a written ministerial statement to advise of my decision to transfer 7% of the direct payment allocation to the rural development allocation. I intended that this transfer rate of 7% for the years 2014 to 2019 would provide an additional €137.5 million approximately to the overall rural development programme (RDP) budget to help support investment in our agrifood industry, protection of the environment and the economic and social development of our rural areas.

The reform of the CAP and the development and delivery of the RDP are absolute core elements of my remit as Minister of Agriculture and Rural Development. These are key policy and operational roles for my Department. The question of whether there should be a transfer between the pillars of the CAP was part of my Department's consultation about proposals for the 2014-2020 rural development programme. There was considerable interest in the consultation, with 175 responses received and over 400 people attending my Department's public events.

The responses to the public consultation reflected a number of differing views on the issue, which was not unexpected and, in many ways, no different from the conflicting stakeholder views that Ministers deal with daily. Almost 50% of the respondents to the consultation question supported a transfer of funds to rural development. Half of those in favour supported a transfer of the maximum of 15%. Approximately one third of the respondents were opposed to any transfer. Subsequently, on 18 December, the Ulster Farmers' Union (UFU) stated that it expected that there should be a transfer to fund certain farming-related measures and that it should be less than 9%, which was the rate that had been applied in 2011 and 2012.

In making my decision about a transfer, I considered very carefully the range of opinions received from stakeholders during the public consultation. As an important element of the consultation, I also sought views from my Executive colleagues and their respective Departments on the specific issue of the pillar 1 to pillar 2 transfer. I looked closely at how any transfer would affect the budget available to both direct payments and rural development and the sources of funding — EU and Executive — that could be available to fund a future rural development programme. I considered the impact that any funding decision would have on our agrifood sector, our environment and our wider rural communities. I believe that the rate of 7% represents a good balance between the many different priorities that I, as Minister, have to consider.

The EU allocation available to the North of Ireland from the 2014-2020 EU budget for direct payments is €2.3 billion. The EU allocation available for rural development over the same period is €227.4 million, which is approximately 10% of the direct payments budget. At member state level, that is the lowest EU rural development allocation per hectare of all 28 states and represents a reduction of 14% in current terms when compared with the 2013 level extrapolated over the seven years of the new programme. So, it is disappointing that, once again, we have the lowest EU allocation for rural development in Europe. Furthermore, as I have just highlighted, our EU rural development allocation has been reduced significantly as a result of the cuts to the CAP budget arising from the EU budget negotiations. This means that it was even more important for us to identify additional sources of funding to provide strategic support to our farming, environmental and rural sectors.

I believe that I am best placed to balance the numerous and often very complex issues that play into decisions on funding. Taking account of legal advice, I believe that I had the authority to take the decision to transfer 7% of the direct payment funds. I had taken previous similar decisions — in particular, the decision in 2012 not to apply an additional year of voluntary modulation — without any of those decisions being challenged. Indeed, my predecessor's decisions on the transfer of funds from direct payments to rural development were not challenged. All such transferred funds were used to benefit only farmers and farm families.

As Minister of Agriculture and Rural Development, I have dealt with all aspects of CAP reform over two and a half years, as did

my predecessor during her tenure as Minister. Evidently, a view has emerged over the past few weeks from some Ministers that my decision to set a transfer rate of 7% should be challenged. It is disappointing that this view was not communicated through the interdepartmental consultation, which specifically sought views from Ministers on whether funds should be transferred. The Finance Minister made no comments on any aspect of my proposals for the future rural development programme, including on the funding issues that were clearly set out in the consultation document.

Following my decision, which I advised of on 20 December, the Finance Minister instigated legal action on the basis that the issue should have been referred to the Executive. The court held that the issue met the criterion of being significant or controversial and outside the Programme for Government. In fact, the judgement was that the issue was significant and controversial. Following the court judgement, I immediately proposed a transfer of 7% of the direct payments funds to the Executive by urgent procedure. That required the approval of the First Minister and the deputy First Minister. I clearly explained the pressing timescale for a decision and that the decision was required no later than 30 December. I did not receive approval for my decision by that deadline, and, consequently, the Department for Environment, Food and Rural Affairs (DEFRA) was advised that Executive agreement had not been reached. The result was the notification of a zero rate of transfer for the North of Ireland to the EU Commission by DEFRA. In comparison, Wales has notified a transfer rate of 15%, which is worth €288 million; England a rate of 12%, which is worth €1.68 billion; and Scotland a rate of 9.5%, which is worth €332 million. That represents a total additional investment of approximately €2.3 billion in strategically important farming, environmental and rural schemes.

It is extremely disappointing that, as a result of the intervention by the Finance Minister, the North of Ireland will be the only part of the member state where additional investment may not now be available. That risks depriving our farmers, our rural communities and the protection of our environment of much-needed investment.

I have followed with interest the various press statements and interviews from political representatives and stakeholders on this issue and the implementation of the current rural development programme. I would like to take this opportunity to provide Members with factual

information on the likely impact of the decision. The current programme is worth in the region of £530 million. Approximately 80% of the programme funds schemes that are aimed directly at farms and farm families, with some 20% directed at broader rural investment.

To supplement the rural development budget allocation in the 2007-2013 period, my predecessor set an average rate of 6%, which provided additional funding for rural development of €118 million. Those funds, known as voluntary modulation, have been used to help fund the less-favoured areas (LFAs) and the agrienvironment schemes. In addition, the transferred funds have fully funded the farm modernisation programme and the farm family options measures, including training, mentoring and Focus Farms. The funds have also been used to assist farm diversification projects.

I will provide Members with some examples of the important beneficial impacts that the modulated funds have had in the current rural development programme. To date, all modulated funds have been directed only to projects that benefit farms and farm families. That includes supporting 58 Focus Farms across the North of Ireland, with, to date, 1,000 visits attended by over 15,000 farmers; training 7,500 farmers in environment management; and training over 4,500 farm family members in information and communication technology (ICT), bovine viral diarrhoea (BVD) awareness and farm safety. Some 1,900 farmers have attended BVD training, and that has contributed to 1,734 herd owners joining the eradication scheme and ordering 108,000 tissue tags.

Under the farm modernisation programme, modulated funds totalling over £12.5 million have supported 4,600 farm businesses. When the additional 60% contribution from farmers is taken into account, that funding has resulted in a total investment of over £30 million in the local economy.

Specifically on the farm diversification measures of axis 3, we have committed funding to some 619 projects, worth £15.8 million. To date, 429 projects have drawn down funding of £10 million. They, in turn, have levered in additional match funding investment of £12 million. That means that, to date, a total of £22 million has been invested in farm diversification, helping to sustain over 400 farm families and provide them with additional income. So far, that investment has seen the creation of new farm diversification businesses such as Harrison's farm shop and restaurant in Greyabbey, which has created more than 10

jobs, and Todd's Leap in Ballygawley, which has created up to 30 jobs. All of that has been achieved through the transfer of modulated funds from pillar 1.

EU policy for rural development is not just about supporting the agriculture and food industry and protecting and enhancing the environment but about promoting social inclusion, poverty reduction and economic development in rural areas. That benefits all rural dwellers, including farmers and their families. That vital support is provided through axis 3 in the current rural development programme.

We continue to make good progress in providing much-needed investment in our rural areas. Axis 3 has committed all its funds across all its measures. Almost 1,800 projects have been completed across all parts of the North, with funding of some £47 million already paid out. When match funding is included, it represents an overall investment of £79 million. That investment has helped to sustain many hard-pressed rural businesses, and, indeed, it has helped to create some new businesses and to expand others, creating over 450 rural jobs, despite the difficult economic climate. For example, Sinton's restaurant in Scarva has, with a small grant, created 18 jobs, and Antrim Hills water has created five jobs with a similar grant.

Axis 3 has also helped 370 community and social economy projects to improve the quality of life for rural dwellers, providing rural communities with shared spaces in which to meet, childcare facilities, employment opportunities and the means to improve their health and fitness. The funding has opened up the rural North to greater numbers of tourists, with axis 3 projects accounting for 121,000 additional tourist visits to our rural areas. The availability of accommodation in rural areas for tourists has increased with the provision of funding for self-catering, camping barns and coaching inns. One hundred projects have been funded. It has allowed rural heritage projects, such as the Railway Preservation Society of Ireland and the Caledon beam engine, to be developed using our rural heritage to provide interesting additions to the rural tourism offering and, at the same time, preserve the local heritage. The Caledon beam engine is the only such engine left in Ireland. Other unique projects, such as the bird sanctuary in Broughshane, have contributed to the increase in tourist visits to rural areas.

Over 198 rural villages across the seven local action group areas in the North have now developed integrated and comprehensive

village plans. Indeed, many have initiated some of the capital works associated with the plans. Additionally, through my Department's investment in the next generation broadband project, almost 14,500 rural dwellers and businesses now have a connection to broadband as a result of the axis 3 funding.

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

Those impacts are all very significant, with direct benefits for the farming industry and secondary benefits for the wider rural economy. In comparison, the benefit to farmers of the funds remaining in pillar 1 in the CAP 2014-2020 will depend on individual circumstances and will be affected by the changes brought about by the pillar 1 reforms. On the basis of the current distribution of support, about half of all claimants will each get less than €260 additional a year by not making the transfer.

It is important to develop a rural development programme that balances the needs of all rural sectors and allocates funds accordingly. The EU Commission will base its approval for the next RDP on a robust assessment that sets out clear needs for each sector, what we intend to do to address those needs and the likely impact of funding. The clear outcome of a zero transfer rate is that fewer funds will be available to address those needs.

I am very disappointed with the funding outcome for the North of Ireland. With no transfer of funds being made in the North from pillar 1 to pillar 2, funding in the rural development programme here will potentially be reduced for agrifood competitiveness, the environment and rural development. It is bad news for rural communities, the environment and the agrifood industry in the North of Ireland. It is critical that we review the zero transfer rate at the first opportunity, which will be in August 2017, with a view to increasing the rate and bringing additional investment into the programme for 2018 and 2019. In the absence of any transfer of funds from pillar 1 to pillar 2, I believe that the Executive funding will now have a greater role to play.

As 2017 will be the first chance to make any change to the transfer rate, I will press the Executive to make available funds to bridge the deficit and to support the farming sector, enhance the environment and meet the needs of rural communities. I am also looking at the scope to seek further funding from the Executive to help my Department to deliver on the objectives that have been set out in the Going for Growth strategy for the agrifood

industry. A positive response on that from the Executive is now more vital than ever.

My main objective in putting together a balanced package of funding for the next rural development programme is to ensure that we have enough money to further improve the competitiveness of our farm and agrifood businesses, to protect and enhance our environment and countryside and to improve the quality of life in our rural communities. It will be important to look at the funds available and all the priorities for funding. I will consider all that carefully as we finalise the new programme, because I want to ensure a targeted and balanced RDP for the farming sector and rural dwellers.

Mr Principal Deputy Speaker: Members, we must proceed to Question Time at 2.00 pm. We will commence questions on the statement after the questions for urgent oral answer are complete. I ask Members to please take their ease until 2.00 pm.

The business stood suspended.

2.00 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Flooding: Coastal

1. **Mr Copeland** asked the First Minister and deputy First Minister for their assessment of the collaboration between Executive Departments and their agencies during the recent flood warnings. (AQO 5249/11-15)

3. **Mr McCarthy** asked the First Minister and deputy First Minister for their assessment of the emergency planning in place for flooding. (AQO 5251/11-15)

9. **Mr Douglas** asked the First Minister and deputy First Minister for their assessment of the Executive's response to the recent flooding crisis. (AQO 5257/11-15)

Mr P Robinson (The First Minister): With your permission, Mr Principal Deputy Speaker, I will answer questions 1, 3 and 9 together. The coastal flooding of recent days and the risks associated with it presented an extremely challenging situation for us all, the public and emergency responders alike. It was a great relief that the flooding was not as severe as initial assessments indicated in some areas.

The Executive met on Friday 3 January to assess the risk from coastal flooding and agreed that our Departments and agencies would cooperate fully in the emergency response, which was led by the PSNI. We urged the public not to risk their own safety and to continue to cooperate fully with responders. The PSNI led the multi-agency response, involving 40 organisations, which responded quickly to minimise the risk and impact of the flooding. In all, some 45,000 sandbags were used to protect homes and key infrastructure. That highly effective response reflects the level of preparedness that was in place to deal with a whole range of emergencies, including flooding. Indeed, an exercise to test the multi-agency response to widespread coastal flooding took place as recently as last November.

We will not be complacent but will continue to improve our emergency preparedness through the work of the Civil Contingencies Group (Northern Ireland), led by OFMDFM and that of other groups of key responders. In line with

good practice, the PSNI, as the coordinators of the response to the emergency, will conduct a multi-agency debrief to identify learning points, which will be applied to further strengthen our ability to respond to future emergencies.

Mr Copeland: I thank the First Minister for his fulsome answer. I join him in paying tribute to those who were involved in preparing for what could have become a very dangerous and nasty situation. What role was considered for the Civil Contingencies Group? What factors were considered, and what information coloured the eventual outcome and the way in which the response was structured?

Mr P Robinson: First, I join the Member and extend the thanks because, obviously, although a number of Departments and agencies were involved, there was a very considerable effort at a community level to give assistance. Those involved should be praised for the way in which they rallied round in severe circumstances.

We discussed the triggering of the Civil Contingencies Group (Northern Ireland) when I met the head of the Civil Service, who chairs that group, along with the PSNI. I think that was on the Saturday evening; maybe it was on the Friday evening. We considered at that stage that we would leave it to the call of the police as to whether they felt the risk was sufficiently broadly based around the Province to require that to be done. At that stage, it was determined that most of the requirement would be in the Belfast area, particularly east Belfast, but that there could be patches outside Belfast. As it transpired, some places outside Belfast were hit much more strongly than had been anticipated, but the group was ready to be called. The head of the Civil Service was ready to bring people together and had put them on notice that, should the PSNI require it, the Civil Contingencies Group would be brought together.

Mr McCarthy: I thank the First Minister for his response. I am glad that he recognised that there are places outside east Belfast because, when I was looking for sandbags, I was originally told to go to Inverary Community Centre. Eventually, however, sandbags were sent down to the Ards peninsula, which deserved to have them.

Last week, the Prime Minister informed us that he is spending over £1 billion on coastal erosion, sea defences and flooding. Will the First Minister now commit the Executive to spending whatever it takes to ensure that

coastal erosion and flooding will things of the past and will not happen again?

Mr P Robinson: The Executive, of course, are the only body that can commit themselves. I can say that the deputy First Minister and I had a conversation with the head of the Civil Service about how we can make an assessment, because the assessment carried out by the PSNI is on the basis of how the responders acted in the emergency. We need a response regarding what the level of danger of coastal erosion was at various points. That is something that several of our Departments probably need to liaise on, particularly Roads Service, to give us an indicator of what steps are necessary.

We were told that we were dealing with the sort of event that happens once every 200 years; but over the past number of years I seem to have come to the Dispatch Box all too often about events that were supposed to happen only once in every 100 or 200 years. It is very clear, although there might be some people who deny climate change, that there are factors at play that indicate that these will be much more regular events. That being the case, I think we need to look at some more permanent answers to those questions. To me, sandbags are very much of the last century. They did the job and they did it well, but, for people's homes, there are potential ways of looking at whether you can get domestic mechanisms that can seal the doors and stop water coming in, which are much better and quicker to put in place. There is also the issue of whether walls need to be fortified. I hope that that is the kind of response that the deputy First Minister and I will get from the two Departments concerned.

Mr Douglas: I thank the First Minister for his answers so far. I know that he saw the level of flood preparedness in east Belfast at first hand, but will he outline his view on the local resilience shown throughout the Province?

Mr P Robinson: I think that the responders acted well across the Province. I enter a caveat, because, although I think that very few people will complain about the way the civil contingencies organisations responded in this case, it was a case that we had notice of. We had several weeks of knowledge of it coming about and there was therefore an opportunity for us to be at a better stage of preparedness, unlike when a heavy deluge of rain strikes you overnight and you have to respond immediately and without the immediate preparation.

We need to look at how we can step up the preparation for other kinds of emergency. Belfast, of course, is very well placed, because it has a civil contingency organisation in place that has been running well and has its own structure already set in place. That is not the case in all parts of Northern Ireland. We have an official's report indicating that legislation should be passed in the Assembly to require and place a duty on councils to have that kind of civil contingency planning done. I support that and think that we are going to have to look at it. That should be a lot easier to do with 11 larger councils than with the 26 councils, some of which are very small.

Investment: Asia

2. **Mr G Robinson** asked the First Minister and deputy First Minister for an update on any inward investment from Asia resulting from their recent visit to the area. (AQO 5250/11-15)

14. **Mr McAleer** asked the First Minister and deputy First Minister for an update on their recent visit to Japan. (AQO 5262/11-15)

Mr P Robinson: With your permission, Mr Principal Deputy Speaker, I will answer questions 2 and 14 together.

Our international engagement during the past year has created a number of potential investment opportunities. I make no apology for our continuing commitment to meet all influencers and business representatives in an effort to promote trade, tourism and inward investment in Northern Ireland and to establish university and government links. Visits to Asia last year included China and, more recently, Japan.

We continue to engage with officials from the Chinese Government on a number of projects, including the opening of an office in Beijing later this year. That will be a big step in strengthening the relations between Northern Ireland and China. Once that is established there will be an opportunity to further explore relationships in other parts of China.

When we visited Japan in December, the deputy First Minister and I met Prime Minister Abe and a Senior Vice-Minister for Foreign Affairs. Our programme also included meetings with the British and Irish ambassadors to Japan and their trade and investment representatives and a number of Japanese companies that are already established in Northern Ireland. It was particularly rewarding for us to meet again prospective Japanese investors who attended

the hugely successful investment conference last October in Belfast. We also hosted a Northern Irish Connections event, where we met a number of diaspora and Japanese people with an interest in helping the Executive promote their objectives in Japan.

We are confident that this series of meetings will help to strengthen links with the Japanese Government and business sector and increase the potential for new and sustainable sources of foreign direct investment in Northern Ireland. Tangible and very welcome evidence of this was the announcement on 10 December of a new 192-job project at Fujitsu in Londonderry. Northern Ireland has a longstanding and active business relationship with Japan. Major Japanese investors include Fujitsu, Terumo BCT, Japan Tobacco, Ryobi and Canon. Collectively, they employ some 3,000 people across Northern Ireland. The growth and longevity of Japanese investment is testament to the culture and commitment of its companies to sustainable overseas collaboration.

Mr G Robinson: I thank the First Minister for his very detailed answer. What plans do you have to encourage investment and trade over the next year that could benefit areas such as the north-west? I know that you mentioned new jobs that are coming to the north-west, but there are other areas, such as my own, Limavady, that could benefit greatly from new jobs.

Mr P Robinson: I know that Fujitsu is already employing people, so I hope that some people from Limavady can stretch themselves to go to Londonderry to take up some of the jobs that are available as a result of that initiative. The deputy First Minister and I very much operate at the behest of Invest Northern Ireland and the Minister of Enterprise, Trade and Investment, Arlene Foster. We are there to give them support where they think that our presence can give them access to companies and where we can persuade them to look at Northern Ireland more seriously. We have done that consistently over the past number of years, with very positive impact.

I indicated in the immediate answer to the question that we were intending to open an office in Beijing. I hope that not only the deputy First Minister and I but other Ministers will attempt to create links with China, using the base of that office to do so. We of course remain active in the United States and Canada and in the Middle East. We are pushing hard in India and Brazil. The deputy First Minister and I will take any steps that we can to give support.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. The Minister more or less answered my question in his final comments. In the short term, what further trips are planned in search of jobs and investment?

Mr P Robinson: As I indicated, we have nothing scheduled beyond going to the United States in March, although I suspect that we will be required to go to Beijing to open the new office. In March, we are being asked by Invest Northern Ireland to extend the St Patrick's Day visit. I think that, this time, we actually get back in time for St Patrick's Day because of the way that the White House has arranged its events. Invest wants us to go to the west coast of the United States and to speak to a number of potential clients there, so that will be the first investment trip that we are likely to have this year.

Mr McKinney: In discussing the October investment conference, the First Minister talked about many of the building blocks in place to take our economy to a higher level. Will the First Minister encourage his party to ensure that it signs up to one of those major building blocks, the Haass paper?

Mr P Robinson: We will have a very full debate on this issue later on, and I look forward to that. We all recognise that there is a responsibility on the political parties, especially those that are in the Northern Ireland Executive, to fulfil the requirements that are set down in the terms of reference to the panel of parties as they did their work. They were asked to come forward with a report indicating the level of agreement that there was, and I hope that his party will join others in doing that.

2.15 pm

Mr Principal Deputy Speaker: Mr Givan is not in his place to ask question no 4.

Freedom of Information: OFMDFM

5. **Mr Kinahan** asked the First Minister and deputy First Minister how many freedom of information requests to their Department were not answered within the initial 20 working day time limit, in each of the past three years. (AQO 5253/11-15)

Mr P Robinson: I am pleased to say that things are moving in the right direction. Some might say that they are moving too slowly. Three years ago, 58% of freedom of information requests were answered outside the 20-day

time limit. That improved to 56% in 2012 and 35% in 2013. Although that is not satisfactory, it is clear that progress has been made.

Mr Kinahan: I thank the First Minister for his answer. Many of us see that progress as being so slow that it is actually a disgrace. It needs to move as quickly as possible. Freedom of information is a vital part of our democratic system. How many of those freedom of information (FOI) requests were over a year old?

Mr P Robinson: My understanding is that, of those that we have at present, six have not yet been answered. The oldest request goes back to July. It is less than one year old. I do not think that anybody suggests that we should be satisfied with the process. I have to say that it is much more difficult in a Department that has two Ministers because both are required to be satisfied with the response. Indeed, I think that we have probably responded to requests to which we could, quite easily, have refused to respond because of the excessive cost of providing an answer. However, we have sought, where possible, to respond. We have, indeed, put in place improvements to the procedures for and the processing and tracking of FOI requests, which should see that steady progress continuing.

Mr Dallat: Does the First Minister agree that, in addition to answering FOI requests, there is a need to respond to motions that are agreed in the House? I am thinking in particular of two motions which encouraged the recall of the Civic Forum.

Mr P Robinson: I recognise that that is a bit of a stretch of the question on freedom of information. However, I congratulate the Member on being able to stretch it that far and get off with it. The reality is, of course, that the deputy First Minister and I deal with many important issues. We are often out and about in the community, hearing people's real concerns. I have to say that, in all of these years, I have yet to meet anybody who has pressed me to sort out the Civic Forum.

Mr Principal Deputy Speaker: Before I call the next Member, I want to point out that the Minister always has the option of not answering a question if he feels that it is completely outside the original question.

Mr P Robinson: I would not do that to the Member.

Sexual Orientation Strategy

6. **Ms Lo** asked the First Minister and deputy First Minister, in light of the commitment in Together: Building a United Community, when they will publish a sexual orientation strategy. (AQO 5254/11-15)

Mr P Robinson: Mr Principal Deputy Speaker, with your permission, I will ask junior Minister Jonathan Bell to answer the question.

Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister): As outlined in Together: Building a United Community, we are committed to publishing a sexual orientation strategy. A draft consultation document to inform public consultation on the strategy is currently under consideration in the Department. It will be published when the consultation process has been completed.

Ms Lo: I thank the junior Minister for his brief response. I want to put my question to the First Minister, who is the head of the Department. Is he away? He is not here. Oh, he is here. Sorry. *[Laughter.]* Mr Bell is obstructing my view of the First Minister.

Given the DUP's opposition to the recent motion that called for the strategy to be published as a priority, I ask the Minister directly whether he supports the publication of that strategy. If so, what has he done to speed up the process?

Mr Bell: I thank the honourable lady for her question. I did not realise that I was so big that I would shield other Members. Perhaps, the new year diet will have to kick in.

The sexual orientation strategy was the commitment of the Executive, not just of the Office of the First Minister and deputy First Minister. Although we led on it, it is the Executive's commitment, under Together: Building a United Community, to publish it. I have met a range of groups in connection with that, as have my officials, and we have listened to the concerns. We have led on other areas: against violence, verbal abuse and attacks on property and homes. We have led on a number of issues that were raised with us during the process. We have also spoken with the groups concerned about what are the best methods for them in the consultation process, what will enable them to give the most fulsome answers and what means of communication, including the use of information technology, will allow for the fullest and most comprehensive level of responses to be brought back with us.

The feedback that I received just a couple of days ago last week from officials directly engaged with a number of groups is that they are very pleased with the way that the communication is going and with where the strategy is at. Under Together: Building a United Community, we are committed to publishing a sexual orientation strategy.

Ms P Bradley: Junior Minister, how will the intended sexual orientation strategy fit within the overall equality context?

Mr Bell: I thank the honourable lady for her question; it is an important one within the overall equality context. OFMDFM has a track record of engaging with and proactively seeking to protect vulnerable groups in our society. We have, through numerous strategies, sought to ensure protection for the whole ambit of section 75 groups, including the age sector, the gender sector, race, disability etc. The sexual orientation strategy will form part of the overall equality suite of services.

Mr Rogers: Minister, what discussions have you had with the Department of Education about addressing the issue of homophobic bullying in schools?

Mr Bell: The initiative in Together: Building a United Community addresses all those matters. We are aware of the situation. We are very clear, in all the discussions that the Executive have had about Together: Building a United Community, that nobody should experience verbal abuse or bullying. There are a range of resources that Mr O'Dowd as Minister of Education can more comprehensively outline in respect of what has happened under his remit and with the anti-bullying strategy, which has been endorsed.

I do not think that any young person should have to experience verbal or physical abuse or damage to their property or possessions. As you know being a distinguished former headmaster, schools have very robust policies in place. We have very clear reporting mechanisms in place, and a number of charities, including Barnardo's and NSPCC, have measures in place. I know that schools in my constituency such as Regent House — I am a governor — have dedicated school counsellors in place, in situ, where young people can report any incident of bullying.

The encouragement that goes out to young people is not to suffer in silence. There are mechanisms in place so that young people will be listened to. There are very robust child

protection procedures in place in schools, with dedicated pastoral care teachers, and in social services, should it get to that level, in conjunction with the police to address serious incidents of bullying. The message that goes out to young people is this: talk to somebody in your family, your friends or somebody in authority whom you trust and your concerns will be addressed. There are measures in place to redress any acts of bullying, which should not have occurred in the first place.

Energy Efficiency: Retrofitting

7. **Mr Flanagan** asked the First Minister and deputy First Minister for an update on their commitment in the economy and jobs initiative document to bring forward proposals to boost economic activity through the retrofitting of energy efficiency measures into homes. (AQO 5255/11-15)

Mr P Robinson: The Executive's economy and jobs initiative has identified a commitment that OFMDFM should bring forward proposals to boost economic activity through the retrofitting of energy efficient measures in homes. A project team is working with stakeholders and recognised industry experts to identify options that will enable householders to improve the energy efficiency of their homes and help to address the prevalence of fuel poverty. A market survey is due to begin at the end of January. That will help to determine demand for a range of energy retrofit options and to refine programme design ahead of any proposed programme delivery. Following the market survey, proposals will be prepared for our consideration. It is important that any proposals complement and supplement existing fuel poverty and energy-efficiency initiatives.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answer, but I am concerned about the range of experts that has been appointed, given the previous bad advice that was provided to the Social Development Minister on the issue. However, we will wait and see.

How will the retrofit programme tackle the ongoing issue of fuel poverty, which is getting worse instead of improving, as was supposed to be the case?

Mr P Robinson: It is very clear that if measures can be brought forward that will reduce the cost of keeping a home warm, they will help to reduce fuel poverty. I should say that I recognise some scepticism from the earlier part of the Member's supplementary question. In

speaking to officials about the issue, I was pleased to hear that real progress is being made on this occasion under the tutelage of the deputy First Minister and me. We are fairly confident that proposals will come out in a very short time.

Mr Spratt: This type of initiative has the potential to be a significant boost to the Northern Ireland economy. Can the First Minister ensure that small and medium-sized companies (SMEs) across Northern Ireland will be able to draw down work from the initiative when it is eventually rolled out?

Mr P Robinson: The Member is absolutely right. Not only will the initiative have an impact on homes that will ensure that there is greater efficiency in energy usage but it will provide much-needed work and therefore expand the number of jobs in the construction industry. Of course, we have to wait until the proposals are brought before us, but I would be very surprised if, as we are dealing with the whole of Northern Ireland, the initiative did not involve a range of companies right across Northern Ireland.

Mr Principal Deputy Speaker: I call Mrs Dolores Kelly for a quick supplementary question.

Mrs D Kelly: Thank you, Mr Principal Deputy Speaker. How many jobs have been created in socially disadvantaged and excluded communities as a result of the initiative from the First Minister's Department?

Mr P Robinson: We are waiting for the initiative to work its way through. At times, there is a tendency on the part of Members to look at these things through the negative end of the telescope. There is massive potential in the set of proposals to save energy in the Province, thereby reducing the household costs of many people and bringing people out of fuel poverty, and, at the same time, to provide much-needed jobs in the construction sector, where they are most required at present. I ask Members to be supportive of what we are doing. We will, I hope, be able to bring encouraging news before the Assembly within a few months, and I also hope that we will, at that stage, be able to see the outworking of the proposals in a way that will cheer even the Member for Upper Bann.

Haass Talks

8. **Mr McGlone** asked the First Minister and deputy First Minister for an update on the

conclusion of the Haass talks. (AQO 5256/11-15)

Mr P Robinson: The panel of parties in the Northern Ireland Executive concluded its discussions on parades, select commemorations and related protests, flags and emblems, and contending with the past on 31 December 2013 without an overall agreement. A draft document was forwarded to the deputy First Minister and me by the chair of the panel, Dr Richard Haass, and the deputy chair, Meghan O'Sullivan. On the same day, we placed it on the Executive's website for wider consideration.

Mr Principal Deputy Speaker: Members, that is the end of the period for listed questions. We will now move to 15 minutes of topical questions. Mr Easton is not in his place, so I call Mr David — oh there he is. Excuse me, Alex.

Mr Easton: Thank you.

Mr Principal Deputy Speaker: He is not in his usual place.

2.30 pm

Haass Talks

1. **Mr Easton** asked the First Minister and deputy First Minister how the process will move forward following the recent Haass talks. (AQT 521/11-15)

Mr P Robinson: What is required, if we are to move forward in Northern Ireland, is reaching agreement on outstanding issues. The unfortunate element of the Haass process has been that, although we now know what Dr Haass and Professor O'Sullivan believed would gain widespread support from the parties, we do not have itemised the level of agreement that there might be in any of the hundreds of elements of that overall proposal. So, I think that it is necessary for a working group to sit down and to work out where there had been agreement and to identify areas where further work is required. I hope that all the parties are up for that. I know that the Ulster Unionists and the Alliance Party have indicated that they are willing to be part of such a process. I was pleased to see in the House of Commons Dr Alasdair McDonnell indicating that he was willing to be part of that; indeed, he was urging the Secretary of State to be involved in a process that would do precisely that. My party is certainly up for it. So, I hope that, when the

party leaders meet tomorrow, they can reach that kind of agreement.

Mr Easton: I thank the First Minister for his answer. Who should chair the next step of the process? Does he envisage Mr Haass returning?

Mr P Robinson: I do not know; there are laws against inhumane treatment, so I am not sure that we would want to push Dr Haass to return. I would certainly be very happy if he were to return, but I suspect that, when he indicated that he was leaving on 31 December, he was not going to go beyond that and that that is his fixed position. I note that the Secretary of State has offered herself as chair for the next phase of the process. Again, I would be quite content with that, but the choice of who chairs it has been left with the five parties collectively. That was how Dr Haass was appointed. So, I suspect that, if the parties are agreeable to a further phase, they will determine an appropriate chair.

Common Agricultural Policy: Court Action

2. **Mr Hilditch** asked the First Minister and deputy First Minister whether they are aware of and would like to comment on the statement made by the Minister of Agriculture and Rural Development to criticise the Minister of Finance and Personnel for taking court action over her failure to bring her decision on the reform of the common agricultural policy to the Executive. (AQT 522/11-15)

Mr P Robinson: I was not in for that part of the Minister of Agriculture and Rural Development's statement. I came in at the tail end of it, so, clearly, she made the remarks before I entered. I am not sure that it is altogether appropriate for the Minister to make comments if they were made in the fashion suggested. I would have thought that the person who breached the ministerial code and who was found to have acted unlawfully is not in a strong position to censure the person who drew attention to such a breach.

Mr Hilditch: I thank the First Minister for his answer. What implications do you believe the decision could have for the operation of the Executive?

Mr P Robinson: This is not the first time that we have been faced with these kinds of judgements. A series of rulings from the High Court — remember that this one was from the

Lord Chief Justice — have indicated the necessity to bring any matter that is significant, controversial or cross-cutting to the Executive. That remains the position. I think that it requires each Minister to reflect more closely on the decisions that they are taking and on whether they fall within those categories.

Of course, we have not yet seen the Lord Chief Justice's written judgement on the matter. That might be helpful to us. However, I really think that the Executive need to sit down and decide how they operate when taking decisions. We do not want to grind an Executive to a standstill, but if there are decisions to be taken that other Ministers point up as controversial, significant or cross-cutting, a Minister should not try to avoid the requirement that is laid down in the ministerial code to bring them to the Executive.

Victims' Commissioner

3. **Mr Dickson** asked the First Minister and deputy First Minister whether they agree that one positive from the Haass talks was a proposal agreed by all parties that the Victims' Commissioner should assess better ways to meet the financial needs of those seriously injured as a result of the past and whether they are prepared to add direction to the Victims' Commissioner's terms of reference to deal with this matter now. (AQT 523/11-15)

Mr P Robinson: I am sometimes overcome by the enthusiasm of some parties in the Chamber to get the deputy First Minister and I to do various things, although those same parties talk about a DUP/Sinn Féin carve-up or tag team. If the five parties sat down as part of a panel and reached agreements, they should bring those agreements, as required by the terms of reference, to the deputy First Minister and me. They have yet to do that.

We have heard Dr Haass's view of the matter but we have not had any paper from the panel, as required under the terms of reference, indicating areas where there is agreement. We are prepared to look at all the areas on which there is agreement, if they can be moved forward on their own. That can be brought to the Executive. However, the first job of that panel, I believe, is to sit down and go through the 340 elements of agreement in the Haass proposals so that each party can determine whether it agrees those. We will then be able to see where agreement on how many of those elements is shared by all five parties and can, therefore, be acted on.

Mr Dickson: I thank the First Minister for his comments. A proposal has been made with regard to provision of a pension for those with serious conflict-related injuries. What actions do you propose or what comment do you have to make on that proposal?

Mr P Robinson: The comment I make is the same as the one I made earlier. For us to look at any set of proposals, it is necessary for the panel to bring them forward. The panel has not yet done that, and I really do suggest that the requirement that we set down in our terms of reference for the panel — not for Dr Haass, but the panel — to bring forward the areas of agreement, means that it should meet to carry out the obligation that has been placed on it so that we can look at each of the individual proposals that are agreed by all.

Apologising for the Past

4. **Mr Dallat** asked the First Minister and deputy First Minister whether they are aware that today one of the most courageous clergymen to emerge from the Troubles, the Rev David Armstrong, called on the former First Minister to apologise for deeds or words of the past and whether the First Minister agrees that the ability to say sorry for the past is an essential element of permanent peace and reconciliation here. (AQT 524/11-15)

I am sure that the First Minister is pleased that my question moves us away from the Haass talks and onto another topical issue.

Mr P Robinson: I am not sure that the Member has moved away from the Haass proposals, which, of course, contain an issue relating to acknowledgement of the past. I do not want to equate those who operated within the democratic process with those who went out and quite deliberately killed and maimed individuals in our society. I think that, when we make mistakes — there is not one of us in this Chamber who has not done so — we should all be prepared to indicate that we have made those mistakes. That is a lesson not just for party leaders but for party members, and not just for DUP party leaders but for members of the SDLP.

Mr Dallat: I welcome the First Minister's response. If I have said something in the past that was wrong, I apologise publicly for it. Will he now encourage his former party leader to do likewise?

Mr P Robinson: I imagine that that is a public apology from the Member for the SDLP's support of a play park in County Down being named after a terrorist, and we will all note that. He is shaking his head, so he clearly does not apologise for the past.

Let me say this about the programme that seems to have stirred up interest: Ian Paisley has been a major figure in public life in Northern Ireland for many generations. He was active while most of us in this Chamber were either not born or were in short trousers or plaid skirts. The fact remains that he made an enormous contribution to the life of Northern Ireland. He has a fantastic legacy. It saddens me that the programme appears to have portrayed it in that way. However, it does not take away from the very significant role that he played. I honestly believe that, if we are to have interviews about the past, it is far better to have them when the events are fresher in people's memories.

Social Investment Fund

5. **Lord Morrow** asked the First Minister and deputy First Minister to outline the position of the social investment fund. (AQT 525/11-15)

Mr P Robinson: Here, again, real progress is being made. As I understand it, officials have been working on approving projects that have gone through the economic appraisal process. I believe that, literally within the next two or three weeks, we will be in a position to move forward with the first tranche of projects, which amounts to over £30 million.

Lord Morrow: I thank the First Minister for his response. Will he tell us how many projects are in a position to have letters of offer issued?

Mr P Robinson: As I understand it, 22 schemes have been approved and have gone through the system. I also understand that 14 schemes are virtually ready. Of course, those are schemes that will be on the ground across the Province and will benefit local communities.

Dickson Plan

6. **Mr Anderson** asked the First Minister and deputy First Minister what implications the decision in the DFP/DARD court case, which took place over the Christmas period, will have for the Dickson plan for education in the Craigavon/Tandragee area. (AQT 526/11-15)

Mr P Robinson: All politics is local. I have always held the view that decisions on the

Dickson plan in Craigavon and the surrounding area are such that the matter would have to come to the Executive. The matter would certainly be regarded as significant and controversial and, if finances are involved, it would also be cross-cutting. The recent decision is just a confirmation of what we already knew: such matters have to be brought to the Executive.

Mr Anderson: I thank the First Minister for that response. Will he indicate what steps would be taken if the Education Minister decided not to bring the decision to the Executive?

Mr P Robinson: It is a hypothetical question and I have no reason to believe that the Education Minister would not bring it to the Executive. Indeed, on reflection, he might take a different position to that adopted heretofore and it would not be necessary to bring it to the Executive.

Clearly, there are mechanisms in place in the Assembly. If 30 or more Members sign a petition of concern, the matter can be referred to the Executive; three Executive Ministers can require that the matter is brought to the Executive, or the deputy First Minister and I acting jointly can bring it to the Executive. There are a number of ways that it can be brought to the Executive. However, I repeat that I do not have any reason to believe that the Education Minister will not bring the matter to the Executive if it requires a decision.

Haass Proposals: Implementation Plan

7. **Mr Rogers** asked the First Minister and deputy First Minister to outline their short-term goals for an implementation plan for the Haass proposals, given that, when Richard Haass and Meghan O'Sullivan were leaving, they said that the proposals were not self-implementing. (AQT 527/11-15)

Mr P Robinson: I think that the Member is confused. He needs to look at the terms of reference again. We do not simply throw a number of people into a room and tell them to get on with it. We give them terms of reference and they act on those terms of reference. The terms of reference place a responsibility on the panel of the parties to bring forward proposals for the areas on which they have reached agreement. The panel has not yet done that.

I now know very clearly what Dr Haass and Professor O'Sullivan's view was of what might have gained widespread acceptance. It clearly

did not do so. Therefore, it is up to the parties to identify the elements in the proposals that they can all agree on, or where there is sufficient consensus for agreement, and bring those forward so that the deputy First Minister and I can decide what the appropriate next steps should be.

2.45 pm

Agriculture and Rural Development

East Belfast: Flooding/Rivers Agency

1. **Mr Copeland** asked the Minister of Agriculture and Rural Development for her assessment of Rivers Agency's performance during recent flood warnings in East Belfast. (AQO 5263/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Rivers Agency's preparation for and response to the recent flood warnings in east Belfast was excellent. In November 2013, the agency organised and ran a real-time simulated emergency planning exercise focusing on coastal flooding. The exercise involved 70 organisations, including all the flood response agencies, the PSNI, Belfast City Council and other key stakeholders. As a result, when the events of last week began to unfold, there was clarity on roles and responsibilities from the outset and, I should say, excellent cooperation between all the organisations involved. During the emergency response, Rivers Agency had a critical role in providing professional advice on the technical aspects of coastal flood risk. That included close liaison throughout the holiday period with the coastal monitoring and forecasting service and the Met Office throughout the holiday period to use the data available to forecast the level of flood risk; decide when to instigate an emergency response; identify those areas at greatest risk, which included east Belfast; and inform an appropriate level of response. The input from the Rivers Agency in the coordinated multi-agency response led by the PSNI was critical in informing key decisions about vulnerable areas and infrastructure. The agency's timely engagement with the PSNI and other organisations, and the technical support that it provided, facilitated the pre-deployment of resources and the strengthening of existing flood defences at Sydenham and elsewhere to successfully avert the threat of serious flooding. The agency was also directly involved in the

provision and placing of sandbags in and around the areas under threat.

Mr Copeland: I thank the Minister for her answer. Through her, I pass on my sincere thanks to those in Rivers Agency for the actions they carried out over that time. It is true to say that we were "lucky" as much as anything else.

My understanding is that, when it is in Belfast lough, water is the responsibility of DCAL; when it enters the Connswater river, it is the responsibility of Rivers Agency; if it overflows onto the ground, it is the responsibility of the DOE; and if it goes onto the roads, it is the responsibility of DRD. Can the Minister explain why she continues to believe that Rivers Agency, for example, with all the responsibilities that it has, particularly at times of flooding, should continue to be in her Department? Can she see the logic of it being included in another Department, perhaps the Department for Regional Development?

Mrs O'Neill: I thank the Member for his complimentary comments about Rivers Agency staff. I concur with that. Staff actually came in off their leave to make sure that they were there to do all that they could, so thanks for that.

There was a multi-agency response to the incident because of the significant nature of what potentially could have happened. As I said, Rivers Agency was very much to the fore in providing technical advice for the entire group on weather developments and what could potentially have occurred. It was a multi-agency approach because of the various responsibilities. It comes back to the point raised on the back of the performance and efficiency delivery unit (PEDU) report some time ago, which looked at whether there should be a strategic role for one responsible Department for overarching flooding issues. That is all in the mix, but it is something that needs to be considered further down the line under the wider review of what responsibilities are within each Department.

Mr Newton: I thank the Minister for the response from the Rivers Agency, particularly in east Belfast, where it was a river problem. Its role was crucial. There are a number of stakeholders, and you have mentioned some of them. Primarily, the stakeholders in this situation are the residents of Sydenham, Orangefield and Clarawood. A flood alleviation scheme is in place, and I know that you are aware of it, along the Connswater greenway. It is absolutely crucial that the investment that is there for that is implemented and that it is done

as quickly as possible, with urgency, to produce safety aspects for the residents along the route of that river, whom I have already mentioned, so that they enjoy at least some remit from any potential future flooding.

Mrs O'Neill: In the wider project, I am pleased that there has been progress to date, particularly in the Orangefield and Victoria Park area. The work is ongoing and is now almost complete in those two areas. Obviously, we look forward to construction on the final phase of the greenway project starting in the summer, and we are all very committed to making sure that that happens within the time frame that we have set out. We are looking at early 2016 for the completion of the whole project. The Member is aware that there have been delays because of the failure of the tender between Belfast City Council and the company. So, there have been delays, but I am pleased with the progress to date and that we are on target to deliver the full flood alleviation project in the whole area by early 2016.

Mr Principal Deputy Speaker: Before I call the next Member to speak, I would like to give Members two indications. Questions should be short and to the point. This question relates specifically to east Belfast and anyone who wants to ask a supplementary question must address the question, otherwise they should indicate whether they want to withdraw. *[Interruption.]* I am going to move on unless I get an indication. *[Laughter.]* OK, I call Mr Fearghal McKinney to do his best. *[Laughter.]*

Mr McKinney: Is the Minister giving serious consideration to the allocation of more money for capital schemes to deal with the increasing difficulty of flooding in a number of locations across the North, as well as in the east of the city?

Mrs O'Neill: I would be very foolish to stand here as a Minister and say that I do not want more money. We always want more money, and, after recent events, Rivers Agency will do a follow-up exercise to look at the resources that we have in place. There will be inspections of areas that were impacted upon. Based on that, Rivers Agency will be able to bring forward recommendations as to whether we need additional resources or need to bring forward additional work. That work is ongoing, and options will come from Rivers Agency if it feels it needs additional resource to bring forward additional projects.

Mr McMullan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Why did the PSNI

lead on the preparations in response to the flooding? They are neither engineers nor experts in flooding.

Mrs O'Neill: Flood risk in coastal areas has a significant risk to life associated with it, so it is classed as a category 1 emergency. In such situations, the lead role in coordinating and directing preparations and response sits with the PSNI. The fact that we held a simulation exercise back in November was very helpful. It meant that when we were faced with this situation, which was potentially very dangerous, agencies were clear as to their roles, and it was clear from the start that, given the risk to life, the PSNI needed to take the lead.

Mr Principal Deputy Speaker: Mr Sammy Wilson is not in his place to ask question 2.

Single Farm Payment: 2013

3. **Mr Clarke** asked the Minister of Agriculture and Rural Development how many farmers have yet to receive their 2013 single farm payment. (AQO 5265/11-15)

Mrs O'Neill: To date, approximately 3,000 single farm payment claims remain to be finalised. My officials are working to finalise them as quickly as possible. In November 2013, I announced that 95% of claims, including the majority of businesses subject to inspection, will be finalised by the end of February 2014. Some 92% of single farm payment claims have been finalised since 1 December 2013. More farmers received their single farm payment in December 2013 than ever before.

Mr Clarke: I thank the Minister for her answer. I welcome the fact that 92% of farmers are in receipt of their payment, Minister, but I am sure that you, coming, like me, from a rural constituency, are disappointed that your Department has not got that number much higher. Given the economic climate, what will your Department do to address the plight of the 3,000 farmers who are still waiting for receipt of their payment? Can she assure those farmers that they will get that payment speedily?

Mrs O'Neill: I can assure the Member that it is my intention to have as many people paid as possible. As I said, we have made a great improvement in that we paid more farmers in December than in previous years, so there has been progress. However, we obviously have more to do to get to a position where we can pay everybody as early as possible.

Claims remain outstanding for a variety of reasons, including probate or people not providing their bank details. It is hard to believe but, in this day and age, some people still do not provide their bank details. As I say, there is a variety of reasons why those people have not been paid, but we are working our way through it, and I intend to meet the target that I have set out for February 2014.

Mr McAleer: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Is it possible to review and speed up the process whereby decisions are reviewed?

Mrs O'Neill: Yes. The single farm payment review and decisions procedure is a two-stage process. Stage 1 involves a review of the decision by an officer in the Department not previously involved in the case. Stage 2 involves a review by an external panel. The panel considers the Department's decision against the EU regulations and agreed policy and makes a recommendation. The panel's recommendation is not binding on the Department. The final decision rests with the head of the paying agency of the Department and the Department's statutory responsibility cannot be delegated to the panel.

We are working to reduce the backlog of cases at stages 1 and 2 and to reduce the time taken to process some cases. We met our target in over 400 stage 1 cases, and 80 stage 2 cases were finalised by the end of 2013. The current stage 1 backlog has reduced to 132 cases. However, the clearing of stage 1 cases has had a knock-on effect at stage 2, and 101 cases are now sitting at various stages in the process. Of those, work on 62 cases is not started.

In June 2013, two additional case officers were seconded to the stage 1 team to assist with clearing the backlog of reviews. Since then, we have been able to halve the number of outstanding cases and are continuing to bear down on this. Additional resources have been made available to the stage 2 process. However, because of the level of knowledge required to deal with the complex issues, and the time necessary to become competent in this work, the benefits of increased resources is being fully realised only now.

The workload and resourcing levels of the team are continually monitored to make sure that we can speed everything up and get as many cases dealt with as quickly as possible.

Mr Elliott: I thank the Minister for that update. A remote inspections system appears to have

been introduced this year where two areas were inspected. I think that the Bann valley and Clogher valley were the areas. There appears to be no payments made to any of the people involved in those. Could the Minister explain why?

Mrs O'Neill: Yes. The Member will be aware that we are in the process of trying to speed up payments. Part of that is being able to ramp up the number of inspections that we do by remote sensing. The two geographical regions selected for the 2013 scheme encompass the towns of Portglenone, Maghera, Magherafelt and Garvagh in the east and Fivemiletown, Augher, Clogher, Tempo and Fintona in the west. The majority of those inspected cases will be paid by the end of February 2014. I can give the Member that assurance. That is earlier than would have been the situation last year.

We are working our way through all those cases. Being able to speed up the number of people inspected by remote sensing is key to us being able to move forward and improving the payment rate as early as possible in December.

Mr A Maginness: I do not come from a farming background, but I do come from a self-employed background, and one of the worst aspects that any self-employed person has to suffer is delays in payments from public authorities, and this is one such delay. I ask the Minister to radically look at the system of review so that this endless delay in payments is eradicated or kept to a basic minimum. Eight per cent is still high and should not be repeated.

Mrs O'Neill: I am very aware of how important the single farm payment is to individual farmers. Those who have not received their payment are obviously anxious, which is natural and totally acceptable. With the targets that we set, we have improved. We are in a better position, and there is a better picture. However, my aim is to make sure that we deal with those remaining cases as quickly as possible.

As I said, by February 2014, we have a target of 95% and are in line to achieve that. We have done better than the targets that we set, but I want to be in a position where we pay all farmers their maximum amount of money in as short a time frame as possible. We have made massive improvements to be able to do that and will continue to drive forward that agenda for change. In my answer to Declan McAleer I mentioned the review process that we want to sort out as quickly as possible.

Common Agricultural Policy: Habitats and Birds Directives

4. **Ms Lo** asked the Minister of Agriculture and Rural Development, in light of the recent decision not to transfer any money from pillar 1 to pillar 2 of the new common agricultural policy, how many meetings she has had with the Minister of the Environment concerning meeting the obligations under the habitats and birds directives to manage designated sites under targeted agrienvironment schemes. (AQO 5266/11-15)

Mrs O'Neill: I am scheduled to meet the Minister of the Environment tomorrow to discuss the next rural development programme, including agrienvironment schemes. My officials have been working closely with officials in the Department of the Environment on the design of the agrienvironment scheme for the next rural development programme.

It is proposed that land designated under the EU habitats and birds directive will be a priority for entry into the new scheme. This will support specific management plans for designated sites to help meet obligations under the habitats and birds directive.

The existing agrienvironment scheme under the current rural development programme has been prioritised towards designated sites. At 30 November 2013, over 25,000 hectares of designated land was being managed under agrienvironment scheme agreements. The budget available for the new agrienvironment scheme has yet to be finalised. However, the protection of designated land will be one of the priorities of the next scheme, and funding will be targeted to achieve the best effect.

3.00 pm

Ms Lo: I thank the Minister for her reply. Given the zero-rate transfer from pillar 1 to pillar 2 and the much reduced funding for pillar 2 and therefore for the agrienvironment schemes, are we at risk, now or in the near future, of infraction fines from the EU for missing targets?

Mrs O'Neill: I am keen to assure the Member that I am as committed to environmental schemes going forward in the new programme. Because of the court ruling and the decision by DEFRA to go to Europe with a 0% transfer, we have a reduced budget. That will have an impact on the environmental side of things, the rural dwellers and farmers, because the money that I would have transferred was to help get a

balanced approach to supporting all the different elements of rural communities. You have to take a holistic view of the rural community.

I assure the Member that I am as committed as I was to taking forward the schemes. There are farmers who will be anxious about the schemes, looking to the future, and I want to give an assurance that I will bring forward schemes. I can give that commitment to farmers.

As I said, my officials are talking to DOE officials and are already very focused on ensuring that the new scheme is designed to best meet the needs of the environment and our requirements under the birds and habitats directive.

Mr Byrne: What level of formal or informal discussions did the Minister have with ministerial colleagues, particularly the Minister of Finance and Personnel, before her announcement on 20 December?

Mrs O'Neill: I am happy to inform the House. I started to deliver a statement before Question Time, and we will come back to that.

As part of the normal process of Executive business, I wrote to all Ministers, seeking their views on the very issue of my pillar transfer and the potential for transfer. The Minister of Finance and Personnel made no response on both occasions, yet further down the line he thought it appropriate to take a court case without going through the Executive and the normal procedure. That is the correspondence that I had with Ministers prior to taking the decision.

Mr Campbell: The Minister has been alluding to the processes regarding her discussions with the Finance Minister. In the wider context, does she realise and accept the substantial difference between before 2007 and since 2007, which is that such issues now need to be brought before the Executive for approval rather than have a Minister proceed on a stand-alone basis?

Mrs O'Neill: Over the past number of years, I have been very much committed to taking forward the CAP discussions. I have been in Europe regularly to debate the issues and fight the corner for our local farmers.

I took this decision on the basis that it is the core business of my Department. I did not see any reason to bring the decision to the

Executive. My Department's core remit is very much to improve the social and economic infrastructure of rural communities. The decision was taken on the basis of a very balanced approach, on the back of a consultation and engagement with stakeholders, and looked towards the needs of farmers, the environment, rural dwellers and rural businesses. For me, the 7% transfer rate was a very logical, fair and balanced approach to take forward. The Finance Minister, as I said, had no issue with the transfer rate when he was written to and made no response to it, yet he failed to have an Executive discussion and wanted to go to court. Perhaps we need to question the motivation behind that decision and ask whether it was politically motivated.

Common Agricultural Policy: Pillar 1/Pillar 2

5. **Mrs D Kelly** asked the Minister of Agriculture and Rural Development whether the proposed transfer of common agricultural policy monies from pillar 1 to pillar 2 is going ahead. (AQO 5267/11-15)

Mrs O'Neill: As I advised in the statement that I made today, the 0% rate of transfer for the North of Ireland from pillar 1 to pillar 2 has been notified to the European Commission by DEFRA for the scheme years 2014 to 2019. That means that there will be no transfer of moneys to rural development at this time. It is critical that we review that decision at the first opportunity. It will need to be done by 1 August 2017, as permitted by the European regulations. The regulations allow for the transfer rates for scheme years 2018 and 2019 to be increased, which will bring additional investment into the programme in those years.

Mrs D Kelly: In view of the Minister's earlier comments and the very public, political slapping about that the DUP Finance Minister seemed to employ against her and her Department, does she have any comment to make on the failure of political leadership, which were words that, I believe, were used in the judgement as a result of the case taken by her ministerial colleague?

Mrs O'Neill: I think that it is unfortunate, to say the least, that the Minister of Finance and Personnel saw fit to go to the courts, as opposed to coming to the Executive to have a very reasoned and logical discussion. Again, I question the motives for that. I am not going to be sidetracked. However, the decision has now been taken, and we are sitting with no transfer rate. We have an opportunity to review that in 2017, and, obviously, we look towards that.

We have to be serious about supporting rural communities in the whole. I think that some people are attempting to portray this as being the farmers versus the environment. Farmers are the natural custodians of the countryside, and they are very mindful of and dependent on the environment around them. It is very much not about that; it is about a balanced approach. As I said, I am not going to be distracted. I will get on. There are big decisions to be taken, and I will take those in the time ahead on the basis of corresponding with stakeholders. We have had over 400 responses to the consultation, and we have an ongoing consultation that runs up to 17 January. So, any decisions that I take will be in the best interests of a fair and balanced rural economy and will look after the needs of farmers, the environment, rural dwellers and rural businesses. That is the only thing that you can be guided by when you make a decision. This is of major importance to rural dwellers and farmers. It will be in place and will run up to 2020, so we need to get it right. I will carry on with my business, and I believe that this is my core business.

Mr Boylan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Does the Minister think that the Executive need to provide funding for Going for Growth?

Mrs O'Neill: Yes. Obviously, the eventual shape and size of the programme will depend on the resources that are available to it. We have been forced into a position where we are unable to transfer funds to support the agrifood industry, which is very much what this was about. The 7% transfer would have allowed support for capital grant schemes for sheds and fencing. Those are the things that farmers are asking for whenever I am out and about.

The Executive will now have to step up to the mark to support rural communities and the agrifood industry. You have to remember that, throughout the past number of years of recession and economic decline, agrifood has continued to do well. We have worked very hard to bring it to the forefront and to put it at centre stage in any economic recovery. What we have now is a vision in the Going for Growth document, and the Executive need to support that in going forward. When I go to the Executive in the next number of weeks with the Going for Growth strategy, I expect to get that support.

Mrs Dobson: Does the Minister agree that the Executive, not the High Court, is surely the best

forum to debate and make decisions such as this? Does she feel that this puts future funding for farm safety at risk? That is such a vital issue, and our Agriculture Committee will focus on it yet again tomorrow.

Mrs O'Neill: Yes, it certainly makes things more challenging. If you look at the current programme and the things that the modulated money has been paying for, you will see that they have all been farm-related or farm family-related, particularly in BVD training, Focus Farms and family mentoring and support. So, there is obviously a danger in moving forward on what we can afford to do with the range of measures that are in the current programme and are funded through modulated money.

I agree with you totally that this is a discussion that should have been held in the Executive, not through the courts. That said, we are where we are, and we have to deal with it. As I said, I will not be sidetracked. I will have to take key decisions in the time ahead that are based on the needs of stakeholders and the entire rural communities. As the consultation comes to a close on 17 January, we will have to take decisions on the way forward that best meet the needs of rural communities.

Mr Frew: Does the Minister agree with me that the best and most direct way to get financial assistance to the farming community is through single farm payments, and does she agree that it was left to the DUP to fight for that payment and restore it to the farming community?

Mrs O'Neill: No is the simple answer. The DUP may want to look after just one section of our rural community; I very much want to look after everybody in the rural community. You have to take a balanced approach, so you should not play one off against the other. You need to support the farming community, rural dwellers and businesses, and the rural development programme is a fantastic vehicle for doing that. The DUP may want to look after just one section of the rural community; I will look after it in its entirety.

Rural Development Programme: Axis 3

6. **Mr Anderson** asked the Minister of Agriculture and Rural Development how much money has been committed to strategic projects within the rural development programme under axis 3. (AQO 5268/11-15)

Mrs O'Neill: My Department has now issued 32 letters of offer worth over £17.5 million to strategic projects across all seven cluster areas. These projects are already contributing to spend, with £4.7 million in claims paid to date and a further £3 million to be claimed this financial year. Indeed, several of the projects are now complete and are bringing in much-needed income to rural areas.

When I originally announced the refocus of axis 3, it was to increase investment in rural areas at a time when the economy was in decline and to ensure that no funds were returned to Europe. I am pleased to say that my actions have been effective. In December, we saw our highest value of quarterly claims processed so far, at £3.5 million, bringing our total spend to date to just over £58 million. We now have over 1,800 projects on the ground, and, despite the difficult economic climate, the programme has created over 450 rural jobs to date, with more to come. Rural tourism projects funded by axis 3 have accounted for 121,000 visitors, and this will rise as more projects come on stream. An additional 14,500 rural businesses and dwellers now have broadband thanks to the DARD investment in the next generation broadband project. Over 300 community and social economy projects have benefited from axis 3 funding. So, I am happy to report that axis 3 is making a real difference to rural dwellers and communities and is helping to sustain and grow rural businesses, which form an important part of our rural economy.

Mr Anderson: I thank the Minister for that detailed response. However, in the wider context of the reform of the common agricultural policy, will she outline what steps she intends to take to support young entrants into farming?

Mrs O'Neill: I think that that is vital in moving forward. It is one of the decisions that we will have to take as a result of the consultation on CAP reform. A look at the age profile of farmers shows that it is important that we help young people to stay in the industry. It will be vital to look at a scheme that will support our young farmers and new entrants. That is one of the things that we are consulting on at the minute, and we will take decisions on that in the very near future.

Mrs Overend: Will the Minister explain to the House why the priorities were not agreed beforehand, which would have avoided the High Court farce over Christmas?

Mrs O'Neill: I was in the High Court over Christmas because the Finance Minister

disagreed with my decision. When the court made its ruling, I brought a paper to the Executive and it was not agreed. I took decisions because, as I said, I believe that it is my core business to take such decisions. In the past, I was able to take decisions not to move money under modulation without any challenge. It is strange that the Finance Minister decided to make that challenge this time, but only he can answer why.

Mr Brady: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. My question to the Minister is whether she thinks that the strategic projects had the impact that she hoped for, but I think that you answered it to some degree in your first answer.

Mrs O'Neill: I think that I did. I outlined some of what I think are fantastic elements of the projects that are going forward. They have brought fantastic benefits to rural communities. Increased spend at a time of recession is to be very much welcomed. I think that they have been very successful over the past year or year and a half.

Mr Principal Deputy Speaker: Mr Dominic Bradley is not in his place, so I call Mr Seán Lynch. Mr Seán Lynch is not in his place *[Interruption.]* Oh, there he is. I call Mr Seán Lynch for a topical question. I am busy looking for Members. That is the end of the listed questions, and we are now moving to topical questions. You are the next Member who is available.

3.15 pm

Tourism: Forest Service Estate

3. **Mr Lynch** asked the Minister of Agriculture and Rural Development to outline the potential for tourism on the Forest Service estate. (AQT 533/11-15)

Mrs O'Neill: The Forest Service already delivers significant recreational and tourism benefits. The potential exists for further development, particularly through working with other recreational and tourism providers. The Forest Service is continuing its work in developing partnership arrangements with local authorities and other recreational providers to ensure that opportunities for progress are fully realised. This approach has led to the development of improved facilities in many areas, including the major mountain bike projects completed in Castlewellan Forest Park, Rostrevor park and Davagh forest in

partnership with the local councils. We have seen a multipurpose trails network completed in Castle Ward, a regional play park opened in Slieve Gullion and biodiversity trails launched in Learmount forest in partnership with Derry City Council. There has been a whole suite of partnership working to the benefit of tourism in our forests. Forest Service is also using funding from the Executive's economy and jobs initiative to improve recreation and tourist facilities on Forest Service property under the theme of supporting infrastructural investment.

Mr Lynch: Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra sin. As the Minister is aware, there is a tree disease. Does she believe that it will impact on potential tourism?

Mrs O'Neill: We want to limit any impact that tree disease will have on the potential of our forests. My Department continues to put significant resources into tackling the disease. I think that the Member is referring to P ramorum. We have had follow-up inspections on sites identified through aerial surveillance in June and September and have confirmed an increased area of infected larch compared with 2012 and outbreaks in new areas, notably westwards as far as County Fermanagh.

Felling is under way at 12 forests, including an area of 164 hectares. Further action will be taken forward on a prioritised basis. We continue to engage with the Agri-Food and Biosciences Institute (AFBI) on research to help our understanding of the disease. We are also working closely with plant health colleagues in the South and across in Britain. Since the disease was first diagnosed in larch in 2010, over 900 hectares of larch plantation have been felled to control it.

These things have an impact on access to our forests. We very much seek the cooperation of landowners and the general public who visit our forests in observing the biodiversity features and taking precautions by, for example, washing the wheels of bikes and prams when using our forests. We want to be able to limit the damage that disease can do to our forests' tourism potential.

Winter Weather: DARD

4. **Mr Dickson** asked the Minister of Agriculture and Rural Development what lessons her departmental officials learnt from last year's winter weather and what provisions they have in place, given that she will remember that, last year, my constituency of East Antrim was

affected by some of the worst of the winter conditions, particularly the snow, with rural and very isolated farms in the glens of Antrim suffering the most. (AQT 534/11-15)

Mrs O'Neill: The scenes that we witnessed last year were shocking. The extreme weather was something that had not been seen for quite a number of years. On the back of that, we set up the fodder task force to look at preparedness for winter. We continue to do that. A number of farmers have taken part in our College of Agriculture, Food and Rural Enterprise (CAFRE) feed management courses. That is in preparation for the potential for this to occur again.

We worked with all the stakeholders — the farming unions, the banks and the feed providers — to make sure that we put everything in place that could be put in place in the event of something like this happening again. The task force met on numerous occasions and has agreed to meet again as and when required if we were to find ourselves in that position again. I believe that we are in a better state of preparedness. I believe that lessons were learned by all agencies, because it was a multi-agency response to that snow. Hopefully, we will not find ourselves in that position again, but I believe that, if we do, we will be in a better state of preparedness.

Mr Dickson: I thank the Minister for her assessment thus far. The recent experience of flooding, particularly in places such as Carnlough, Carrickfergus and further up the coast, should have demonstrated to us the value of one lead agency, which is clearly the PSNI. Does she agree with me that, should we have further severe winter conditions, it would be appropriate that the PSNI should be the lead agency coordinating district councils and others?

Mrs O'Neill: It will be dependent on the circumstances of the incident at the time. Because of the flooding and the risk to life, it was decided that the PSNI was the natural lead. If that is needed in the future, I will be open to doing whatever is best for the situation at that time.

Rural Crime

5. **Mr Clarke** asked the Minister of Agriculture and Rural Development whether she is aware of last week's news when my constituency colleague highlighted rural crime and whether she will tell us what she is doing in conjunction with the PSNI to try to tackle this problem,

which has been going on for some time now. (AQT 535/11-15)

Mrs O'Neill: I agree with you: it is a serious problem. I have ongoing engagement with DOJ and the Chief Constable. We meet on a regular basis to discuss the issues, emerging trends and themes that everybody is picking up on. We have a very efficient enforcement team in place and now have a representative on the rural steering group. So, all the agencies are working together on the best approach. I will continue to carry out my role in addressing the very real concerns of rural dwellers about crime. You will be aware that, in some areas, we have issues with cattle theft and, in other areas, it could be around equipment. So, we need to look at everything and make sure that all agencies play their role, and I will not be shy in taking my issues to the PSNI and DOJ.

Mr Principal Deputy Speaker: I call Trevor Clarke for a supplementary.

Mr Clarke: Sorry about that; I was daydreaming.

Can the Minister outline exactly what her Department has been doing to date? I am sure that you will accept that the figures show an increase, and, whilst I accept, as the Minister said, that there have been various agency meetings and agencies are working together, will she accept that not enough has been done and give us an insight into what she will do and what has been happening?

Mrs O'Neill: It is a positive that we now have a rural crime steering group. It is good that all the agencies are sitting around the table and working together on how we can combat rural crime. The Member is aware that responsibility for combating rural crime falls primarily to the Department of Justice and the PSNI, but DARD continues to play its role, particularly through our CAFRE advisers giving advice on keeping equipment safe and keeping all your individual things safe. The colleges have had workshops on rural crime awareness. So, quite a number of things are being taken forward in conjunction with the other agencies. In looking to the future and towards support for, for example, the farm modernisation programme, we may want to consider including criteria such as having identification tags on your things. There are initiatives that we can take forward that will hopefully be of benefit to rural people.

Young Farmers: Qualifications

6. **Mr McNarry** asked the Minister of Agriculture and Rural Development to join me in recommending to our young farmers that they follow the example of the future king, Prince William, by enhancing their agricultural qualifications. (AQT 536/11-15)

Mrs O'Neill: It is encouraging in itself that our agriculture colleges are oversubscribed. So, young people already see a future in either farming or food. We have an opportunity now with CAP reform to tailor financial supports for young farmers. That will hopefully create a bit of an incentive to support those young people to stay in the industry. As I said earlier, the age profile of the farming community is a concern. We need to sustain that for the future, and the only way we can do that is if new people and young people come into the industry. So, I will do whatever I can to support those young people to come into the industry and to encourage them, and we are doing that through our colleges and hopefully through CAP reform with some financial incentive.

Mr McNarry: I thank the Minister for her answer. Given that she identified the potential difficulties with the new CAP schemes for young farmers in particular, is she able to give some kind of direction to those young farmers about what level of qualifications they should pursue to help them with their future?

Mrs O'Neill: As I said, it is part of the consultation process, and we can look at all of that. I have not taken final decisions on it. However, in looking towards new ways of farming and being innovative, it will be significant for young people to have the qualifications, and that will assist them in how they run their business. So, we very much encourage people to get on board and attend the courses. We have formal and less formal learning environments for people. It tries to appeal to everybody.

Fishing: Stakeholder Forum

7. **Miss M McIlveen** asked the Minister of Agriculture and Rural Development what plans she has to convene a meeting with relevant stakeholders to explore options around the restructuring of the fishing fleet, particularly on decommissioning. (AQT 537/11-15)

Mrs O'Neill: I met representatives of the fishing industry back in November, when I suggested that it would be important to get a stakeholder forum back together again. It is something that happened in the past, and there would be benefits all round if that were to happen. I have

agreed that officials should meet representatives of the industry again this month, and we will take it forward straight after that.

Miss M McIlveen: Further to that question, will the Minister confirm whether moneys that had been ring-fenced under the European Fisheries Fund (EFF) for decommissioning are still available?

Mrs O'Neill: I will write to the Member on that issue. Moving forward, however, we have the new EFF and the European Maritime Fisheries Fund (EMFF), so there are opportunities there for funding for the industry. Were we to get that stakeholder group together again, we could get a collective voice to express the needs of the industry and use the European funding to meet the needs that are identified.

Mr Principal Deputy Speaker: Mrs Judith Cochrane is not in her place. I call Mr Ian McCrea.

Farming: Remote Sensing

9. **Mr I McCrea** asked the Minister of Agriculture and Rural Development to detail how many farms were subject to the remote sensor inspection in 2013. (AQT 539/11-15)

Mrs O'Neill: I do not have the figures on me, but it was somewhere around 1,200. I will confirm the number in writing to the Member. Two geographical areas were chosen, one towards the east and one towards the west. It was around 1,200, but I will be happy to confirm that in writing.

Mr I McCrea: Why were the farmers involved not notified that the inspections were taking place? Many of them were expecting money at the end of the year and found that that did not happen. The Minister will certainly be aware that farmers depend on that money. Will she detail why they were not informed that the inspections were taking place?

Mrs O'Neill: We did write to the people who were being inspected. Obviously, the aim is to get as many inspections done by remote sensor as possible so that we are in a position to get payments out more quickly. I suppose that that is challenging at the start, and it is different, but we intend to have payments sent out by the end of February to the people who were inspected in that way. We are working actively towards that at the moment. People were written to

individually to inform them that they were going to be inspected in that way.

Common Agricultural Policy: Pillar 1/Pillar 2

10. **Mr McAleer** asked the Minister of Agriculture and Rural Development, given that there may well be environmental implications from the DFP-inspired court case to quash the transfer of funds from pillar 1 of the rural development programme, to tell us the response from the Minister of the Environment when she alerted him to her proposal to transfer 7% from pillar 1 to pillar 2. (AQT 540/11-15)

Mrs O'Neill: As I said earlier, when I wrote to all Ministers, the Minister of the Environment was the only one to respond to the potential transfer from pillar 1 to pillar 2. Obviously, he is very concerned about the environmental schemes and wants to see them go forward. He is also very alert to the fact that our officials have been working together to design a new scheme and have it in place and ready to go as soon as we implement the new CAP. Those were his concerns, and he just wanted to make sure that we were protecting the environment. I want to assure the Member that, as I said, I am just as wedded to ensuring that we bring forward environmental schemes, albeit that it will be more difficult now because we have a smaller pot of money.

Mr Principal Deputy Speaker: I call Mr McAleer for a supplementary question.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. The Minister has already answered my supplementary question.

Mr Principal Deputy Speaker: That concludes the topical questions. The House will take its ease while the Minister takes his place.

Questions for Urgent Oral Answer

Health, Social Services and Public Safety

Emergency Departments: Crisis Conditions

Mr Principal Deputy Speaker: Mr Fearghal McKinney has given notice of an urgent question for oral answer to the Minister of Health, Social Services and Public Safety. I remind Members that if they wish to ask a supplementary question, they should rise continually in their places. The Member who tabled the question will be called automatically to ask a supplementary question.

Mr McKinney: asked the Minister of Health, Social Services and Public Safety what steps he is taking to address crisis conditions experienced by patients recently at the accident and emergency departments in Craigavon Area Hospital and the Royal Victoria Hospital.

3.30 pm

Mr Poots (The Minister of Health, Social Services and Public Safety): Last week's circumstances were exceptional, and it is important not to confuse an exceptional circumstance with overall performance in the Royal Victoria Hospital (RVH) and Craigavon Area Hospital emergency departments (ED). The escalation plan at the RVH, which included some ambulances being diverted to the Ulster Hospital, worked effectively and normal arrangements resumed within a matter of hours. Ambulances were also diverted to other hospitals for a time last week in response to the situation at Craigavon hospital, which was significantly busier than usual. That is a routine part of the operational management of pressures across the system.

The Health and Social Care Board and Belfast Trust are reviewing the major incident declared by the trust to see whether refinement of the Health and Social Care business continuity planning is required to respond more appropriately to future incidents of that kind. It is important to note that there will continue to be periods of pressure in all our emergency departments throughout the winter. That is to be expected in emergency departments.

Mr McKinney: At the outset, Mr Principal Deputy Speaker, I thank you and the House for

acknowledging the major importance of the issue. The SDLP warned, not just before Christmas but many months ago, that the savage budget cuts that the DUP and others backed would provoke just such an outcome for vulnerable people. The SDLP also warned that the recent closures announced in Downe and Lagan Valley were wrong and would have a negative impact. They should be reversed.

We, like patients, staff and unions, were shocked to see what happened in the Royal Victoria Hospital on Wednesday and in Craigavon on the previous Monday. For us, it is about accountability and how a decision in one area can potentially affect another. In this case, it has affected a number of other areas negatively and to a significant degree.

Is the tail wagging the dog? Who is ultimately responsible? What happened on Wednesday at the Royal Victoria Hospital was a symptom, not a cause. We need to know the extent to which those earlier decisions impacted on Wednesday night's crisis. Can the Minister tell us what steps are being taken to assess that?

Mr Poots: A course of work has been done to assess the impact on the other trusts of the closures of Downe and Lagan Valley at the weekends. The assessment carried out indicates that the situation at the Royal Victoria Hospital on the Wednesday night was in no way related to the reduction of hours at the emergency departments at Lagan Valley and Downe hospitals, which, of course, is on Saturday and Sunday. The Royal is a hospital that admits around 70 to 80 people each day. Over the course of the days associated with the backlog in the emergency department, it was admitting over 100 — 110 in one case. Consequently, there was a degree of backing up, not enough people were being discharged and, as a result of that, they introduced an emergency plan.

I just wish that our politicians and, indeed, our media would be more mature in how they assess things. Three hours after an emergency plan was initiated, things were back to normal in the Royal Victoria Hospital. We can look at things even as they stand today. As at 3.15 pm today, there were 67 people waiting in the emergency department in the Royal Victoria Hospital. Nobody has been waiting in excess of eight hours. I say "waiting", but people are normally triaged within 15 to 20 minutes; although, in some cases, it can be a bit longer. When we say waiting for four hours or 12 hours, we are actually referring to people having been treated and either sent home or else having a bed in the hospital. Those are the 12-hour

waits that we are talking about. We are not talking about people waiting for 12 hours to see a doctor or nurse. That is not the case. In the Ulster Hospital at 3.15 pm today, there were 58 people waiting for treatment; in Antrim, there were 46; and in Craigavon, there were 73. Over the weekend, nobody had to wait for longer than 12 hours.

So we do not have a crisis in emergency departments across Northern Ireland. What we have witnessed, on one particular night in the Royal, is a backlog that had come from the previous two days. It was difficult from the Monday right through to the Wednesday. We witnessed that, but it has been dealt with and responded to. We have seen Craigavon Hospital have its struggles on a Monday night, and it has used the divert mechanism to go to Daisy Hill Hospital and the South West Hospital. It is very appropriate for people from the southern part of the Southern Trust area to go the South West Hospital, and that has helped to alleviate the problems. However, we should have a greater degree of maturity and identify when people respond well to dealing with a difficult situation, as opposed to homing in on the fact that there were lots of people waiting in an emergency department. That will happen from time to time, and we cannot predict whether 300 people will come into the Ulster Hospital or, indeed, the Royal Victoria Hospital emergency department today or whether it will be 200 people. What is important is how we respond, and the response dealt with the issue and ensured that normality returned to the hospital.

Mr Givan: What steps are being taken to ensure that our acute emergency departments, which are the specialist units with all the support necessary to deal with major trauma, such as those at the Royal, Craigavon and the Ulster, are being freed up so that they deal with emergency and serious incidences and, where local people need it, attention can be provided in people's local hospital, such as at Lagan Valley with the reopening of its emergency department and through greater access to GPs?

Mr Poots: Let me be absolutely clear. First, we have our major acute hospitals, which should be dealing with major acute incidences, as well as providing support for people who have other requirements in their catchment area. We also have a range of smaller hospitals that should be able to provide key services, and I am deeply unhappy — I have recorded this — that Lagan Valley and Downe are being closed at weekends. However, let us be quite clear about it. People can talk about savage cuts.

The money has always been available to employ doctors to man those facilities, but the doctors are not available to provide cover. Therefore, the South Eastern Trust found itself in a situation in which it had 70 shifts not covered. As a result, the trust took the decision to close both facilities on the basis that it could not provide a safe service. As a Minister, I cannot argue with that. If a trust comes to me and says that it cannot provide a safe service, I cannot say that it must provide an unsafe service. It would be irresponsible of me to do that.

It is fundamentally important, however, that the South Eastern Trust works to ensure that there is 24/7 front-door access to Lagan Valley Hospital and Downe Hospital and that it continues to seek to recruit people for the front door of the hospital. I ask the whole House to remember this: if trusts throughout the rest of the United Kingdom have difficulty recruiting doctors for emergency departments, why would we not have difficulty recruiting them for places such as Lagan Valley and Downe? It is natural that those places will have real difficulty in seeking to recruit people of the standing and standards that we expect to provide the care for our people here.

I also put down a very clear marker, because the GPs have been very supportive in the Downe Hospital area. We need greater support from GPs for Lagan Valley Hospital, and we perhaps need to look at how we can extend things further in the Downe Hospital area. We will not naturally fit in with every other emergency department in Northern Ireland, but there is more work that can be done there. This is a very clear message: the money will be made available if the doctors are available, but we cannot run facilities without doctors.

Mr F McCann: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his information. He knows that I live fairly close to the RVH, and I understand that sometimes the flow of information to people may also cause problems. When people picked up on the publicity about what happened at the RVH, people were genuinely concerned that there was a problem there. Some of the questions that people raised included whether they would be treated on time at the RVH and whether it was a safe place to be.

Mr Poots: Certainly, the RVH is a safe place to be. I think that that is what is most important here. Some people's waiting times were longer than is desirable. However, for people who have had strokes, heart attacks and major traumas, which, essentially, are what an

emergency department is about, it is a very safe place to be. As a result of decisions that have been taken, such as those to extend the 24-hour cath lab and to make thrombolysis for stroke patients available, it is actually a much safer place to be in January 2014 than it was in previous years. So, we have the quality in our hospital system to provide the safety that the Member asked about.

Where admitting other people to hospitals is concerned, we have to continue to work to ensure that more people are admitted directly to hospitals without going through emergency departments. Therefore, more work needs to be done on having closer liaison between general practitioners, particularly out-of-hours general practitioners, and hospitals for direct admissions. I do not think that it is especially appropriate for older people in particular to be in emergency departments. They can very often be volatile places, given everything that goes on in them, the numbers that pass through them, and because some people are inebriated and their behaviour is of a lower standard than we would expect. They are not a great place for older people to be. I think that it would be much more dignified if we could actually admit more older people directly from their GPs to hospitals without their going through emergency departments. At the same time, that may well ease pressure on emergency departments to some extent.

Mr Beggs: In July 2011, the Minister indicated at the Health Committee that there were proposals for the City Hospital to concentrate on elective and planned surgery and for the Royal to concentrate on emergency surgery and operations etc. Within a matter of months, the City Hospital A&E unit closed and some 45,000 patients a year transferred to the Royal. How can the Minister assure those who have been reliant on services at the Lagan Valley Hospital that it will not be closed by stealth and that any temporary closure will not be followed by what happened after the temporary closure of the Belfast City Hospital's A&E?

Mr Poots: As for the City Hospital vis-à-vis the Royal, I have to say that things now actually work better. They would have been worse if the City Hospital's emergency department had still been open. I know that some people will challenge that. However, it is not borne out by the facts. The facts are that there are fewer 12-hour waits this January than there were last January. Indeed, there were fewer 12-hour waits this December than there were last December. In fact, we are looking at 12-hour waits having been reduced by around 75%. So, a lot of good things are happening, and good

work is being done. Perhaps I should thank Mr McKinney for giving us the opportunity to put out some of the good. People want to tell us how bad and poor our hospitals are. We have some of the best hospitals in the world, with some of the best staff in the world carrying out their jobs. Perhaps some people in the media and, indeed, some elected representatives would do well to show a degree more respect for the hard work that actually goes on in our hospitals.

The situation at Lagan Valley Hospital and Downe Hospital, as I pointed out to a previous questioner, is down to the availability of doctors — nothing else. It is a matter for the South Eastern Trust to ensure that it has the appropriate number of doctors available. It lost two doctors at the tail end of last year, and it has a locum doctor who is taking a month off in January. There was nothing that we could do to stop that. Consequently, at that point, the service that would have been offered at that point in Lagan Valley Hospital and Downe Hospital would not have been safe. That is something that none of us in the House would want to stand over. Nonetheless, I think that it is important that we get to the point where we have 24/7 front-door access to both those facilities to enable a lot of the people with chronic illnesses and our elderly population in particular to make good use of the very good resources that are available at both of them in a way that actually benefits the wider community and ensures that those hospitals can continue to provide a viable and vital service to the local communities.

3.45 pm

Mr McCarthy: I welcome the Minister's commitment to see A&E at Downe and Lagan Valley reinstated as soon as possible — if I heard him right. However, does he agree with me that all this stems from the initial closure of A&E at the City Hospital, with extra patients having to go to the Ulster and, indeed, the Royal? Does he also agree with me that, unless something is done urgently, the staff, who are under enormous pressure — we support and salute the work that they have done — will not be there and we will be in a poorer state of health than we are at the moment, and that, unless we put a halt to Transforming Your Care (TYC), which recommends the loss of 180 beds and probably the closure of other hospitals, we will continue to go from crisis to crisis?

Mr Poots: In the first instance, we need to be absolutely clear that, with the City Hospital

concentrating more on elective surgery, there has been a considerable reduction in the waiting lists for elective care. The knock-on effect is that fewer people will be sick because they will receive the appropriate care that they need, which is some form of surgery, to enable them to resume a normal life. I welcome the fact that those figures have been coming down steadily. That is a course of work that we need to continue to focus and keep our attention on.

I should say that, through the Choose Well campaign, we have been encouraging people to play their part in ensuring that our emergency departments are not overloaded. People should consider whether they need to go to A&E or whether treatment can be sought from a minor injuries unit, a GP, a GP out-of-hours service or a local pharmacist.

I can tell you that, in one week at the Royal Belfast Hospital for Sick Children, for example, over 40 patients turned up with an illness that did not require emergency treatment. They should not have been at the emergency department because the truth is that the illness, which was infectious, could have been dealt with quite easily at a primary care level. Nonetheless, people turned up to the emergency department with an infectious illness that a child had picked up and which should have been dealt with by their local GP. We need to ensure that people are properly utilising their GP and out-of-hours service. I utilised our out-of-hours service over the Christmas period for the first time, because we needed that bit of support. That was the right thing to do, and it worked out very well.

When we have emergency departments where people are coming in with major heart attacks, devastating strokes and major trauma, and then we have people coming in with back pain or something else that could be dealt with by a GP in the first instance, that is wrong. We need to ensure that people use the appropriate places at the right time. If a GP believes that a member of the public should go to an emergency department and recommends that they do so, they are well within their rights to be there. So, we need to have an appropriate use of that and minor injuries units. We need to ensure that our emergency departments are just that: departments that deal with emergencies.

Mr McCallister: The Minister quite rightly identified some of the problems with A&E and, indeed, some of the pathways that need to change, as highlighted in 'Transforming Your Care'. Where does that leave the problems that we are having now with the target in TYC about

reducing our A&Es from a possible five to seven? How would that fit in, and how is the Minister going to deliver that, or is he effectively going to allow the shortage of doctors to deliver it?

Mr Poots: I know that some Members expect magic from me but I do not think that I will ever be able to reduce five to seven, as the Member suggested.

Mr McCallister: Five to seven; between five and seven.

Mr Poots: Nonetheless, we are looking at our emergency care and what is being offered. I indicated very clearly that I thought we should be looking at 24/7 front-door services in the Lagan Valley and Downe hospitals. What has actually happened in the Downe, until now, is that GPs have provided a service for the 12 hours at night. That has worked very, very well. So, in spite of initial resistance to it, there has been pretty widespread acceptance of it as a service that is fit for purpose.

We need to be thinking outside the box in respect of these facilities to ensure that we can retain that front-door presence and ensure that people with a major trauma, such as a heart attack or stroke, bypass these hospitals and go to the Royal, the Ulster Hospital or the appropriate facility to get the appropriate care.

All those are areas that we can continue to work on, but I think that having front-door access in the likes of the Lagan Valley and Downe hospitals particularly, especially for our older population and the population who have chronic illnesses and who can be very well catered for in those hospitals, where there are beds available, would ease the pressure on the major acute hospitals, such as the Ulster Hospital, the Royal and Craigavon Area Hospital. That is something that we need to continue to work on and I have been very, very clear about that with the South Eastern Trust. It needs to be working to ensure that there is 24/7 front-door access to those hospitals.

I am very, very clear on the issue that the South Eastern Trust needs to ensure 24/7 access to the Lagan Valley and Downe hospitals because I believe that it is in the best interests of the public. It is also in the best interests of the health system in that it ensures that people with chronic diseases and our elderly people, in particular, do not end up in a large emergency department when that was avoidable and when there was a local hospital available to them that could have met their needs.

Mr Principal Deputy Speaker: I call for a supplementary question from Pam Cameron, which indicates that at least one negotiation ended successfully and happily.

Mrs Cameron: Thank you, Mr Principal Deputy Speaker. I thank the Minister for his answers to the original question thus far. I echo his praise for all staff who work in our emergency departments; I echo that praise fully. They work extremely hard under an incredible amount of pressure, especially at this time of the year. What is the Minister's view on the broader trends in emergency departments, such as the 12-hour breaches?

Mr Poots: In December 2012, there were 580 12-hour breaches, for example, and, in December 2013, there were 166. In my opinion, that is 166 too many, but it is still only 25% of what took place in December 2012. It demonstrates to me that they are heading in the right direction. In the first 12 days of January 2013, there were 414 breaches; in the first 12 days of this January, there were 99 breaches. That indicates to me that hospitals are working much better at getting people treated in emergency departments and admitted to hospital or discharged home much more quickly.

I will re-emphasise this: 12 hours is the length of time from when a person enters the front door of the hospital until they exit it, having been treated or having been admitted to a bed. We are still aiming to have four hours as our preferred time, and that is a course of work that we will continue to do. People are not waiting for either four hours or 12 hours to receive treatment. That is the point of time when treatment is completed or an admission to hospital takes place. People need to be very clear that that is the case.

Mr Rogers: Thanks to the Minister for his answers thus far. I welcome his comment to Mr McCallister about 24/7 at Downe Hospital. Obviously, there will have to be learning as a result of what happened at the Royal last week. I will maybe find this out later, but have you any idea of what percentage of people could have been dealt with in a minor injuries unit? What percentage were recurring patients? Is there a process where they could be admitted straight to a ward? That is if there were a bed available in a ward. Finally, will analysis be done of where the patients came from at that particular time last week?

Mr Poots: Analysis is done of where patients come from. The Royal picks up a lot of the Lagan Valley patients. The Ulster picks up more patients coming from the Downe side. That is a natural thing because, particularly where you have a more significant emergency with an ambulance, they are not going to drive past the Royal, if they have travelled from Lisburn, to get to the Ulster. However, divers can be put in place. One of the things that potentially could have happened more quickly last week was that divers could have been put in place more quickly at the Royal.

Almost half the patients who attended the Royal last week required admission. That was one of the big issues. We were not dealing with lots of time-wasters; we were dealing with people who were genuinely sick. It was the numbers coming into the Royal, more so as opposed to some of the other hospitals. Some of the other hospitals were not under that much pressure during that time, although Craigavon was. They were under normal January pressures. The Royal had an exceptional number of people who required admission. Almost half of people who attended ED in the Royal in the first three days of last week required admission. Normally, it would be around a quarter of those who attend. Therein lies the problem. That is why I appeal to people very often to look at the facts instead of jumping up and down and saying, "We've found something wrong here. Let's make hay of it". Look at the facts of what happened. We had an extraordinary amount of people who required admission to hospital. That caused a backlog in the emergency department, which took actions to deal with that.

The Member asked about regular attenders. Last year, 131 people attended the emergency department at the Royal Victoria Hospital in Belfast 2,240 times. In Altnagelvin Hospital, 58 people were responsible for 876 attendances. In Craigavon Hospital, 98 people were responsible for 1,588 attendances. In Antrim, 67 people were responsible for 1,340 attendances. Across the UK, more than 150 people attended emergency departments more than 50 times a year. We have people who serially turn up at emergency departments. Whether they require treatment or not, they have to be taken seriously by the staff, who will deal with them appropriately. However, some of those people will very clearly require treatment on a number of the occasions when they attend. We have people who come to emergency departments very regularly. I suppose that we could drill down to seek more information, but I do not know whether it would

be particularly beneficial to us to do that to deal with the situation.

It appears to us that the crux of the problem at the Royal last week did not arise because of the Downe or Lagan Valley situation, but because of a major influx of people requiring admission to hospital.

Mr Principal Deputy Speaker: I call Jo-Anne Dobson for a very quick question, which might require a written answer.

Mrs Dobson: Minister, it has been reported in the media that so many of our hard-working doctors, nurses and auxiliary staff, whom we all have the utmost respect for, have been working under intolerable conditions. Many have been at breaking point. Why do you refer to 12- and eight-hour waiting breaches rather than the NHS target of 95% of patients being seen within four hours? That has deteriorated during your tenure as Minister.

Mr Poots: Things are measured differently in GB than in Northern Ireland. That is something that we need to take account of.

I think that I am the only Member thus far to have paid tribute to the staff. It is a matter of regret that, when Members had the opportunity to pay tribute to staff, they failed to do so; they want to concentrate on a problem.

The truth is that they do a magnificent job, a wonderful job, in very difficult circumstances. The House needs to get behind our hospitals, our emergency departments and the staff who work in them. I, as Minister, am behind them and will give them all the support that I can to ensure that their working conditions are good, that they can provide the public with the appropriate service and that they can do so in an environment where they are not abused and are able to carry out their work in an appropriate way. Since I took office, over 100 extra doctors have started working in the health service in Northern Ireland, and there are 3% more nurses. My commitment is to the front line, not to administration and management.

4.00 pm

Mr Principal Deputy Speaker: Order, Members. That concludes this item of business.

Mrs Dobson: On a point of order, Mr Principal Deputy Speaker. I ask that the Minister reflects on the Hansard report in order to see that I did, at the start of my question to him, pay tribute to

the excellent work of the doctors, nurses and auxiliary staff, for whom we have the utmost respect.

Mr Principal Deputy Speaker: That is on the record.

Mr Givan: On a point of order, Mr Principal Deputy Speaker. During questions to the First Minister, I was absent when my name was called. I offer my apologies to you and the House for being absent. It was an oversight on my part.

Mr Principal Deputy Speaker: Thank you very much. I appreciate your coming to address the House on the matter.

Enterprise, Trade and Investment

Mivan

Mr Principal Deputy Speaker: Mr Danny Kinahan has given notice of a question for urgent oral answer to the Minister of Enterprise, Trade and Investment. I remind Members that, if they wish to ask a supplementary question, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary question.

Mr Kinahan asked the Minister of Enterprise, Trade and Investment what support her Department can offer to Mivan to help to secure the future employment of its workforce.

Mrs Foster (The Minister of Enterprise, Trade and Investment): Invest Northern Ireland will continue to liaise with the administrator and his team to explore all options to secure the long-term future of the plant in Antrim. I have spoken to the administrator and offered the full support of my Department in finding a workable solution. I take comfort from the statement released to the press by the administrator, which states:

“With the support of key stakeholders, including the bank, the business will continue to trade while all options are assessed.”

Mr Kinahan: I thank the Minister for her answer so far. Friday seemed to be a sad day for Antrim and for Northern Ireland and, indeed, for many places in the world where Mivan is a household name after four decades in the housing industry, employing around 300 people. I would like to pay tribute to Dr Ivan

McCabrey and all those who work there for the success that the company has been in the past.

Will the Minister clarify what action has been taken to help the subcontractors and businesses that might go under in future? Hopefully, they will not, but subcontractors always seem to pay the ultimate penalty. We hope that there will not be too much change and that Mivan may stay working and successful in the future in some form. Will she also clarify whether there will be a drill-down into the detail of how Invest NI can help companies that work in the rest of the world so that they are helped to find a way forward, whether that is with legal problems or other matters that may turn up in different jurisdictions?

Mrs Foster: I thank the Member for his supplementary question. I join him in paying tribute to Ivan McCabrey and his management team and, indeed, all of the staff at Mivan. I had the privilege of visiting Mivan and was shown its extensive operation at that time, including the work that it was doing with apprentices. We always know the mark of a good employer by how seriously it takes the future employment prospects of people in the area. I say that because I believe that Ivan McCabrey is a man who cares not just for his current staff but for future staff. He took that very seriously.

Looking to the future, I have, as I indicated, spoken to the administrator, who has indicated that the banks and customers are showing goodwill towards the company at present. I hope that that goodwill continues while the administrator tries to find a solution to the problems that Mivan has found itself in. I have indicated to him that, if he needs to know anything or a proposition is put to him and he wonders what the position of my Department or Invest Northern Ireland might be, he should lift the phone and we will be as open and transparent with him as we can. Invest has been in contact with the administrator's office and has made that position very clear to him.

We now wait. It is fair to say that time is of the essence in this case, because Mivan deals in a number of areas and we rely on the continued goodwill of customers. That is true for the main employees and for the subcontractors. You will recall that, on other occasions when there has been difficulty in the construction sector, the subcontractors have suffered greatly. I hope that, if we find a solution for Mivan, that solution will also be applicable to the subcontractors.

Mr Clarke: I want to join other Members in what they said about the owner of Mivan, Mr McCabrey, and the work that he has done to secure employment for so many years. It is a sad day for Antrim, but I want to put on record the work that the Minister and Invest NI have done. I was with the Minister on a visit to the Mivan site two or three years ago for the announcement of new contracts. Minister, we cannot take away from the work that your Department has done over a number of years to secure investment and to work with the company. How hopeful are you that someone may come in and that things in Mivan can be turned round in the interests of the future of Antrim and the sustainability of the jobs?

Mrs Foster: I suppose that that is more of a question for the administrator at this time; he will deal with interested parties to see whether there is a way forward for Mivan. There are significant contracts, and I hope that someone will look at the value of those contracts, as well as the value of the very skilled staff that Mivan is in possession of and at the possibility of and potential in maintaining the Antrim site.

It is fair that we should put it on record that Mivan is an international firm with an international status that is second to none. It has been involved in Disneyland Paris, the Millennium Dome, One Hyde Park and, dare I mention it, the palace of Saddam Hussein. It has worked in some of the most glitzy and glamorous locations around the world and provides a very good service. I hope that any potential buyer will look at all that history but, more than that, at the potential in that company.

Mrs D Kelly: Minister, I join you in your obvious concern for the employees and subcontractors adversely impacted by this devastating news. I also join others in their praise of Mivan. Minister, will your Department undertake an analysis or breakdown of the skills and expertise of the employees across the sectors and of the subcontractors and provide any other advice along with your colleague in DEL to assist employees who may need retraining or upskilling?

Mrs Foster: I thank the Member for that question. We tread a very careful line because we do not want it to look as though there is no hope for Mivan at this time. However, I take her comments that we should have an audit of the skills that exist in the firm so that, if something goes wrong, we can use those skills in the future. I say to the lady that we will look at those skills and, of course, work with DEL to

see what it can offer if circumstances require that.

Mr Allister: In these situations, we always want to know what the Department can do to help, but will the Minister tell the House whether the company came looking for any assistance in recent weeks and whether any assistance was offered? Was the Minister as surprised as everyone else? Can the Minister also tell us what assistance Mivan has had over the years?

Mrs Foster: I cannot give you direct figures for the financial or other assistance that Mivan has had, but I will certainly put those figures in the Library so that people can assess the help and support that Invest Northern Ireland has given over the years. As Mr Clarke indicated, I have been down to visit the factory, and I know that it has benefited from Invest.

I was made aware of the difficulties in Mivan. I do not think that it was a surprise. We had been watching the fact that Lagan Group was in conversation with Mivan and was looking at a possible takeover. I was made aware of the acute difficulties in Mivan towards the end of last week, about two days before the announcement was made public. I did of course say that we would do anything that we could to be of assistance, but at that point it was an issue for the administrators. Unfortunately, I was not made aware at a time when I could have been of use. However, I think that I may not have been able to intervene on any occasion.

Mrs Cameron: I thank the Minister for her answers thus far.

I seek some clarification of whether Mivan is still trading. I am sure that the Minister will agree that it is a bit early for a post-mortem on the subject. Does she believe that there is a viable core business that could be rescued by another company?

Mrs Foster: I absolutely believe that there is a viable core business. A number of customers are exhibiting goodwill towards the business because they have dealt with the company in the past and it has delivered for them. They know that the skills base is very much there. This is something that you do not often hear me saying, but I pay tribute to the bank in this instance. It has stepped up to the mark and worked with the administrator to deal with a number of issues. The administrator has made it very clear that all stakeholders are working with him to find a solution. However, I will say again that time is of the essence.

Ministerial Statements

Common Agricultural Policy 2014-2020: EU Budget Allocation

Business resumed.

Mr Principal Deputy Speaker: We now return to questions on the statement from the Minister of Agriculture and Rural Development.

Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development): I thank the Minister for delivering the statement on this important issue.

Out of the court decision, what standard operating procedures has she laid in place in her Department that will prevent the situation from happening again? The statement talked a lot about the current rural development programme (RDP) but mentioned very little about the new RDP. When will she prioritise the funding that is available in the RDP? When will she bring her findings to the Executive? When will she bid for additional moneys from the Executive, if she sees fit to do that?

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

Mrs O'Neill (The Minister of Agriculture and Rural Development): I thank the Member for his question. As to it happening again, the judge made a ruling that the issue was significant and controversial and outside the Programme for Government. That may have implications for all Departments. That is the outworking, and, in practical terms, that is what it means. We in the Executive will have to deal with and grasp that and take it forward as an issue. However, there will need to be a collective discussion, and I am up for that.

The examples in the statement around the rural development programme merely highlight the types of programme that have been successful. I was highlighting the fact that they were all aimed at farmers and farm families and that those schemes are potentially in jeopardy because we do not have the transfer of funding. That is why those examples were chosen and highlighted in the document.

I will be bidding for moneys, particularly through the Going for Growth package that the Minister of Enterprise, Trade and Investment and I have been working on. The 7% transfer was to look at a fair and balanced approach to rural communities, farmers and the environmental aspect. The majority of that funding would have

been for the farm business improvement scheme and would have funded things for the agrifood strategy. The Executive have placed a lot of importance around that. I am delighted that we now have recognition of the excellence in the sector and that it will be a key driver for economic recovery. However, if that is the case and if the Executive value that, they will now have to fund some of that work going forward.

Practical examples of things that I would want to see funded include capital grant schemes, which is clearly a big ask that has been set out in the 'Going for Growth' document. What does capital grant schemes mean? It means fencing, sheds and all those things that farmers ask for. So, the onus is now on the Executive to deliver for that, and I will certainly not be shy about making that bid when the time comes. As I said, the Minister of Enterprise, Trade and Investment and I are working on bringing a proposal to the Executive. Hopefully, that will be over the next number of weeks.

4.15 pm

Mr McMullan: Go raibh maith agat. What type of rural development schemes would have been funded by the 7% transfer from pillar 1 to pillar 2 but now may not be transferred because of what has happened?

Mrs O'Neill: As I said, my decision to transfer the 7% was very much based on a fair and balanced assessment and an analysis of the stakeholder views that we received as a result of the consultation. For me, that was an excellent opportunity to ensure that we had a balanced approach to rural communities in their entirety. I referred to this in my previous answer, but the types of scheme that we are talking about are farm business improvement schemes, health and safety training, BVD training, Focus Farms and the whole range. The farm modernisation scheme itself is a fantastic project. So, those are the types of scheme that are now in danger because we have no transfer. As I said, I will go to the Executive. I will make a bid, and I will ask the Executive. Hopefully, the Minister of Finance and Personnel will be willing to put up front the money that we need to bring forward the scheme to help the industry. We have a plan in place — the agrifood strategy — but we need to be able to back it up financially, and the onus is now very much on the Executive to allow us to do that.

I believe that the decision that I took was the right one. It was a fair reflection of stakeholders' needs. Having said that, I will not

be distracted from what I need to do. We are where we are now, and we need to move forward. We have the consultation, which will close over the next number of days, and we will then have to take key decisions on moving forward to try to meet the agrifood industry's needs.

Mr Byrne: Why did the Minister not seek permission from the Finance Department to have co-match funding for whatever percentage she is going to transfer from P1 to P2 to make sure that we have a meaningful rural development programme without disadvantaging the farming community?

Mrs O'Neill: It is essential that the message is clear: there is no attempt to disadvantage the farming community. The majority of funding from pillar 2 in the current programme and what would have been the case in the new programme will go to farms and farm families through all those schemes that I highlighted in the previous two answers. I highlighted to Ministers, including the Minister of Finance and Personnel, that I was taking a decision on the transfer. I had no response from the Minister of Finance and Personnel. No issues were highlighted as significant or anything that he wanted to discuss. The only Minister who responded to that round of seeking views was the Minister of the Environment, who responded on agrienvironment schemes. He wanted to make sure that they were fully protected in moving forward to the new programme. So, I had to face down the challenge that was put in front of me. The Minister of Finance and Personnel took the court challenge. I went to court, defended my position and accepted the ruling that the judge made. I took a paper back to the Executive that did not get agreement. So, we are now in a position where we have no transfer. That is a difficult position for the agrifood industry. All those schemes with fantastic potential that we could do are now in jeopardy because we have a smaller pot of money to deal with them. You have to remember that we are the worst in Europe in the allocation of rural development funds per head. That is a poor starting point, and we may now have a further reduction because we cannot apply the transfer.

I will come back to the transfer issue. There is an opportunity in 2017 to look toward 2018 and 2019 about moving moneys, and we will have to look at it at that time.

Mrs Dobson: I also thank the Minister for her statement. Will she confirm whether the High Court pantomime over Christmas has made it

harder to channel additional funding towards farm safety measures? In particular, will she clarify the implications for the future of the LFA, capital grant and modernisation schemes?

Mrs O'Neill: It is certainly the right time of year for panto. On the decision that was taken, as I said, we are where we are now. I will not rehearse all the things that I have said previously, but it will make it very difficult for all those schemes. Obviously, we now have a reduced pot of money. It will be very difficult. We will have to prioritise schemes, and some things may lose out. However, in taking decisions and moving forward, I will make sure that it reflects the needs of stakeholders and that any decision that I take, like the decision on the 7% transfer, is based on the views that I receive from stakeholders. We are in a more difficult position, but, as I said, I will go to the Executive and bid for additional funding because the Executive will now have to support rural communities.

If we are serious about supporting the agrifood industry, the Executive will have to provide the financial backing for the plan that we have in place. Excellent work was done with government and industry working together in partnership. We do not want it to be a lovely document that sits on the shelf, with the support not there. The Executive will now have to weigh in, step up to the mark and financially support the plan.

Ms Lo: I very much share the disappointment of the Minister on the zero-rate transfer. It is shameful and short-sighted. Will the Minister comment on whether the Finance Minister's decision to take the legal challenge was more to do with electioneering than Executive procedure?

Mrs O'Neill: I absolutely agree with that assertion.

Mr Irwin: We all need to learn lessons from the events of the past few weeks. I also believe that many of the elements of the pillar 1 consultation on the reform of the CAP are significant and controversial. Will the Minister confirm whether she will bring those issues to the Executive before she makes any decision on the consultation?

Mrs O'Neill: Obviously, I am cognisant of the fact that we have a recent judicial ruling. We have not received the written ruling yet, but we will get that in due course. We will go through the document and decide on the way forward accordingly.

As I said in answer to Mr Frew's comment, this has implications for all Departments because what was deemed significant and controversial in this case when the judge made the ruling is relevant to quite a lot of issues that go on in every Department. The Executive will have to get to grips with that, or we could find ourselves constantly locked up in court challenges. I do not think that is good for anybody. The proper forum for the discussion on this was the Executive; unfortunately, the Finance Minister did not take that avenue and decided to take it straight to court.

Mr Milne: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire go dtí seo. I thank the Minister for her statement. The question was posed by the Alliance Party, but I want to come at you again. What does the Minister think were the real motivations of the DUP in taking the court case?

Mrs O'Neill: It is unfortunate, to say the least, that the DUP and the Finance Minister decided to take the issue to court when there was a political forum where there could have been some discussion, so I can only ascertain on the basis of all of that that it was a politically motivated action in the run-up to the election.

It is unfortunate, to say the least, that the Finance Minister did not use the avenues that were open for further discussion. The reality is that the DUP has created a situation in which the British Government, through DEFRA, took a decision that impacts on local farmers and the local agrifood industry. We have locally elected Ministers. It is a disgrace that the DUP allowed that to happen. That should not be the case. We are elected by constituents to carry out a role, so it is disgraceful that we are in a position where DEFRA has taken a decision that has limited our ability to move funds into the rural development programme.

As I said, there will be challenges in moving forward, but there are other key decisions to be taken. I want to make sure that, in moving forward to the best of my ability, we have the most balanced rural development programme that looks after the needs of rural dwellers, the environmental side of things and the entire farming community.

Mr Buchanan: Minister, at paragraph 12 of your statement, you indicate that you took account of legal advice. Can you confirm to the House whether that advice was in written form, who it came from and whether it indicated that you could proceed with your decision without Executive approval? Was any other advice

received, and will you, as Minister, publish that legal advice, if such exists, to confirm the accuracy of your claims?

Mrs O'Neill: I am sure that the member is not questioning the truth of me saying that I sought legal advice. I did, in fact, seek legal advice. I will enquire as to whether or not it is appropriate to share that advice, but I had it in writing and in verbal form from the Attorney General. Obviously, when it came to the court case, we had outside legal advice. I took the decision because I believed that this was the core remit of my Department. I have taken relevant and very similar decisions in the past, and they went unchallenged. The Finance Minister did not see fit to challenge my decision last year not to apply voluntary modulation, so what is different now? That questions the motive for the challenge being made at this particular time.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. I remind the House that this was the second blow to the rural development programme: the Tories negotiated a 22% cut to it and were supported by the DUP at Westminster. The transfer decision was the second blow. Minister, will the decision impact on your ability and that of your Department to support the broader aspects of rural development?

Mrs O'Neill: I thank the Member for his comments. Obviously, there will be impacts. As I alluded to earlier, given that we have less money, we will have to prioritise the schemes that we take forward. There is an opportunity for the Executive to step up to the plate and help fund the industry. We have a strategic plan in place through the work done on Going For Growth, so we need the Executive to support that. I hope that the Finance Minister will be supportive when the ETI Minister and I make a bid to the Executive for funding under the Going for Growth strategy.

As I said, we have the lowest rural development budget in Europe, and this decision has further impacted on that. We started with a difficult position anyway compared to England, where there is a 12% transfer, Wales, where there is a 15% transfer, and Scotland, where there is a 9.5% transfer. Because of the challenge, we have no transfer, and we will be in a difficult position in moving forward. I cannot at this stage confirm what our entire budget will be for the rural development programme because there are so many variables that we need to deal with, but I will not be distracted from making sure that whatever decision I take

meets the needs of rural communities in their entirety.

Mr Rogers: I thank the Minister for her answers thus far. Minister, you highlighted the idea of the Focus Farms in your statement along with the dissemination of good practice and making big farms better organisations. Are you saying that the extension of Focus Farms is on hold as well?

Mrs O'Neill: No, I am saying that there will be difficult decisions to be taken about the way forward. None of this has been decided. Obviously, we are starting with a reduced pot of money, so the decisions will be difficult. We will have to prioritise and make the most effective use of the money we have, so it is all in the mix. The consultation will close on 17 January, and I will take decisions on the way forward on the basis of that. I need to have an understanding of my DARD budget, so when we have had those discussions I will be in a better position to know what we can and cannot fund.

Mr Swann: I thank the Minister for her statement.

Minister, in a debate on the Going for Growth strategy, you gave me a firm commitment that you thought that £420 million would come from the Executive to fund the strategy. Is that money under threat because of the decision, as you will now have to prioritise other funding in your Department and the funding that is coming from the Executive?

Mrs O'Neill: As I said, a lot of the 7% transfer money would have been used for the farm business improvement scheme. You will be aware that, under the Going for Growth strategy, a number of commitments were required from different Departments. This is a joint project with DETI.

I have always said that one of the tools available to me, when it came to financial backing, was the rural development programme. If we had been able to transfer the money, we would have been able to use some of it to fund some of the work under the agrifood strategy. Obviously, I do not have that money in my budget, so I will have to go to the Executive and bid for it, which I intend to do. I hope to get the support of the ETI Minister when I do that. We have a fantastic piece of work done, and it would be a shame if the Executive did not support it and back it financially. As I have said in the House many times, the financial contribution from the Executive would lever in over £1.5 billion from

the industry. So, we need to take this opportunity. As I said, I will not be shy about going to the Executive, asking for the money and making a very firm case.

Mr McCallister: I draw Members' attention to the fact that I am the owner of a registered farm business, so I declare that interest.

The Minister joins the long list of Ministers deemed to have breached the ministerial code, that very important document that does not seem to mean that much.

Does she agree that it is important that the Executive get together and decide how they are going to handle these types of issues where there are deadlines in place, to call an emergency Executive meeting to get some type of agreement in the absence of a decision that now cannot be taken for four-something years?

4.30 pm

Mrs O'Neill: As I said earlier, the court ruling may have implications for all Departments in taking their decisions. It is very clear to me now that the Executive need to have a discussion on this moving forward. Nobody wants to see the Executive tied up all the time in indifference and having to take their issues to court. The Executive need to have that conversation, and we will do that on the back of receiving the written judgement from the courts.

Miss M McIlveen: I am disappointed but not surprised by the reference from Mrs Dobson to the court case being a pantomime and the comments by Ms Lo and the Minister that the actions of my party were purely politically motivated. This was obviously vindicated by the judge's decision, but will the Minister confirm that the Agri-Food Strategy Board shared the same view as the DUP by opposing any transfer from pillar 1 to pillar 2?

Mrs O'Neill: The Agri-Food Strategy Board has been very successful. I prioritised this Department as an economic Department; it was not recognised as such in the past. The piece of work that the Agri-Food Strategy Board has done and the asks that it has set out for government are very clear. It wants the Executive to put up the financial backing to be able to take forward the projects. The 7% transfer was going to allow the Executive to fund a firm business improvement scheme, which includes things such as fencing, sheds, capital grants schemes, and the whole remit of programmes that I have outlined earlier, including focused farms and health and safety

training. Maybe the DUP does not think that those things are important, but I certainly do.

I took the decision to base the 7% transfer so that I could meet the needs of the farming and agrifood industry. The DUP put us in a position where a British Government Minister took a decision that impacts on our local farmers. The DUP has taken the decision away from a local Minister, and only you can answer to the public about why you did that. As other people have said, I am very clear on your motivation — I am very clear.

Mr Allister: The Minister is very anxious to keep the focus on worthwhile projects that she says are now jeopardised by this situation. She is less anxious to talk about the squandering that she oversaw under axis 3, such as, last year alone, £1.14 million of axis 3 rural development funding given to whom? It was given to GAA clubs. That is supposed to be funding to help rural farmers and the community. Does the Minister not see that, if she had not overseen such an abuse of the system, there might have been a higher level of confidence in her ability to make fair decisions?

Mrs O'Neill: I do not agree with your assessment of the situation. I think that the axis 3 projects that have been funded have all been decisions that have been taken by locally elected representatives in their areas that reflect the needs of their local communities. A whole mixture of projects have been funded, and there have been fantastic examples of projects that have been funded.

People in rural communities deserve services, they deserve tourism potential and they deserve support from this Department. My Department is the Department of Agriculture and Rural Development, and core to that work is supporting rural communities and making sure that we have thriving rural communities. People in rural communities deserve to have sporting facilities, community facilities and all the other things that anybody in an urban setting should have. That is the key role of my Department.

I will stand over the projects that have been funded and the decisions that have been taken by locally elected representatives in their areas to meet the needs of those areas. I could list the job creation, the tourism potential and all the other benefits that we have seen from the rural development programme. I am not ashamed to stand over what I believe has been successful in getting money into rural communities at a time of economic recession. We are creating jobs and supporting people to

live and sustain themselves in rural communities.

Mr G Robinson: Will the Minister outline what research was done on the impact on farm incomes that would result from any changes to pillar 1 and pillar 2?

Mrs O'Neill: As I said in the statement, were no transfer to occur, about half of recipients of single farm payments would receive payments of just under an additional €260. Again, I suppose that the message that the DUP is trying to put out is that this is money being taken off farmers. It is not money being taken off farmers; it is money that was being put into pillar 2 to fund all those schemes that I outlined earlier and do not need to go over again. However, it is money that was going directly to farmers through the schemes, and it was going to fund schemes that farmers are asking for, such as capital grant schemes and farm modernisation schemes. So, the money was not being taken off farmers, it was just a matter of how it was being paid out.

Mr Deputy Speaker: That concludes questions to the Minister of Agriculture and Rural Development on her statement. Before the Minister for Regional Development makes a statement, I remind Members that they have all received the rules of behaviour and courtesies in the House, which include a rule that they are not to speak from a sedentary position.

North/South Ministerial Council: Roads and Transport

Mr Kennedy (The Minister for Regional Development): Mr Deputy Speaker, I am not sure whether that advice was directed at me as Minister —

Mr Deputy Speaker: No.

Mr Kennedy: — or more widely to Members.

Anyway, in compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the meeting of the North/South Ministerial Council (NSMC) in the transport sector, which was held in Armagh on Thursday 28 November 2013. The meeting was chaired by Minister Leo Varadkar and attended by Minister Durkan and me. My statement will address the agenda items that relate to my Department, including the Department of Transport, Tourism and Sport paper on EU matters. The Council discussed opportunities for further cooperation within the

transport sector and asked that we consider relevant issues on strategic transport planning.

On major road projects, I will deal first with the A5. The Council noted that, following the court ruling on 8 April 2013, work is progressing on an appropriate assessment process, which, upon completion, might lead to publication of an updated environment statement and will be the subject of a public consultation exercise that is expected to take place in spring 2014.

We noted that the Northern Ireland Executive have agreed the reallocation of funds from the A5 to other projects in the 2013-14 and 2014-15 financial years. The Irish Government and the Northern Ireland Executive reaffirmed their commitment to the A5 scheme, and the Irish Government reaffirmed their funding commitment of £25 million per annum in 2015 and 2016. We noted that, once the environmental reviews are completed and the position on the project programme has been clarified, updated programme and project milestones will need to be prepared for agreement by the Irish Government and the Northern Ireland Executive, taking account of the financial commitments in place.

The Council welcomed that the construction work on the A8 project is progressing well and is expected to be completed by spring 2015.

On EU matters, we discussed the ongoing positive cooperation between relevant Departments on EU-related transport issues. We welcomed progress made since the last North/South Ministerial Council transport meeting on key EU dossiers of mutual interest, including the Trans-European Transport Network (TEN-T) regulations; the connecting Europe facility regulations; the fourth railway package; the better airports package; the roadworthiness package; the clean power for transport package; and the ports policy package of regulation.

The Council agreed that officials should continue to pursue the possible inclusion of thematic objective 7, promoting sustainable transport and removing bottlenecks in key network infrastructures, in the final INTERREG Va programme for 2014-2020.

The Council agreed to hold its next NSMC transport sector meeting in April 2014. That completes the statement.

Mr Spratt (The Chairperson of the Committee for Regional Development): I thank the Minister for his statement. I would be grateful if he would elaborate on the

opportunities for further cooperation in the transport sector and the relevant strategic transport planning issues that he referred to in his statement.

What money has been expended on the A5 project to date? Is the Minister content that his Department will get right the environmental assessments that are being undertaken?

Finally, given the number of traffic collisions and accidents on roads right across the Province this morning, can the Minister tell us what level of grit was applied yesterday evening and this morning? Will he join me in sending condolences to the family of the 44-year-old man who was killed near Saintfield in County Down this morning, a death that might have been the result of ungritted roads?

Mr Kennedy: I am grateful to the Chair of the Regional Development Committee for his questions. With your permission, Mr Deputy Speaker, I will address the issue of gritting at the end of my answer, given that it is not directly related to the North/South Ministerial Council. I know that the Chair of the Committee sought permission to ask a priority notice question. In discussions that I had with him earlier, I agreed that I would take a question from him as part of this sequence of questioning.

The Chair of the Committee asked a number of questions, including on the opportunities for further cooperation to bring forward European schemes and even joint cooperation with the Irish Republic. I remain open to that prospect. He will know the strenuous efforts that I have made to advance, particularly in Europe, opportunities for additional funding. I am particularly keen on that. Indeed, I am proud to say that my Department has the best record of all Executive Departments when it comes to accessing financial support from Europe. We will continue to do that. As necessary, we will assess cooperation as it involves other people, including the Irish Republic.

The Member will note what I said in my statement about the A5 scheme. He asked what has been spent on the A5 scheme to date. In the region of £64 million has been spent on the A5 scheme to date, largely on preparation and development fees. That large sum of money reflects the scale of the Department. That expenditure has been and remains necessary if the scheme is to be delivered. The Irish Government and the Executive have reaffirmed their commitment to the A5 scheme. The Irish Government have reaffirmed their

funding commitment of £25 million per annum in 2015 and 2016.

I turn now to the issue of gritting, which the Chair of the Committee raised at the end of his remarks. I was made aware this morning of another tragic death on our roads. I join the Member, and the whole House will join us, in offering our thoughts and prayers to those most affected by that tragedy. It is too early to indicate the reasons for it. Obviously, it will be subject to a full investigation. I will await the outcome of that before commenting further on that fatal accident. I was also made aware this morning that delayed gritting took place on roads in the southern division; it was later than that which took place in other divisions. I have been informed that that was due to a differential in forecasting and, therefore, decision-making across divisions. However, I consider this to be a very serious matter and have asked for a full review of information to be provided and made available to decision-makers, as well as a review of the decisions themselves.

4.45 pm

Although I can acknowledge the clear need for gritting in the southern division this morning, I am not in a position to say whether weather information supplied was inadequate or decision-making post supply of information could have been better. It is important that there is not only transparency in decisions taken but confidence in future decisions. I will make my position very clear: this is an issue of public safety and not resources, and where there is any doubt in any decision to grit or not to grit, I expect decision-makers to err on the side of caution and, when in doubt, grit.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. Predictably, I welcome the renewed commitment to the A5 in the NSMC report, particularly in the light of the fact that, in a recent report in the 'Belfast Telegraph', the Freight Transport Association predicted that the scheme would be abandoned. There have been two deaths already this year on the A5, including Patsy McCrory who is being buried today, and other people have been injured. In my correspondence with the Minister, he has said that the environmental reviews are ongoing and that he does not want to pre-empt the outcome of any process, but the public are demanding some sort of reassurance or —

Mr Deputy Speaker: Can we have a question, please?

Mr McAleer: — indicative timeline as to when the review might conclude and an idea of when we might be in a position to move on with public consultation and, indeed, the start of the scheme.

Mr Kennedy: I am grateful to the Member for his question, and I join him in extending my sympathy to the friends and families of those who were recently tragically bereaved as a result of the accidents on the A5 between Sion Mills and Newtownstewart. We offer our thoughts and prayers to those who were injured that they will recover quickly and in full measure.

I attempted to indicate through the statement that it is very likely that a public consultation exercise will take place. That is expected to take place in spring this year. Rather than rely on the 'Belfast Telegraph' or other media outlets, the Member will perhaps continue to ask me questions about progress on the scheme.

Mr Byrne: I welcome the Minister's statement and the section on the A5. Can he give us an assurance that we will not have a lot of undue delays with the environmental reviews? How many will there be, and when will we have a conclusion and an actual start on the work?

Mr Kennedy: I thank Mr Byrne for his question. He has been a long-standing supporter of the scheme, and I understand his frustration over such matters. It is important that, as a result of the court action, we follow assiduously the judge's judgement and make sure that we comply with all aspects of it. That may take a bit of additional time, but it is better and safer to do so, and that is why we have adopted the position that we have. I know that the Member understands that, and we will keep the House and him updated as appropriate.

Mr Hussey: It appears that West Tyrone has the Floor for quite a while today.

I thank the Minister for his statement. I, too, want to be associated with the remarks about those who lost their life on the A5 and other roads in recent days. Minister, several references have been made to the A5, and I ask you to reassure the House that at no stage have you ever said that the A5 upgrade will not proceed. You said, quite rightly, that the 'Belfast Telegraph' is not the oracle and that you and the Executive are committed to the project.

Given the success that the Minister has had in securing EU funds since taking up office, what progress has been made in obtaining EU funding for the A8?

Mr Kennedy: I am grateful to the Member for his question and for his cautionary remarks about relying on me rather than any other outlet; that was very wise. What he said is completely accurate. The A5 scheme remains a delayed scheme; it is not an abandoned scheme. It is clear from my statement and from my answers that that remains the case in the attitude of the Northern Ireland Executive and, indeed, in the Government of the Irish Republic.

The Member asked about the A8. I am pleased to say that considerable progress has been made on that particular scheme. However, I am particularly pleased to say that we have been able to attract grant aid funding from the European Commission under its TEN-T funding. A grant of nearly £15 million, or over €18 million, has been made. I think that that is very good news indeed. The grant has reduced the cost of the scheme to the Executive and has allowed the Minister of Finance and Personnel to reallocate money to other funding priorities. I hope very much that, having achieved that landmark for him, he will acknowledge that in those reallocations to transport issues.

The grant will be paid in three instalments. The first instalment of approximately £4 million was received in December 2013. The second instalment will be paid in the 2014-15 financial year, and the third instalment will be paid on completion of the scheme. So, it is good news that the A8 scheme continues to make good progress and that we have been successful in obtaining additional EU funding.

Mr McCarthy: I thank the Minister for his statement. I join him, the Chairperson of the Committee for Regional Development and others in offering my sympathy to the families of those who have lost their lives on the roads of Northern Ireland so far this year and particularly to the family of the young man who lost his life in my constituency this morning.

On the last page of his statement, the Minister refers to EU dossiers of mutual interest, including a roadworthiness package. Will he elaborate briefly on what that entails? Is there something in it that would help to reduce road accidents as we move forward?

Mr Kennedy: I am grateful to the Member for his supplementary question and, indeed, for his

sympathy to all those affected by the tragedy of road deaths.

Roadworthiness is one of the issues on which we cooperate and combine with my ministerial colleague Minister Durkan, who will make his statement on the same meeting shortly, immediately after questions to me. We seek to make improvements not only to the road infrastructure but to the products that we use in road building to try to ensure that we construct the safest road surfaces that can be provided. There are aspects of vehicle roadworthiness that are Minister Durkan's responsibility, but there is mutual benefit in ensuring that that work happens and, indeed, in learning of other work that happens and operates in the Republic of Ireland.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's remarks about the £15 million that came from TEN-T, some of which assisted in the completion of the A8. As he will be aware, the A5 and A4 are now both on the comprehensive network. Will he indicate whether those schemes will receive any future funding from TEN-T?

Mr Kennedy: I am grateful to the Member for his supplementary question and, indeed, his encouragement. I know that he is always interested in obtaining the maximum amount of grant aid from Europe and attempts to assist with that. Of course, that is our intention. We will continue to press for funds to do with studies or reports as we prepare to bring schemes forward. A comprehensive network gives us that opportunity through TEN-T. That is a key responsibility of my Department, and we will pursue it with some vigour.

Mr Allister: The Minister tells the House that, at the North/South Ministerial Council, the Northern Ireland Executive reaffirmed their commitment to the A5 scheme. Does the Minister agree with me that there can be no binding commitment to the delivery of the A5 scheme unless and until it is included in the next Programme for Government and the next budgetary cycle? Neither of those can be gainsaid at the moment. Is that right?

Mr Kennedy: I am grateful to the Member for his contribution. I think the Member is — I hope I have got this right — a stated opponent of the A5 scheme in its current form. I think that is fair to say. Although I understand the point that he makes, it is important to clarify that funding for 2015 and 2016, which had been under some scrutiny by the Government of the Irish Republic, remains confirmed, so it is still

possible to assert at this stage that the A5 scheme is a project that the Northern Ireland Executive and the Government of the Irish Republic wish to pursue jointly.

Mrs Hale: I apologise to the Minister for not being here at the beginning of his statement. I want to reiterate, in part, Mr Spratt's question, because I did not detect an answer. Is the Minister content that his Department will get the environmental assessments currently being undertaken for the A5 right this time? At what stage are those assessments?

Mr Kennedy: I am grateful to the Member for her supplementary question. The Member will know the importance of the due care that we need to take in addressing all those aspects as we work through the requirements of the habitats directive and the potential for the public consultation. Those are matters of some delicacy. We are not pre-empting anything as a result of that and we are not taking anything for granted, but we will continue to work carefully through and adhere to the judgement that was handed down and that we should, therefore, be guided by.

North/South Ministerial Council: Road Safety

Mr Durkan (The Minister of the Environment): In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the fifteenth meeting of the North/South Ministerial Council in the transport sector, held in Armagh on Thursday 28 November 2013. With your permission, Mr Deputy Speaker, I will make some concluding remarks that are additional to my original statement, but I assure Members that copies of my updated statement have been posted in their pigeonholes.

The meeting was attended by me, the Regional Development Minister, Danny Kennedy, and Leo Varadkar TD, Minister for Transport, Tourism and Sport. Minister Varadkar chaired the meeting. I will address the agenda items for which my Department has responsibility: mutual recognition of penalty points, road user safety and vehicle safety policy and enforcement.

The meeting recognised the potential benefits of the Narrow Water bridge project. We are conscious that the priority at the moment is not to lose the available EU funding.

5.00 pm

The Council noted that the steering and working groups are continuing to take forward work on the mutual recognition of penalty points and to work through the issues identified, some of which are proving complex and difficult to resolve. We noted my Department's public consultation on the proposals, which ran from 12 March to 14 May 2013. The majority of responses were in favour of the proposals. We discussed a number of issues and asked officials to provide further advice to help us to decide how best to proceed.

On road user safety, the Council welcomed the continued sharing of knowledge and experience between both jurisdictions on the delivery of our respective road safety strategies and measures to reduce further road casualties and fatalities. We particularly welcomed the excellent new and ongoing road safety initiatives being undertaken in both jurisdictions, including the Once seatbelt-wearing campaign that I launched on 10 October 2013 in support of our Share the Road to Zero campaign; the Crashed Lives campaigns that my Department and the Road Safety Authority (RSA) ran over the Christmas and new year period; my Department's work with the PSNI and Coca Cola on its designated driver initiative over the Christmas and new year period; continuation of the road safety education and awareness campaign of the RSA; the RSA campaign to remind road users to ensure that their vehicles are serviced and winter ready; the RSA and Garda Síochána high visibility promotional campaign that culminated in a national high visibility day on 21 December; and the recently launched Check it Fits RSA child restraint roadshow.

I shared progress on our Road Traffic (Amendment) Bill, including provisions to tackle drink driving, further reform driver testing and licensing and make the wearing of helmets mandatory when riding a quad bike on public roads. I will introduce the Bill to the Assembly, subject to Executive approval.

We welcomed progress on Ireland's Road Traffic Bill 2013 that will also include provisions to further reform Ireland's driver-licensing regime as well as adjust its penalty points regime and make a number of amendments to legislation regarding commercial vehicle roadworthiness testing.

On vehicle safety and enforcement, we welcomed the continuing proactive cross-border cooperation, targeting a wide range of illegal activity in the goods-haulage and passenger-transport industries, including my Department's continuing recruitment of enforcement officers

to increase the level of roadside enforcement; enhanced roadside enforcement as part of the Road Safety Authority's commercial vehicle roadworthiness reform programme, which has resulted in an increase in the number of roadside checkpoints and an increased focus on the standard of school buses; and continuing liaison on successful, targeted cross-border enforcement operations in 2013 in both jurisdictions, which has resulted in prohibition actions for non-compliance with vehicle and driver regulations.

We welcomed the focus in recent months on tackling the misuse of fuel in the freight industry. We also welcomed the close cooperation by the various agencies in this regard and the recent revocation of a number of NI road haulage operator licences following action taken by my Department's transport regulation unit.

The Council expressed concern at the continuing impact of fuel laundering on the transport industry and the environment and welcomed the expected impact of new technology of fuel markers in both jurisdictions. We also discussed the implications of HGV vehicle height differentials that exist between the jurisdictions. We welcomed the signing of the memorandum of understanding between Ireland and the UK on mutual recognition of vehicle type approval. We also welcomed the continued excellent cooperation on enforcement of EU tachograph and drivers' hours rules and the training exchange for enforcement officers that took place in 2013. Similar initiatives are planned for this year.

Mr Deputy Speaker, that concludes my statement on the fifteenth meeting of the North/South Ministerial Council in the transport sector. However, with your forbearance, Mr Deputy Speaker, it would seem remiss of me not to comment to the Assembly on events on our roads over the past few days, which have seen six people lose their lives.

Members will be aware of my consistently expressed view that one death on the roads is one too many. I have personal experience, as do other Members, of the effect of a life lost on the roads and the impact that that can have on a family. I join Minister Kennedy and all contributors in the House in extending my condolences to all families who were bereaved in that tragic manner over the past couple of weeks. We all have responsibilities to ourselves and others when we use the roads. Recent events have reinforced the fact that travelling on the roads is inherently dangerous. On occasions, we forget that. I therefore urge

all road users to take their responsibilities seriously. One lapse can last a lifetime. It can cost a life. I know that I can rely on all Members to work together to reinforce that message. I thank those leaders of society who have done so already.

I have called a meeting of the road safety stakeholder forum for tomorrow to discuss recent events and consider further actions. Every road casualty is a tragedy and an emergency for those involved. In recent years, we have made tremendous strides to reduce casualties on our roads. Further progress requires ongoing joined-up efforts. I am personally committed to playing a full part in leading that work.

Ms Lo (The Chairperson of the Committee for the Environment): I thank the Minister for his statement. I also want to join him in sending my condolences to the families who have lost loved ones through tragic car fatalities. I certainly welcome his calling a meeting of the road safety stakeholder forum tomorrow to discuss issues urgently.

I recall that, over the past few years, the Committee has heard about accident black spots on some rural roads that have not received the attention that they deserve or have not met the criteria for straightening or widening. Will the Minister speak to the Minister for Regional Development, who is also in the Chamber, about looking at those black spots and how safety can be improved on rural roads?

Mr Durkan: I thank the Chairperson of the Environment Committee, Ms Lo. I assure her that I will talk to and work with anyone and everyone who has any influence or power in improving road safety. Certainly, that includes my ministerial colleague, Mr Kennedy.

I want to be careful not to heighten expectations about what tomorrow's meeting can achieve. It is important that we hear reports on the tragic incidents that have occurred over the past number of days and see what patterns there are. As a longstanding Committee member, you referred to a pattern having emerged over previous years at particular rural black spots. That is precisely the kind of information I would like to acquire and work with others to resolve.

Mrs Cameron: I also welcome the Minister's statement to the House and the update on very important road safety matters. I would also like to join in sending my condolences and, indeed, those of my party to those who have been

bereaved over the past number of days. Obviously, we can all do more as individuals on the road to ensure our own safety and that of others. It is only right that we do so.

Can the Minister provide any form or timescale for any planned introduction, by way of action, of mutual recognition of penalty points?

Mr Durkan: I thank Mrs Cameron for her question. I am heartened by the extension of her condolences.

Mutual recognition of penalty points is a very important issue. It is one that I, along with others in the House and our counterparts in Leinster House, believe will go a long way to improving road safety on the island. We do, after all, share roads with our neighbours, and, unfortunately, many people choose to abuse roads on both sides of the border.

Unfortunately, some technical issues have arisen of late with the introduction and implementation of the mutual recognition of penalty points. However, I and Minister Varadkar remain committed to overcoming those issues, about which I am not at liberty to say too much today, to get that introduced as quickly as possible. In fact, over the Christmas break, I noticed that Minister Varadkar had a front page article in the 'The Irish Times' on the issue, in which he stressed its importance. I am glad to see the seriousness with which it is being viewed in the South. I assure the Member that I will do my utmost to ensure that we play our full part in moving forward as promptly as possible.

Mr Boylan: , Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire. I welcome the Minister's statement. I also offer my condolences to the families of those who have tragically lost their lives on our roads, in particular the gentleman who lost his life in the Newry and Armagh area over the weekend.

I want to bring up another issue with the Minister, and that is the HGV road user levy scheme. I know that a meeting in this format will not take place again until April, and, by that time, the scheme may be introduced here. I just wondered whether the Minister has had any discussion with his counterpart in the South about that scheme. Will he comment on how the scheme will impact on the road haulage industry and cross-border trade?

Mr Durkan: I thank the Member for his question. We did indeed have some discussion

about heavy goods vehicles, but, regrettably, that centered largely on compliance issues and not the topic to which the Member refers. However, I am certainly happy to meet the Member to discuss that further. I certainly give an undertaking here to take that wherever it must go, be it to Minister Varadkar or whoever.

Mr Eastwood: I thank the Minister for his statement on a very important and serious issue. What specific legislative changes has he proposed to the Executive on the issue of learner drivers? Where does that sit in that system, and when are we likely to see it coming to the House?

Mr Durkan: Thank you, Mr Eastwood.
[Laughter.]

Mr Kennedy: I have not heard that for years.
[Laughter.]

Mr Durkan: The road traffic amendment Bill is with the Executive, awaiting approval. A key aspect, if not the key aspect, of the proposed legislation is the changes in how people will learn to drive. It is a graduated driving programme for learners, which will see a reduction in the age at which people can begin to learn to drive. However, anyone who starts to learn to drive will have to take a year to learn. The sole reason for this is that, over the years, research has shown that there has been a gross over-representation of young and new drivers in our fatality and casualty lists. We believe that by extending the period over which people have to learn to drive to, say, a year, that will give learner drivers a real experience of what it is like to drive. They will be learning to drive as opposed to learning to pass a test. As it stands, someone can apply for their provisional licence and then take the test a month or two later, perhaps never having driven in the dark, in the rain, in the snow or on the motorway. We hope that those new measures will greatly assist learner drivers to become equipped for, if you like, the real road.

5.15 pm

Mr Weir: I thank the Minister for his statement and join others in expressing sympathy to the families of those who have lost their lives on the roads recently. Part of the Minister's statement referred to the continuing impact of fuel laundering. Can he outline what additional measures are being taken to combat that criminal activity, particularly the new technologies? When can we expect to see those in place?

Mr Durkan: I thank Mr Weir for his question. Fuel laundering is a huge issue and one that I remain determined to play my part in tackling, as do other Ministers. I recently met the Justice Minister here on the matter, and I have had discussions with Minister Kennedy on it. A new marker, if you like, has been introduced in the Republic. They tell me that it has proven to be very successful in reducing the amount of laundering going on. The marker is meant to be impossible to remove, but, unfortunately, as experience will tell us, it will not remain impossible to remove for too long. Trials are being carried out on a similar product in Great Britain, and they hope to extend that to the North within the next few months — by April, I believe.

Lord Morrow: I thank the Minister for his statement. I, too, pass on my condolences to those families who have lost loved ones in recent road traffic accidents. It seems that this is something that we are having great difficulty in tackling, but that is no slight on the Department.

Can the Minister give us any indication of why, he feels, we are getting so few convictions for those who are engaged in such criminal activities as fuel laundering?

Mr Durkan: Thank you, Lord Morrow. Unfortunately, the number of convictions and arrests for fuel laundering falls outwith my remit. I know that while we may be getting few arrests, my Department is not getting fewer incidences referred to it or having to carry out fewer clean-ups that are required due to fuel laundering. I know that the point that Lord Morrow has raised is one that causes great frustration to people on the ground, particularly in certain border constituencies. As I said, I met our Justice Minister on this issue recently, and it is one of which he is acutely aware.

Mr Byrne: Following on the same line, does the Minister accept that bona fide legal haulage companies are finding it impossible to compete with other hauliers who are using laundered diesel? What can be done through Revenue and Customs to tackle the issue, because it has been softly, softly so far?

Mr Durkan: I thank Mr Byrne for his question. I very much agree that legitimate haulage companies and others who are doing things by the book are suffering as a direct result of fuel laundering. It is not a victimless crime. Legitimate businesses are suffering. They are having to lay off workers as a result of fuel laundering, and the environment is suffering

due to the pollution that it causes. Following an earlier question, reference was made to a new marker that is being brought forward to be put into fuel at source. That will, or should, prevent it being laundered. That remains to be seen. It has proven successful in other jurisdictions, and I am hopeful that it will prove to be equally successful here upon its introduction in the next couple of months.

Mr I McCrea: I thank the Minister for his statement and join others in expressing sympathy to the families of those who have lost lives. I agree with the Minister that one life lost is one life too many. I think that we need to remember that.

In his statement, the Minister referred to the mutual recognition of penalty points. It almost seems like *déjà vu*. We keep revisiting this, and there always seem to be difficulties. Can the Minister provide us with some detail as to what those difficulties are? Are they difficulties that can be overcome soon? Or is it going to keep coming back that there are difficulties with it? Are the problems on our side or theirs?

Mr Durkan: I thank Mr McCrea for the question. I think that it is safe to say that, on this issue, we are both on the same side: there is just one side. It is not a case of *déjà vu*, because real progress has been made in advancing the work. Some key policy and operational issues have been agreed. However, as I said earlier, some other issues are proving to be complex and difficult to resolve. Minister Varadkar and I have discussed those issues and agreed to pause the project pending further work to allow us to decide how best to proceed with them. As I said earlier, I cannot go into the exact nature of the issues, but they are legal and technical. I met Minister Ford about one of them, on which there is work to be done with the judiciary in the Republic of Ireland.

Mr Elliott: I thank the Minister for the statement. I, like others, add my sympathies to all the families bereaved in recent times because of traffic accidents. Right at the end of his statement, the Minister referred to EU tachograph and drivers' hours rules. Can he confirm whether the rules are the same in Northern Ireland and the Republic of Ireland? Is their implementation and enforcement the same in both jurisdictions?

Mr Durkan: Solely on the tachograph issue, I believe that there is uniformity across jurisdictions. However, there are differences on other issues around vehicles. One is the height of certain vehicles, a point that your party

colleague Mr Kennedy raised. There are some discrete differences between legislation in that regard, but there appears to be uniformity on the tachograph.

take their ease while we make changes at the top Table.

(Mr Speaker in the Chair)

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. I welcome the fact that both relevant Ministers are in the Chamber for this focus on road safety. How closely does the Minister of the Environment's Department work with Roads Service to identify particular locations in rural areas where priority road safety measures need to be taken? Following this business, I will be writing to both Ministers about a particular situation at Altamuskin Road near Sixmilecross.

Mr Durkan: I thank Mr McElduff for his question. My officials work closely with DRD and, of course, the PSNI on road safety issues. We look at many issues, such as those that Mr McElduff raised and that Ms Lo raised earlier with particular reference to rural roads. I look forward to and await correspondence from the Member. I look forward to working with others, including Mr Kennedy of course, hopefully to address the issues raised by the Member.

Mr A Maginness: I thank the Minister for his statement and answers. Given the severe weather that we have experienced, with high winds, flooding, and so forth, is there any mutual campaign that could be conducted between North and South to make motorists aware of their vehicular responsibilities and duties and to see whether we can in some way reduce the level of accidents resulting simply from poor weather?

Mr Durkan: Thank you, Mr Maginness, for that question. I believe that there have previously been campaigns here in the North run by DOE focusing on bad weather, bad driving conditions and what measures and precautions drivers can and should take in such inclement weather and driving conditions.

I am unaware of any cross-border road safety campaign. However, it is certainly something that I would be keen to explore. When discussing the mutual recognition of penalty points, I referred to the fact that we have many motorists driving in both jurisdictions on a daily basis, so it seems that a North/South approach would make sense in this instance. I do not imagine that there would be resistance from any quarter to an attempt to get such a campaign up and running.

Mr Deputy Speaker: Order. That concludes questions on the statement. Members may

Private Members' Business

Haass/O'Sullivan Proposals

Mr Speaker: The Business Committee has agreed to allow up to two hours for the debate. However, as three amendments have been selected, an additional 15 minutes have been added to the total time.

The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. The proposer of each amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Before we begin, I advise the House that the amendments are mutually exclusive. For example, if amendment No 1 is made, it would not be in order to put the Question on either amendment No 2 or amendment No 3. Similarly, if amendment No 2 is made, the Question will not be put on amendment No 3. I hope that that is clear to the House.

Mr G Kelly: I beg to move

That this Assembly acknowledges that the published Haass/O'Sullivan proposals represent a significant opportunity for political parties to show positive leadership, have the potential to make a meaningful contribution to the peace-building process, and offer an opportunity to take significant steps forward in a number of difficult policy areas; notes that Dr Richard Haass was invited jointly by the five Executive parties to chair the process and thanks Dr Haass, Professor O'Sullivan and their team for their very worthy contribution over the past six months; calls on the Executive to begin putting in place the foundations for implementation of the proposals; and further calls on all parties to support their successful implementation.

Go raibh maith agat, a Cheann Comhairle. I begin by thanking Richard Haass, Meghan O'Sullivan and their team for freely giving of their time and effort throughout the six months of negotiations, which we completed in the early hours of last New Year's Eve. As stated in our motion, I also note for the record that they were invited here to chair the process by all five parties of the Executive. The Ulster Unionist leader seems to be somewhat confused on that point, at least in his public utterances.

Sinn Féin's approach to negotiations was based on the principles set out in the Good Friday Agreement and subsequent agreements. They include full respect for rights, just and equal treatment, mutual respect, parity of esteem and freedom from discrimination. We published our submission to the Haass/O'Sullivan talks, but we realise that there were approximately 600 other submissions. We also stated from the beginning that we were entering the talks with open minds. We wanted the talks to succeed and to finish in agreement. Sinn Féin also understood that, for five parties to reach agreement, there must be compromise on all sides. As Richard Haass said:

*"agreement necessarily required
compromise on some preferences, but not
core principles, by all involved."*

Hence, it is stating the obvious to say that this is not a republican document. It is more a document that republicans are prepared to support despite its flaws, in the belief that it will move our society forward in dealing with a shared and better future that is no longer hamstrung by its past or, at least, is less hampered by it. We took up the challenge and stretched ourselves, and we accept that other parties stretched themselves as well.

5.30 pm

It is our belief that significant progress has been made on at least two of the three issues that we set out to resolve. On parades and protests, we collectively created better structures in the proposals. Dialogue and mediation are crucial elements in the resolution of disputes, and it is worth repeating that only a handful of the 3,000 or more parades that occur in the North of Ireland every year are contentious. All parties agreed that there is still a need for a regulatory body to deal with parades and protests where agreement is not achieved. The regulatory body set out in the proposals is transparent and accountable, and criteria are proposed to assist in making consistent and measured decisions. The issue has been raised by every party in the Assembly on various occasions when they believed that successive parades commissions were making illogical decisions, at least in the view of a given party on a given day. A code of conduct is also contained in the proposals that would be enshrined in legislation and have the force of law.

On contending with the past, victims and survivors are, as promised, central. Their freedom of choice in the pursuit of information is at the core. Individuals can pursue

information and truth privately through an independent commission for information retrieval, allowing many who thought that they might never get the truth to find out what happened to their loved ones. The flawed Historical Enquiries Team (HET) would be replaced by an independent and empowered historical investigations unit (HIU), which would be staffed by independent people but have the same powers as the PSNI. The burden of historical inquiries, at present dealt with by the ombudsman's office, would also be moved to the HIU. There would be an ability to look at the historical themes or patterns of deaths in the conflict on the basis of emerging and existing evidence. The long-standing issue of different narratives of our past could also be dealt with in a non-exclusive way.

There is a challenge to all of us in the section on acknowledgment. The suffering and hurt of the long conflict came from every side and was felt by every side. Statements of acknowledgement and responsibility for that hurt by those involved on all sides would, I believe, help with the healing process.

On flags and emblems, Sinn Féin was not alone in its disappointment as political unionism simply would not engage. They reject any regulation of the unofficial display of flags and emblems in public spaces.

The report also recommends a commission on identity, culture and tradition. Although Sinn Féin has stated clearly that it has no confidence that that commission will deliver, we will, nonetheless, engage in and with it to promote equality, respect and parity of esteem on issues of culture, identity and tradition, including, in particular, the Irish language. Although this was the weakest section by far, I have to say that I look forward to the opening up of the discussion of Irishness and Britishness and, indeed, the intercultural variations that our society has now entered.

As I stated, all five parties of the Executive agreed to bring in the Haass/O'Sullivan team because, frankly, we could not come to agreement on these difficult issues on our own. We have created a huge opportunity that, I argue, we cannot afford to lose. The team led by Haass and O'Sullivan came here with no agenda except to facilitate. They brought our various positions as close to each other as they could and did so from an outside and objective point of view. Speaking in the wake of the publication of the proposals, Richard Haass was very clear on the conclusions that he came to.

I want to turn to the amendments for a moment. Sinn Féin will oppose all three amendments. The UUP amendment tries to rewrite the history of the talks by pretending that it is solely up to the First Ministers to sort out the problem. Normally, the UUP complains about not being allowed to be involved. Its leader was up for signing up to the agreement at the last plenary session, until Alliance spoke so strongly against the flags and emblems section. I look forward to hearing the reason for his change of mind at the last minute.

The Alliance amendment speaks only of implementing proposals on one issue, which contradicts Naomi Long's position on implementation stated yesterday on 'Sunday Politics'. I was glad of the clarification she gave yesterday, but again I look forward to clarity on the Alliance Party's position on implementation.

The DUP's amendment clearly removes the core issue of the motion and the Haass/O'Sullivan intent, which is to implement the proposals. I welcome the fact that the party leaders will meet tomorrow, but replacing the call by Richard Haass to put in place the foundations for the implementation of his proposals can only signify reluctance or, indeed, refusal to implement the agreement. To argue that the five parties should get together to renegotiate beggars logic and belief. We have had the negotiations, and more time will not bring us closer at this juncture. The society we serve and its people expect us to act, and they expect us to act together. I therefore argue that we all commit ourselves to implementing the recommendations.

Yesterday, the four Church leaders came out in support of the Haass/O'Sullivan proposals. It is also time that we heard clearly from the British and Irish Governments their view of the Haass/O'Sullivan recommendations. The two Governments are protagonists; they cannot fudge their responses. If they support the proposals, will they also participate and assist in their implementation so that the three toxic issues will no longer bedevil progress? The one thing that is certain is that, unless we act, these issues will continue to affect in the most negative of ways any progress that we are trying to make on having a shared and better future. The three issues of parades, flags and emblems, and the past are not going away. If we do not set a structure and process in place to deal with them now, they will continue to afflict us all for many years to come. There is an onus on the Irish and British Governments and, indeed, all the parties to maintain the momentum that has been created and build on the progress achieved. I commend the motion.

Mr Elliott: I beg to move amendment No 1:

Leave out all after the first “proposals” and insert:

“were a genuine attempt to resolve the controversial issues of dealing with the past, parades and flags; thanks Dr Haass, Professor O’Sullivan and their team for their very worthy contribution over the past six months; and calls on the First Minister and deputy First Minister to agree proposals for a practical and positive way forward on the three issues of contention.”

I welcome the opportunity to move amendment No 1. I am assuming that a lot of people in the wider community and, indeed, the media are maybe getting just a little fed up with hearing about all the aspects around the Haass talks. It is very difficult to think of something new to say in the debate, so we will, I suppose, have to go over some old ground once again.

One comment in the preamble of the final draft of the Haass document said quite a lot:

“Although we believe this agreement constitutes a significant step forward, it does not resolve all difficulties around the issues addressed. We could not reach an accord on initiatives to manage the issue of flags and emblems. Moreover, while we agreed a number of steps to contend with the past, other steps proved beyond consensus. This document is a contribution to addressing these difficult issues, not a solution.”

That says quite a lot: it is not a solution in itself, even if it were to be accepted. We spent a lot of time in the talks and negotiations. The Ulster Unionist Party went into it in good faith. I assume that all the other parties went into it in good faith, but they will obviously be able to speak for themselves.

Had there not been a very controversial decision in Belfast City Council in December 2012 to remove from Belfast City Hall the flying of the national flag of Northern Ireland, which is the national flag of the United Kingdom, the Union flag, on 365 days, I wonder whether all the talks and negotiations would have been required. The vast majority of people in the community realise that that was not a good decision. People realise that there was no consensus on that decision. I assume that, under the structures that we have now in Northern Ireland, we are meant to try to get consensus on issues. Obviously, that did not happen there, as in some other aspects.

I appeal to Members to actually think about some of the aspects of what they are going to say. We need to have a little calm reflection on what actually happened during the talks and why they were not totally accepted by everyone. I know that in the final negotiations — it is now public knowledge — that the Alliance Party representatives, who were mandated to take a decision there and then at those talks, basically rejected the proposals that morning. That set the scene for where we have come to today.

There are a number of issues. I listened to Mr Kelly, who indicated that there were only a small number of controversial parades, and that is right. I believe that there should be no controversial parades. Indeed, probably, had it not been for Sinn Féin activists, as Mr Adams has said, who clearly, in my opinion, provoked opposition to parades, we would not be in the state that we are with parades at the moment.

There are clearly some aspects of the criteria for the adjudication of parades that I object to and do not like. There are two of those aspects in particular. One of them is, obviously, the number of parades passing an area or in an area, which was brought in at the very last draft and is an issue that I cannot accept. The accumulation of parades should not be taken into account in the criteria. The second of those aspects is the cost to public services. That was in at an earlier stage as the cost to policing. The cost to public services is really no different, except that it widens it out much more. Clearly, I cannot accept that a criterion can be taken as just about cost.

Mr Beggs: Will the Member give way?

Mr Elliott: Yes, I am happy to give way.

Mr Beggs: Does the Member accept that including the cost to public services leaves a small group of activists able to increase the cost and, therefore, decrease the likelihood of a march happening?

Mr Elliott: I thank Mr Beggs for that. He is right. Not only that, but an argument would then evolve about whether that cost was to do with the parade or the protest and the objections. You would get into a whole new debate and argument on that aspect.

With respect to the flags issue, the Ulster Unionist Party had a clear process or initiative, on going into the talks, about the flags aspect, and that is that Northern Ireland is constitutionally a part of the United Kingdom.

There is no question about that. Until there was an acceptance from all parties at the talks that Northern Ireland's position within the United Kingdom was quite clear and that the flag of the United Kingdom, which is, therefore, the flag of Northern Ireland, is indeed the Union flag, there could be no point in having discussions about other aspects of it. We were happy to take on the debate and discussion about having a new flag for Northern Ireland and trying to develop that, but it was not to be a replacement for the Union flag. First, there had to be acceptance and agreement that the flag of Northern Ireland was indeed the Union flag. Unfortunately, we did not seem to get agreement from other parties on that. They were reluctant to buy into that, but obviously it is up to them to say why that was.

Dealing with the past obviously started off as a very controversial issue. I know that there were people who said that this was going to be a real stumbling block. I felt that there was some progress, but there were obviously some very dangerous aspects to dealing with the past as well. We are quite clear: what we have at the moment is focused basically on the security forces and the actions of state services. We do not believe that is helpful; it needs to be broadened out much more if we are going to really deal with the issues of the past. I think that there is a problem from a large section or part of our community when they talk about getting truth or information recovery. Many people do not believe that we will get the full truth. In fact, a lot of people do not believe that we will even get a partial truth. That was accepted, even in the round-table talks that all the parties had when we did not have Dr Haass and Professor O'Sullivan present. It was broadly accepted by most parties that, indeed, any truth that we would get would be a very limited one.

5.45 pm

People indicated that they thought that getting that limited truth may be better than getting no truth at all, but sometimes that would only leave people, particularly innocent victims, even more frustrated. If they got a partial truth and did not hear it all, that would leave them more frustrated and they would want more. That would pose more questions for us as politicians and for the people who were given that limited information, but it would certainly not resolve the issues for those who had lost loved ones or been injured as a result of the Troubles.

People asked me about the terminology that was being used in the agreements. The Ulster Unionist Party indicated from the outset that we

believed that people should recognise the causes of the Troubles. People needed to accept the causes of the Troubles. People needed to accept that there was terrorism and terrorists. One person said to me quite late on in the discussions, "My father, in 1987, was murdered by terrorists, murdered by people who were members of a terrorist organisation. Why will people not accept that?" People were convicted of being terrorists and being in terrorist organisations. Why will that not be accepted by those who were in the talks and negotiations? I cannot understand why not, and I would like to hear from some of those people why they would not accept that as the basis that we must start from. If we can get there —

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

Mr Elliott: — then there is a much better chance of getting a resolution if we have a much better start and honesty.

Mr P Robinson: I beg to move amendment No 2:

Leave out all after "months;" and insert:

"and welcomes the decision of the party leaders to meet on 14 January to consider the next steps."

I speak in my capacity as leader of the Democratic Unionist Party as opposed to that of First Minister. The debate should be welcomed as a good opportunity to take stock of where we are in the process and what the next steps may be. Nonetheless, I do not welcome the divisive nature of the motion. It sets up a party political position, and, with respect to the other political parties, each of their amendments is designed to set out their party political position.

The amendment in my name and those of my colleagues recognises that there is a tomorrow and we have to resolve the outstanding issues. None of us in the Chamber could be satisfied with the issues as they stand. The status quo is simply not acceptable. I am not satisfied that the sovereign flag of my nation is treated with disrespect in various parts of the Province. I want those kinds of issues resolved. I am not satisfied with the Parades Commission and the role and function that it carries out. Those issues have to be resolved. And I am not satisfied that we have some rewriting of the past. I want to ensure that the story of the past is told but in a fair and balanced way. I am not convinced that any of those three areas is dealt

with properly under the status quo, and therefore we need change.

It has always been my position that no deal is better than a bad deal. I do not believe that, taken as a package, this was a good deal that was going to resolve the issues at stake and help to resolve parading, the flags problem and the issues surrounding the past. I start from that process that it is worthwhile only if it will improve the situation, not if it will make it worse.

I will come to some of the issues in a moment, but it is right to express our thanks and appreciation to Dr Haass, Professor O'Sullivan and their team for the hard work that they did over a six-month period. We recognise that these are intractable issues. If they had been easier, we would have solved them when we were dealing with the cohesion, sharing and integration strategy (CSI) issue.

If they had been easier, we would have been able to resolve them when left to our own devices. However, very useful work has been done.

There is a misunderstanding on the part of the party opposite and some others in this Chamber, and perhaps even on the part of Dr Haass, about what was required. We left very clear instructions as to what was required. We put them on paper to the committee members on the panel and to Professor O'Sullivan and Dr Haass when we gave them their letter of appointment. The terms of reference state that the:

"Panel will be invited to: 'Bring forward a set of recommendations by the end of 2013'".

I could go into the rest of it, but it is the usual stuff about what they were to bring recommendations in relation to.

So, it was the task of the panel to bring forward the recommendations. The panel did not do that. The panel brought forward no recommendations whatsoever. Whether the recommendations were agreed unanimously by the five parties or, indeed, whether they were agreed by a sufficient consensus of those around the table, the job is still to be completed.

We have Dr Haass's view of what might be a fair and balanced proposition. I do not agree that it is balanced, but I do agree that, within the proposals that he brings forward, there are many issues that are satisfactory when it comes to taking the matter forward. I have been referred to as indicating that the broad structure outlined by Dr Haass is one that could house

the structures that would take us forward, but there still is a requirement to get the detail right. You can have the most positive of proposals poisoned by detail that does not make the proposition work in the way that would be best and most fitting.

So, the parties still have not fulfilled the obligation that was placed on them to bring forward their proposals to the deputy First Minister and me. You can hide behind Richard Haass and say, "We like what he's done, and therefore that's the end of the story", but it is not. You were not there to get an agreement with Dr Haass: you were there to get an agreement amongst the five parties. Dr Haass will not be about here when there are problems with parades or flags or the past, but we will be. You have to get an agreement with us. The parties around this Chamber need to be satisfied with the way forward, and an agreement that simply brings the SDLP and Sinn Féin together is not going to resolve our problems, because you need to bring unionism along with you.

Having listened to Tom Elliott's remarks, I do not think that he said anything that I disagree with. I entirely accept his view that on parades there are two big issues still sitting there that have not been resolved. I can see the benefit of the more transparent system that is outlined in the Haass document, but it is destroyed by two issues: criteria and code of conduct. Incidentally, those are two issues that we had resolved satisfactorily in 2010.

On the issue of criteria, cost has been added, which, as has been indicated, incentivises protesters and those who want to cause disruption to cause as much disruption as possible so that a cost is attached to a parade. That way, the police will put forward their bill for policing the parade, which will then be one of the criteria taken into account when deciding whether you allow a parade to take place or not. Quite frankly, if you incentivise those who want to stop a parade, you are not resolving the parades issue. So, we need to find out whether people really believe that there is a cost attached to people exercising their rights to assemble and to parade.

The second issue is a code of conduct. There is already a code of conduct, and it applies to those parades that are under a determination. The new code of conduct in the Haass proposals applies to every parade and to the supporters of parades. So, we have a situation where, under the Haass proposals, even those parades that have gone off peacefully will be included. Over and over again, I have heard

Members from all sides of the Chamber indicate that we are only dealing with a small number of difficult parades. Therefore, why put under the criminal law the 95% or more of parades and their supporters where there is no problem whatsoever? It is unnecessary to do that, and I do not think that it should be done.

There are issues with the past, which Mr Elliott raised. I raise one further issue, which is that there is a suggestion that a body be set up that has one representative from each of the five Executive parties. Anybody who thinks that I am going to treat the electorate who vote for the Democratic Unionist Party in that way is mistaken. There is no way that it would be acceptable to have a party with eight Members in the Assembly given the same representation as a party with 38 Members. That is one issue, and there are other issues to be resolved.

What do we do by way of moving forward? I think that the leaders' meeting tomorrow is important. I agree to some extent with the remarks made by Gerry Kelly that there are difficulties. Looking back to the CSI period, you can see the length of time that it took to end up with the 'Together: Building a United Community' document. Therefore, there needs to be some impetus for a working group if it is to continue doing this work, but the one thing that we need to do first is for each of the parties to be honest and say which elements of the Haass proposals they agree with, which ones they could agree if they got some change to them and which ones are excluded altogether. We need to have that exercise among the parties.

I counted, and there are over 340 separate elements to the Haass proposals. We need to work out whether there are elements that all five parties are in agreement with and whether that agreement is sufficient to be able to allow us to move forward. Just as Dr McDonnell said in the House of Commons, I say that if there are areas on which all the parties are agreed and satisfied that we move forward, you start to implement and you legislate, and, as he also said, we work on the issues that are outstanding to try to resolve those, too. That is all that I am asking. If you do not do it now, let us be clear that you can hide behind Haass as much as you like, but in a month's time, six months' time or a year's time, you are going to have to come back to these matters. It is far better to do it now when we have a clear insight into one another's views on the issues concerned, and then let us try to resolve the outstanding matters.

Mr Lyttle: I beg to move amendment No 3:

Leave out all after second "Executive" and insert:

"to take urgent steps to implement the provisions relating to dealing with the past and to develop a time-limited, independently chaired mechanism to reach agreement between the parties on outstanding issues on parades and flags, building on the progress made and delivering real change to meet the aspirations of the public who invested hope in the Haass process."

We believe that the Alliance Party amendment strengthens the motion. It is important to restate why progress on the unsettled issues is so important. Despite the signing of the Good Friday Agreement in 1998 and the moves that we have seen from conflict to peace in Northern Ireland, in 2007, the cost of division in Northern Ireland was estimated at over £1 billion a year. Issues of sovereignty and identity remain contested by political parties and on our streets, with at times very violent consequences. The policing of parades and related protests between April and October 2013 cost approximately £26 million. The childcare budget for Northern Ireland for around four years is £12 million. That puts it into perspective.

An approach to the legacy of conflict and terror has failed to meet adequately the needs of victims and survivors or help deliver on the core principles of fairness, equality and mutual respect on which our society and a new and shared Northern Ireland should be founded.

The Haass process presented a unique opportunity to settle the issues that the Good Friday Agreement, the cohesion, sharing and integration strategy and Together: Building a United Community have all failed to address. There was a six-month internationally and independently chaired process, and it gained significant public participation. It is worth noting that key fact. There were hundreds of written submissions and meetings across our society. The Alliance Party extends its thanks to Richard Haass, Meghan O'Sullivan and their team for accepting the invitation to facilitate the process, which confirmed that the people of Northern Ireland are demanding leaders who are not afraid to compromise for the common good. My Alliance Party colleagues and I know well what it takes to compromise, and we will not be found wanting in that respect. We have made a significant contribution to the process and have acknowledged that the Haass proposals are a basis on which to make progress.

6.00 pm

The Alliance Party has given its clear commitment to implement what is in the document and to work to deliver timely progress on what is not. The real issue is not those who sign up and those who do not; it will be those who deliver and those who will not. However, we in Alliance have also given our honest assessment, which is that this is not the comprehensive agreement that the public demanded in their submissions or what the process was explicitly mandated to deliver. The fact that, as the document itself states, there is no agreement on flags and emblems is unacceptable and leaves community tension in our society and economy.

On the past, however, the document makes significant proposals that, if adequately resourced, implemented and supported by the British and Irish Governments, could improve access to justice, information and services for victims, and encourage reconciliation across our community. It also extends the terms of reference of a review of services for victims and survivors by the Victims' Commissioner, Kathryn Stone, to include an assessment of the financial needs of people seriously injured in conflict-related incidents. It does not draw a line under the past but seeks to deliver greater powers in the challenging area of historical investigation. It also creates the option, strictly on the principle of choice, for victims and survivors who wish to do so to engage with information recovery on the basis of the inadmissibility of that information in court.

The paper also provides for thematic issues to be reviewed by the independent commission for information recovery. That is another important element of addressing the legacy of the past. We have to be honest by saying that it is unlikely to provide all justice and all information to all victims and survivors, but it must be an improvement on the current arrangements. The Alliance Party has insisted that advocacy and counselling support be available to anyone engaging with these processes throughout. The implementation and reconciliation group would also create an implementation commissioner to ensure delivery of all the above. Importantly, civic society is included in the oversight of these mechanisms.

These proposals are substantive. They build on the work of many across our community: the Victims and Survivors Forum, Robin Eames and Denis Bradley, and many others who, in my honest assessment, met with significant agreement from all five Executive parties in the talks. However, I have listened to unionist parties raise objections in recent days in a way that I do not believe they did during the

process. That gives me some concern about the desire of those parties to deliver progress on issues that we are nonetheless willing to address.

We, as a party, have always stood clearly for the rule of law. I have no difficulty whatsoever in stating clearly that terrorism was perpetrated on innocent people in our community and was wrong at all levels. However, to suggest that that was not addressed during the process or is in no way considered in the document is simply not true.

Alliance also worked to produce proposals on parades that would put in place an architecture

Mr Allister: Will the Member give way?

Mr Lyttle: Yes, briefly.

Mr Allister: Will the Member refer to the section of the document that refers to the fact that this community was subjected to a vicious, vile, unjustified terrorist campaign and that identifies it as such?

Mr Lyttle: I am happy to do so at a later date. I have got quite a lot of information to get through. Thank you.

As members of a party that has always stood clearly for the rule of law — probably similar to Mr Allister — we also wanted, and worked to produce, an architecture that promoted dialogue, mediation and regulation only when necessary on the basis of the rule of law and shared space. Ultimately, though, like other issues, parading will be a matter of behaviour and attitude. Indeed, difficulties that we have heard about on supporting a code of conduct and upholding determinations will need to be addressed.

For the document to state that there is “no accord” on flags and emblems should in no way be acceptable to the people of Northern Ireland. It is certainly not acceptable to the Alliance Party. Alliance put forward very reasonable proposals in this process for designated days for the Assembly, Departments and council headquarters; for exploring a Northern Ireland flag; for looking at the role of the Irish flag alongside the Union flag on state visits; and for the regulation of the unofficial display of flags on lamp posts. In my opinion, nationalist and republican parties were, at times, as dogmatic as unionist parties on flags. They were unwilling to consider the compromise position of designated days for official flags, which is

supported most by people across Northern Ireland and, indeed, appears to be the only cross-community solution on the books. Unionist parties refused even to consider an Alliance Party proposal to deal with the unofficial display of flags on lamp posts, which is a visual aid for sectarianism, in the absence of any deal on the official display of flags.

How can the OFMDFM commitment to build a united community be taken seriously when the issue of sovereign and national symbols cannot be settled and, instead, is pushed into the long grass of more process and no progress? Until nationalist and unionist parties are willing to compromise on the respectful and balanced representation of sovereignty and identity in Northern Ireland, this issue will be contested in perpetuity, with all the associated human and financial costs. For me, that is completely inconsistent with building a united community, whether Irish, British, Northern Irish or otherwise.

Process might be a comfortable hiding place for people who do not want progress. However, in the words of Abraham Lincoln:

"You cannot escape the responsibility of tomorrow by evading it today."

To those who are frustrated, I say this: I and my Alliance Party colleagues share your frustration but we encourage you to channel that frustration into positive action. In the words of Dr King, to those of us who value peace, I say organise and mobilise better than those who are content with division and war.

We are acutely aware that the public are tired of parties talking and arguing about these issues. The Alliance Party is clear that Executive party leaders should move to implementation of these proposals and delivery of a shared society. I have a young family and constituents who are in need of education, jobs and health, and who have huge talent and potential. I want to get on with focusing my efforts to improve outcomes for them and to help them to achieve their potential. Progress on the core issues of sovereignty, identity, cultural expression and the past is urgent and vital to deliver the social and economic stability and the shared society that we need to be able to get on with achieving those aims.

Dr McDonnell: I want to avoid the risk of splitting hairs or posturing from a party political point of view, because that gets us nowhere. From the outset, the SDLP held a clear goal for this process. We wanted a sustainable, comprehensive and honourable agreement on

flags, parades and dealing with the past. I, like others, want to put on the record that we owe a deep debt of gratitude to Richard Haass, Meghan O'Sullivan and their team for the long hours and the hard work that brought us so close to such an agreement.

The SDLP executive and Assembly group have backed the decision of our talks delegates, Alex Atwood, Joe Byrne and Mark Durkan MP, to give a general endorsement of the Haass/O'Sullivan proposals. They did so in spite of the failure to complete the agreement that we so much wanted, because so much was achieved in the talks and where we got to. Yes, there was no agreement on flags, which was the most vexed issue of the process. However, parties should now have a much greater understanding of the need to include and embrace the Irish national identity and the British identity in the current constitutional position through the display of official flags and emblems. Parties should now better recognise the need for leadership and legislation to tackle the blight of unofficial and illegal flags and of the wildcat erection of flags on lamp posts and other places that are then left to rot and fall down; there is not much respect there.

The progress made can be consolidated. Yes, some more work is required to agree a parades code of practice and conduct in law that comprehensively deals with how people should conduct themselves on the public highway, not least outside other people's homes, schools and churches. However, I believe that all parties now recognise that genuine dialogue is the key to sorting out the parading problems. The architecture outlined in the document focuses rightly on the key principles of rights along with responsibilities and, crucially, relationships that need to be sorted. In my opinion and that of the SDLP, progress there can be consolidated.

The strongest part of the Haass/O'Sullivan process was not the parties, the Governments or the facilitation. To my mind, the strongest part was the massive input by civic society, which yet again demonstrated its strong desire for resolution of the issues that plague us. None of that was clearer than in the input from the many victims and survivors who made submissions. It is for the victims and survivors of the conflict that we must take the opportunities afforded to us now to deal comprehensively and ethically with the past.

The past was the biggest test in the talks process. We were told at the start that there was no hope of progress, yet it was the area in which we saw the greatest progress. It still

remains the single biggest obligation on all of us. Progress there must be consolidated and acted on. It is now time to grasp the nettle, take responsibility, take ownership and move forward on the basis of what we achieved in the Haass and O'Sullivan proposals.

The next steps are the responsibility of not just the five party leaders but the two Governments that are the co-guarantors of the agreements that we have made in the past. Any attempts at renegotiation will not work. The negotiation has all been done. We now know each other's position, and all that it will do is stall any progress that has been made. Indeed, it may very well squander the gains that were made. Our purpose now must be the implementation of as much of the proposals as possible, and the two Governments must now fully engage and exert their power and influence as the co-guarantors of the Good Friday Agreement to —

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

Dr McDonnell: — ensure collective implementation and the legislation necessary to bring resolution to the issues that remain. To embed peace in Northern Ireland, a meaningful prosperity process has to be created. Prosperity will not be achieved without stability.

Mr Speaker: The Member's time is gone.

Dr McDonnell: We will not get stability without a working solution to those three problems.

Mr Campbell: I support our amendment. First of all, I pay tribute to Dr Haass and Dr O'Sullivan, as I am sure every party has done through its own delegates, who, in our case, were Jeffrey Donaldson MP, Jonathan Bell MLA and the Reverend Mervyn Gibson. A significant amount of time was spent on making progress, and considerable progress was made. It appears from some of the comments earlier that there has been, unfortunately, a degree of retrenchment, but hopefully we can recover that in the next days and weeks.

It is unfortunate that, during the Haass process, a distinct difference developed in attitudes in each community to what was going on during the talks. It was fairly clear to me from reading what politicians in the nationalist/republican community were saying, and listening to what my own community was saying, that, on the core issues, it seemed as if what looked like possible agreement would, to many in the nationalist community, be banked as progress. That is what appeared to be stated, and it was

claimed that progress was being made. In the unionist community, it was being viewed as the great insoluble problems remaining insoluble, such as the flag, which is not to be perceived as being some sort of negotiated ploy or policy whereby on the one hand we have the Union flag and on the other we have the tricolour, and how do we reach some consensus.

6.15 pm

In the unionist community, there appeared to develop an understanding that, within nationalism, there simply was not going to be, at that stage anyway, an acceptance — not a support for the Union flag; there was not even going to be an acceptance — that that is the symbolic nature of what this country is. In our community that is taken as read. There will be no negotiation on or departure from that; that is a given. That is the way it is, and that is the way it is going to be.

We have to get over that and not see it as a symbol of unionism, because it is not. It is a status of the United Kingdom, not a unionist United Kingdom but the United Kingdom of which we are all a part. We are not going to depart from it, because we are a part of it. That is all it is. It should not be used in any other way as a symbol of triumphalism. It is a symbolic flag of the nation state of which we are a part. That is the way it is.

We move on. I listened to Mr Kelly when he said that taking more time will not bring us any closer. That sounds to me like a defeatist attitude. Although, on most occasions, I would be very content to hear a defeatist attitude from Sinn Féin and would be very much prepared to bank all the defeatist statements, on this occasion, I think it is wrong, because he appears to think that there is no possibility that further discussions will bring a form of resolution to our problems. I hope that he is wrong.

On the issue of the past, I agree with Dr McDonnell, who has just said that it was perceived at the start that there would be no movement on that and there was movement. We do not expect people to agree with this, but again, we have to get to the point where people understand that part of the reason why we are discussing the past is because an unambiguous terror campaign was inflicted on 98% of the population here, Protestant and Catholic, and it was inflicted by the Provisional IRA. It was unfortunately responded to by loyalist paramilitaries, but that does not change who inflicted the campaign in the first instance. Until we can get an acknowledgement that that is the

case, I see further progress as being difficult to make, but let us not say that because progress is difficult to make, it is impossible to make.

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

Mr Campbell: Let us knuckle down to try to get an assessment of the current position on flags, parades and the past that the entire community can live with.

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh an díospóireacht seo, nó ceapaim gur díospóireacht antábhachtach í. I welcome this debate, which is very important. As Members know, the Haass/O'Sullivan negotiations finished in the early hours of Tuesday 31 December, the day before a new year began. Would it not have been a great message for people throughout Ireland, Britain and the world to wake up and hear the news that agreement had been reached on how we progress the very difficult and challenging issues of flags, the past and parades? It would have been particularly good for people in the North, across every community, who have watched and hoped that we would reach agreement.

Sinn Féin is absolutely clear on where it stands. I believe that we have shown enormous leadership in this process. I was at our pre-Christmas ardchomhairle and the most recent one in Dublin on Saturday. There was overwhelming support for the proposals and for how we move forward, not because everyone agreed with everything but because there was an understanding that, in negotiations, you have to compromise, that you do not get everything you want and that we need to move forward, ensuring that all sections of our community enjoy parity of esteem and equality.

My flag is the Irish national flag and my anthem is Amhrán na bhFiann. I am proud of that and I make no apology for that. Yet, I completely understand and respect other people's differing allegiances and their right to have them. I ask from them equality of respect. If we do not deal with the past, we are doomed to repeat it, not to mention the hurt and pain of victims and survivors.

Today in Banbridge the inquiry into historical institutional abuse began. It was heartbreaking to hear the voices of the victims. They want truth and closure. Some of them are very elderly and are afraid that they will die before they get it. Similarly, victims of the conflict want truth. They understand the need for that for real healing and closure to take place.

In some quarters of the Assembly there is a failure to recognise that there were different protagonists in the conflict. That is a bad failure on their part. We have had a conflict with many actors and combatants taking part, including the state. I listened carefully, and I did not hear one mention of state violence from the opposite Benches. They can talk about violence from republicans or loyalists, but they are in denial about state violence and collusion. That is deeply disrespectful to the victims of state violence. Are the victims from Loughinisland, Ballymurphy and Bloody Sunday not victims too? Do they not deserve your support for truth? I believe that they do. There should not be a hierarchy of victims.

The vast majority of parades are not contentious; only a minority are. Let us deal with that. Gone are the days when people will accept being second-class citizens. What is the problem with a code of conduct to ensure that people behave with respect? If residents of an area have difficulties, what is the problem with sitting down and talking? There should be none. *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: Sinn Féin went into the talks and all talks in the peace process with a can-do attitude over a period of two decades. I believe that we have shown leadership. Like many others, I am very disappointed by the reaction of the UUP and DUP. There has been a failure of leadership. Let us call a spade a spade. There have been Members speaking today making the same old comments, discounting the costs of policing and strangely silent on the number of police officers hurt, not to mention attacks on the Alliance offices and other sectarian attacks. I know that my disappointment is shared by many in the unionist/Protestant community. I know because they have told me. *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: People in those communities are way ahead of their political parties. Members may joke and try to laugh it off, but that is the reality. We understand very clearly what is happening and who is being pandered to. It is the UVF, the loyal orders and retired RUC members who do not want the truth to come out. The British and Irish Governments are silent. They also need to speak out. I want to see the money that is being wasted now on policing these things being spent on schools, welfare and building a new future.

Mrs Foster: The motion is fundamentally flawed because it refers to implementing the proposals, but the proposals are clearly not agreed by the five parties involved in the discussions. That was, of course, recognised by Professor O'Sullivan just after the talks finished on New Year's Eve, when she gave an interview to the 'The Irish Times' and said that it was not a full solution. She went on to say that it was not the end of the process and suggested that we should have:

"a forum to advance the ball."

I think that that actually confirms the position of the First Minister and leader of my party in saying that work has been carried out and there has been good and meaningful progress on matters, but there is still much work to do. I am very pleased that a meeting has been called for tomorrow to try to bring that about.

I will touch on a few of the issues. On parades, I welcome the fact that it has been acknowledged that the fundamental flaw with the Parades Commission is that it not only mediates on parading disputes but adjudicates on those matters. There was a splitting up of that, which I think is to be welcomed, because it will not allow the cross-contamination that occurs at present in parade determinations. That is a fundamental flaw that has been recognised.

I am disappointed that there is not more on tolerance and recognition of the fundamental right of people to gather together and parade. I echo the comments made by Mr Elliott on the criteria issue, and I believe that it intervenes in a very disproportionate way on individuals' rights and their freedom of assembly, but that I am sure that those issues will be revisited in any subsequent talks.

We have had Caitríona Ruane tell us that her flag is the Irish tricolour. Of course, she lives in the Republic of Ireland, so that is absolutely correct. The reality is that the Union flag and the sovereign position of Northern Ireland in the United Kingdom are fundamental. That must be recognised in any negotiations. To be fair, it was recognised by Sinn Féin in 1998 in the Belfast Agreement, when it signed up to the consent principle. The consent principle is very clear: it says that Northern Ireland is to remain part of the United Kingdom until the majority states otherwise. That means that we are part of the United Kingdom and, therefore, the flag of the United Kingdom is the flag of this part of the UK. That is a very clear position, but they seem to want to move away from the Belfast

Agreement and to cherry-pick the parts that they signed up to at that time.

Chris Lyttle talked about the Alliance proposals on flags, and I was very alarmed to learn from my colleagues, who put so many hours in and whom I commend for their work in the negotiations, that one of the proposals was that the Union flag would only fly on departmental headquarters buildings in Northern Ireland. I know that Alliance has no representation in the west of the Province, but I am a representative of the west of the Province, and I will not sign up to anything that causes the effective repartition of Northern Ireland by not having any Union flags flying on departmental buildings in the west of the Province.

Dr Farry: I am grateful to the Member for giving way. Surely the Member will recognise that the Alliance Party proposed that designated days be applied to all councils right across Northern Ireland, which would avoid a Balkanisation of local government and would ensure that we had a standard approach that would include the west of Northern Ireland with respect to flying the sovereign flag of the UK on all council buildings on designated days.

Mr Speaker: The Member will have a minute added onto her time.

Mrs Foster: And then allow the new councils to reduce that back to zero. What is the problem with departmental buildings putting up the flag of this nation state? Alliance clearly has an issue with that, and I do not know what the issue is in the west of the Province. I will tell you this: there is no way that the DUP will sign up to something that would not allow the Union flag to fly at government buildings in the west of the Province. There is just no way.

I turn to the past, Mr Speaker. Of course, we have had Sinn Féin speak about different narratives of the past. A narrative is not a fact. One may have a perception of what happened at a particular time and in a particular place, but that is not a fact. The fact is that there was a terrorist campaign in Northern Ireland. We have heard Caitríona Ruane say that we have not heard about state collusion: I did not hear about the disappeared from you.

Ms Ruane: Will the Member take an intervention?

Mrs Foster: No, I will not be taking any interventions.

There is no doubt that state collusion will be put up in lights by Sinn Féin and the SDLP, and that would be so unfair to the victims of terrorism in Northern Ireland. It would be so unfair and so disproportionate to everything that went on here in Northern Ireland over the past 40 years, and there is no way that we will allow that to happen. I want to bring this story to you as I finish, Mr Speaker. During the talks, I had two Fermanagh Roman Catholic brothers come into me whose brother had been murdered by the IRA. He drove his tractor over a bomb that was set for police. They said to me, "Arlene, there is no way you can allow the people who killed our brother to be held up in the same fashion as our brother". That proved to me that Roman Catholics and Protestants have all suffered at the hands of terrorism throughout the years, and this party will stand four-square with those people no matter what process we are in.

6.30 pm

Mr Mitchel McLaughlin: Go raibh maith agat, a Cheann Comhairle. Coming to the debate, I reflected on why we asked Richard Haass to become involved at all and what our expectation of the process was. We identified three issues that had defied agreement between us over the past 15 years, and I think that we properly identified three issues that not only were toxic in the past 15 years but in recent months have demonstrated the capacity to make things even more difficult for us. In other words, it is a downward spiral. That is reflected in public opinion, the media and the atmosphere in the Chamber.

What did we expect Richard Haass to do? Did we expect him to draw up a document with whatever number of elements — we are told that it is 340 — that we would then take as the best guess at where we would find agreement among ourselves, or did we expect him just to join in and be a patsy because people were not sincere about agreement? I have to say that I redden with embarrassment when I think of how people look at this place. They saw the build-up to the Haass talks. During the talks, they listened to the commentary. They were amazed to find that the issue that was initially identified as the easiest to solve was, in fact, going to be the issue that could have stalled the entire process and forced Richard Haass and his team, to whom I, too, express my gratitude for their efforts, to take it off the table in order to keep the process moving forward.

What did we expect that team to do with the experience that they had, their objectivity and the evidence that they had gathered from a very

significant number of organisations, the submissions that they received and all the individual representations and submissions from parties? We expected Haass to do what he did. We expected him to leave a document, which he did. What did he expect? Honestly, what did he expect us to do? Did he expect us to start to pick over the bones and entrails of it and to attempt to renegotiate?

I listened to Tom Elliott repeat something that struck me as very odd when Mike Nesbitt made the comment about the flags decision. Accepting that a democratic majority in Belfast City Hall had taken that decision, he said that there was no consensus. I do not remember there being a consensus to fly the flag on 365 days. That was the position that some parties took into the Haass negotiations. Were we taking that man to be a fool? Do we care what he thinks of us?

When he looked at the issue of parades, he recognised the flaw in the Parades Commission. We were not entirely happy with it either. One of the flaws that I see is the fact that each new series of appointments starts it over again. There is no corporate memory. Therefore, there are issues with the consistency of decisions that really only exacerbate the problems. Richard Haass addressed those issues. He separated out the process, yet some people found it unacceptable that that implied that there then had to be a code that governed the conduct of protesters, marchers, their supporters and the bands that they bring along — all of which pointed towards a solution. Did we want a solution?

The past depends on your point of view. The point was made by the recent funeral of Nelson Mandela that one man's freedom fighter is another man's terrorist or the reverse. There are people in my community — I say this not to be offensive to people of the British tradition — who saw the British Army and British policy as terrorism on their community. That is a fact as well as a narrative.

Mrs Foster: That is not a fact.

Mr Mitchel McLaughlin: It is a fact. You cannot dispute what I am saying. It is a fact. If we are going to deal with facts and look for agreement, we should work together in a way that accepts that there are different perspectives, there were different experiences during the conflict and people have been traumatised and hurt.

Mr Elliott: I thank the Member for giving way. On the basis of what he has said, does Mr McLaughlin accept that the IRA, INLA, UVF, UDA and other organisations were terrorists and committed terrorist acts?

Mr Speaker: The Member has an extra minute.

Mr Mitchel McLaughlin: Thank you. I will take that as an attempt to be helpful and find agreement. I do not think that you would get that agreement from republicans any more than I would expect you, Tom, to stand up and declare the British Government a terrorist organisation that employed terror. I do not expect you to do it, so I do not demand it of you.

What I recognise is that, after conflict over so many decades, there are thousands upon thousands of victims and traumatised people in our community and society. We have an equal responsibility for them all. We should not try to segregate them. We should not try to reduce the suffering and trauma of one section of the community. They are all victims. Sometimes I hear people getting confused. I hear them talking about dead people as though they were going to get compensation and as though they are the people who are seeking redress and the truth. Too many people were killed in our conflict. They are dead. It is their families and the survivors whom we are obliged to look after.

We made the agreement with our eyes wide open. Issues have been raised about the constitutional position.

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

Mr Mitchel McLaughlin: I do not have a difficulty with the constitutional position. Why? It is because I know that we will have the power to change it when we have sufficient numbers. That is good enough for me; I am a democrat.

Mr Byrne: I add my voice to the thanks expressed to Richard Haass, Meghan O'Sullivan and their team for their great efforts and commitment over the past months. I am sure that they were glad to get on a plane on New Year's Day and go home for some time.

Including parading in the Haass talks meant that, in a little over 15 years, there have been six reviews of parading, protest parades and commemorative events. There has been a pattern in those reviews of the Parades Commission: the attempt to accommodate the demands of the marching orders and to undo

the work, authority and existence of the Parades Commission. They do not want any regulation, statutory controls or restrictions. An absolute right to assembly and to parade is the priority without due consideration for others. In that regard, the unilateral actions that the Secretary of State took in December to reconfigure how the commission operates and to discard the depth of knowledge and insight of previous commission members was particularly unhelpful in the run-in to the final talks.

We are now in a transitional situation, with delicate determinations pending. The SDLP acknowledges that the commission has, at times, made questionable and flawed decisions and that parties, including ours, have, on occasion, had differences of opinion with the commission on specific determinations. However, the SDLP has held steadfast to the belief that the commission's authority and independence should be accepted and protected. The rule of law must be respected by all at all times in these matters.

Despite our support for the Parades Commission and in approaching the Haass talks in the spirit of compromise, we were willing to consider new parading architecture as long as the key principles of rights, responsibilities and relationships were firmly respected and embedded. From the outset, we stated that there must be regulation and legislative controls to have parades, protest events and commemorative events managed in a more adequate way. Surely last summer demonstrated the need for that. We strongly emphasised that sustained, face-to-face, genuine locally based dialogue must remain the primary means to address differences over parades. Let us have dialogue and therefore less contentious parades or public events. That is the challenge.

During the talks, the two main unionist parties and the Orange Order in particular worked to remove regulation and controls from parades. They tried to prevent the development of legislation for a parading code of conduct. Throughout the talks, the two unionist parties stated that they wanted the Parades Commission abolished. That would be a return to mayhem and disorder at such public events. The Parades Commission came into being to help bring about some order. Even though two new bodies have been proposed to deal with parades and public events, some issues must be dealt with in legislative terms.

The SDLP believes that it is vital that there are nominated organisers of parades and nominated marching band organisers who are

held accountable for any difficulties or activities that may arise whenever such public events are held. There can be no ambiguity about how any protester, bandsman or marcher conducts themselves in public. We believe that that requires a code of practice in law that comprehensively deals with how people conduct themselves on the public highway, not least outside homes, schools and churches. Therefore, this work is not yet finished.

It is essential that, as the five parties and the two Governments now move the process forward, we tie down legislation on parades and public events and finally put to bed the parading issue to ensure that parading tensions do not escalate further and to lessen the damage to community relations. We cannot allow further damage to community relations and increased community tensions. Civic society and normal business and way of life must not be held to ransom over controversial parades and public events. The situation in Ardoyne illustrates how bitter parading issues across the North could become if we do not act to cure this ongoing sore.

Mr Speaker, my voice is breaking because I have a dose. The Haass discussions provided an opportunity to make a start on dealing with the outstanding issues. Let us work together; let us be brave; let us give leadership on these issues.

Mr Kennedy: I am glad to have the opportunity to contribute to this important debate. I join others in paying tribute to Dr Haass and, indeed, Professor O'Sullivan and their team for all of their work. Like many others in the Chamber, I was there for the long days and the late nights in the run-up to Christmas and the new year. I was there because my party and I are mandated to seek agreement, to explore compromise and to establish common ground. However, we are not mandated to seek agreement for agreement's sake. That would not be a sensible basis for moving forward or, indeed, for making progress.

It is wise not to underestimate the importance of language and word choice, particularly with the present final draft of the Haass proposals. It is not human nature, nor should it be, to settle for any old form of words, because of their importance in imparting meaning to the reader. There are those here today who will want to criticise our position on language, but they will not ask themselves what efforts they have made to close that gap. Martin McGuinness and Gerry Adams now find themselves saying that some IRA killings could be described as murder. Yet, only yesterday, Gerry Kelly was

unable to say which, in his view, could and which could not. The Gerry Adams comments during the Haass talks period in relation to the murder of police officers Breen and Buchanan were words chosen to cause offence. They were chosen to stoke controversy and to overshadow the comments that Judge Smithwick made about the IRA's engagement with his tribunal, when he said that they were incapable of telling the truth. Even when republicans secured a form of immunity, they were incapable of telling the truth.

Earlier, Mr Lyttle quoted Abe Lincoln and Dr Martin Luther King. I will give you a partial quote from George Orwell:

"Political language is designed to make lies sound truthful and murder respectable".

There is simply too much political language in this text, and there is probably too much text in this document. Brevity, I think, is a virtue. Republicans may talk about engaging unionists and being sensitive to unionist views, but their choice of language, time and time again, does not support that. They talk about —

Mr Hussey: Will the Member give way?

Mr Kennedy: I will.

Mr Hussey: In a previous comment, Ms Ruane referred to unionists pandering to the UVF, the UDA and the Orange Order, and she included in that the RUC. Can I ask for an assurance that we will continue to pander to the needs of the Royal Ulster Constabulary?

Mr Speaker: The Member has an extra minute.

Mr Kennedy: I am grateful to the Member for his intervention. I was not going to pass any comment on Ms Ruane's contribution, because, as usual, it lacked any virtue.

Republicans talk about competing narratives, but they fail to acknowledge the importance of fact and truth. Too often, fact and truth seem inconvenient for them. What was visited on people in Northern Ireland for over 30 years by the IRA and others was terrorism. It was not the work of NGOs, as appeared in one draft, and it was not the fault of law-abiding citizens, which was hinted at too. It was the fault of those who decided to break the law and commit acts of terrorism, without caring for the victims or their families.

You cannot legislate for poor attitudes, but, with the right attitudes and in a genuine rather than

a cosmetic spirit of compromise, progress can be made on difficult areas. This document — insensitive, not viable and unacceptable at present — will not produce the significant opportunity that the motion seeks to identify.

That said, we are not without opportunity. I do not dismiss the potential for resolving difficult issues. I look forward to hearing from the First Minister and deputy First Minister about their shared position on the report now in their possession.

6.45 pm

Mr McCallister: I am probably not just as complimentary as the First Minister was when he was speaking about whether it is a good idea that the parties in here are almost handling their negotiations in public and saying what bits they might agree to or what bits they have more problems with.

In getting to this point in time, we have managed to almost create a crisis on parades, flags and dealing with the past. I will give a brief quote. We heard from many others, including Abraham Lincoln, but I am going to quote from our First Minister:

“Unionism needs to think and act strategically. Adopting political strategies that will inevitably lead down a cul de sac is not politically courageous, it is politically crazy. Because if unionists are not seen to make Northern Ireland work within the Union then no one will.”

I agree with those comments. I listen to what has been said, and I question how on earth Mr Robinson, as leader of the largest unionist party in Northern Ireland, and us have moved to the point at which we have created these crises, with flags becoming so prominent an issue. Thirteen months on from the vote at the City Hall, we still have no resolution. At the time, we even had threats that people were going to push for a division on putting the flag up every day on this Building and that we were going to move away from designated days. Other parties that supported designated days at the time changed their view and moved away from that long-established position.

I agree with Mrs Foster when she talked about 1998 and the Good Friday Agreement. We should remember what we agreed in 1998. All the parties here agreed to the consent principle; we agreed that Northern Ireland would stay as part of the United Kingdom until people decided that that was going to change in a referendum.

That is how it is going to be done. The flag is a symbol of the United Kingdom; it is not a cultural tool or weapon. It is not something that belongs to any individual; it represents the nation state. Therefore, when you see it being abused, hanging in tatters and the weather bringing it down, it is not respectful or helpful. When it is put up and flown only to mark out territory or to offend, that is not something that any of us should want to happen.

On all these issues, unionism has managed to get itself into a cul-de-sac. It created a crisis, a forum and this talks process, and then it did not really equip itself with any sense of a spirit of generosity about how to deal with that.

The last part of the First Minister's quote was about making Northern Ireland work. That is the very challenge that I put to Sinn Féin when I spoke at its conference in London: you have to start to make Northern Ireland work. It is almost 16 years after the Good Friday Agreement. We keep having crisis talks, and we keep lurching from crisis to crisis, from the Good Friday Agreement to St Andrews, Hillsborough, policing and justice, and now the Haass process. If we keep this sense of crisis, how are we solving and meeting the needs of our citizens, the people we represent? What are we doing about the economy? You only have to look at the levels of disengagement. If you look at the BBC poll, you will see that it showed huge disengagement. Although people may have been hopeful of an outcome through the Christmas and new year period, there was almost no surprise when none came. The headline in today's 'News Letter' —

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

Mr McCallister: It suggests that there is real disengagement from voters on flags and those issues when people are worried about the economy, their jobs, the state of our education and health services —

Mr Speaker: The Member's time is gone.

Mr McCallister: Those are the issues. This must be an act of a Northern Ireland Government who are acting together.

Dr Farry: We need to be very ambitious for our society. We need to deliver economic, social and environmental progress most clearly. Many of us are continuing to work on those issues, notwithstanding the very important discussion that we are having around the Haass process and its aftermath. Indeed,

today, we are looking to a new model of apprenticeships for Northern Ireland. However, to fully capture the opportunities that are available to us and to build on the international goodwill that still exists for Northern Ireland, as most clearly identified by the generosity, with their time, of Richard Haass, Meghan O'Sullivan and their team, we must clearly move on to address some of the most difficult and challenging issues that still afflict this society, which are the outworkings of the continued deep divisions that exist around us.

Solutions have to be sustainable. Our reservations and, to an extent, frustrations with the outcome of the process are much less about unwillingness to compromise on our part — indeed, we believe that we have compromised in a major fashion on some issues — but rather that too many outcomes from the process have instead tended to reflect the search for the lowest common denominator. It seems that we have not managed to reach that, given the reaction of some parties to the process. That said, while we have given an honest assessment across three strands, we are willing to see what has been presented in draft seven — the final text — implemented. Implementation itself will bring a need for clarifications and further discussions. We accept that and have to be realistic about it.

We should press on with those areas where there is already agreement or the potential for consensus to be reached in the coming days or weeks, and on the other areas as soon as we possibly can. There are huge dangers in an elongated process. That becomes in many ways a trap — an illusion that we are making progress and that we can say to the world, “Look what we are trying to do on these issues”, without really showing a willingness to rise up, confront and reach an accommodation on the most challenging issues that are still facing us.

It may be useful to reflect on some of the detail around the three strands in order to see where we can go from here. I think that there was to be, in essence, an implicit deal on the issue of parades, which was the replacement of the Parades Commission in return for much stronger clarification around the commitment of those taking part in parades and protests to the rule of law, including a robust code of conduct. For many, the Parades Commission itself was never the problem. Although there may have been a few issues with the Parades Commission, those could have been resolved with a few tweaks here and there. The real issue instead was one of attitudes, although there was a willingness to compromise for the greater good and to consider a replacement of

the Parades Commission. However, that has to be taken alongside a willingness to engage and to have respect for the rule of law. I simply cannot understand why there are concerns and reservations about a code of conduct applying to all parades. Surely sectarianism is sectarianism, wherever it occurs in this society and any other? The same goes for racism and other forms of offensive behaviour. Surely we should aspire to those standards being the case for all parades, not simply those that have been deemed to be contentious or otherwise subject to adjudication?

On the issue of flags, we have to reflect the real disappointment that there is no agreement at all to reflect upon. Unionists have failed to move on the issue of dealing with unregulated flags and that is a problem in this society. It is something that people responded to the Haass process about in their droves. This is not about the formal flying of flags in recognition of sovereignty. This is about the marking out of territory for the very particular end of dividing people from one another. Equally, nationalists have failed to rise to the challenge of reflecting Northern Ireland's current status in the United Kingdom by applying the model of designated days across the board. For the record, I want to say very clearly that Alliance did not endorse any opt-outs.

Finally, I think that it worth recognising the real prize that lies out there for us around the past. We are arguably closer —

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

Dr Farry: — than we have been since 1998. Let us not tragically miss out by not seizing the opportunity to find agreement over the coming days.

Mr Attwood: I thank Richard Haass and Meghan O'Sullivan. I also thank all the parties. There are others who I will thank in a minute.

I want to, first, respond to a comment that was made Arlene Foster. I struck me as a comment that, in one moment, displayed the misunderstanding around Haas/O'Sullivan and, at the same time, displayed how people can read into Haass/O'Sullivan their worst fears rather than best hopes. She referred to collusion and said that the SDLP and Sinn Féin would go on about collusion. I understand why she made that point. However, what she might not have understood and what others in the Chamber might not understand, never mind those outside the Chamber, is that, when the

SDLP spoke to Richard Haass and Meghan O'Sullivan about collusion, we also spoke about the murder of people in border areas, the disappeared, the deliberate targeting of part-time members of the services and so on and so forth. The argument that we made to Richards Haass was that, to deal with the past, you had to deal with all the competing narratives, all the truths and all the facts and, in so doing, come to an understanding of the history of this place in a fuller way to assist understanding, accountability and national reconciliation.

I do not think that any party in the Chamber, Haass or O'Sullivan would contradict me when I say that it was the SDLP that made that argument to them to move this society forward. Therefore, when Arlene Foster talks about the SDLP and Sinn Féin and collusion, let people understand that the conversation with Haass and O'Sullivan was not about collusion but all the details of the conflict in this place over the past 30 or 40 years.

What we are now in danger of doing, and this debate has added to the risk, is denying families, communities and all the generations the fullest understanding of what happened over the years of conflict — not partial understanding, not the republican version or the retired RUC officers' version but all the versions and the fullest level of truth possible to understand the past and contribute to national reconciliation. We are in danger of denying the families who want to find out more information about what happened to their murdered loved ones the opportunity to have a mechanism whereby those who were responsible or who know details of those who were responsible can bring forward that information.

Richard Haass and Meghan O'Sullivan said that the strongest part of the process was the voices of victims and survivors. In September, they told me that they did not agree with the SDLP that the issue of the past could be comprehensively dealt with. Yet, on the eve of the talks ending, they told Joe Byrne and me that they accepted that they were wrong. Will we now compound the potential for wrongdoing by denying victims and survivors, communities and all the generations the fullest possible explanation, accountability, truth and investigation in that regard? It seems that, whether by design or default, we are stumbling towards that conclusion unless we show the wisdom, insight and understanding that victims and survivors demonstrated during the six months of the Haass process. We are now in that moment. The biggest and boldest part of Haass/O'Sullivan could begin to be unpicked and unravelled in a way that denies individuals

and communities what they have argued for over the past six months. If that were to transpire, whether because of the actions of all the parties or the actions of some, it would be a withering indictment upon all that sacrifice and all the wisdom they demonstrated over the past six months.

7.00 pm

There are issues around Haass/O'Sullivan. That is why we gave a general endorsement. However, the way to resolve them is through working with the two Governments that have sovereign responsibility —

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

Mr Attwood: — in a number of matters and working forward in implementation and legislation and, in that space —

Mr Lyttle: Will the Member give way?

Mr Attwood: Yes.

Mr Lyttle: Does the Member recognise that the British and Irish Governments have not only a political but a moral obligation to show leadership and support for the issue of dealing with the past?

Mr Attwood: Our advice to the two Governments is that they should show their good authority by saying that, arising from Haass/O'Sullivan and in agreement with the parties, they will bring forward implementation legislation and resourcing of Haass/O'Sullivan, especially on the past. That is why it was an act of leadership last Friday when the Tánaiste of the Irish Government said that his understanding of Haass/O'Sullivan was that, in the event that there was agreement on dealing with the past, they would bring forward state records to inform the process. It is a pity that the British Government have not taken that leadership. I ask them to do so now. However, the act of leadership that we want is not more debate. It is to hear the voices of victims and survivors —

Mr Speaker: The Member's time is gone.

Mr Attwood: — and to take forward Haass/O'Sullivan.

Mr Allister: I am in this House unashamedly and unapologetically as a unionist. Therefore, when I read the seventh document from Haass,

I make no apology for asking this question: what is in this document for unionism? Sadly, I find nothing, effectively, for unionism.

I consider the issue of the national flag. The document does nothing to restore the Union flag to its rightful place on Belfast City Hall. It does nothing to give it more prominent display on this Building. On flags, it delivers nothing for unionism.

On the past, this is a document that fails even to grapple with one of the most obscene, objectionable matters that touches on the past: the definition of a victim. It does not at all address the issue of the equivalence that exists between the victim-maker and the victim. In that, it is a gross betrayal of innocent victims. I think that anyone supportive of innocent victims should have, within that process, made that the beginning and the end of the test of whether or not there was anything attainable. That has been a scourge in this society that has been used by the victim-makers to validate themselves and to provide equivalence with those they made victims.

I come to the document and look to how it will deal with terrorism. I am still waiting for Mr Lyttle to put me right, but I find that it has nothing to say about the fact that, for 30 years and more, this Province was subjected to an unwarranted, vile campaign of terrorism. Instead, it sanitises it down to "the conflict". It talks about actors. Mr Speaker, it was no actor who firebombed the La Mon hotel; it was no actor who took 10 innocent workmen out of a van at Kingsmills and slaughtered them in cold blood; it was no actor who planted the bomb in Enniskillen; it was no actor who went into a public house in Greysteel. They were terrorists, one and all. Anyone who fails to address that fundamental foundational issue in dealing with the past is making no serious effort to deal with it. On that, these proposals hopelessly flounder.

You then move, within that, to discover that innocent victims are meant to be exhilarated and encouraged by the fact that they might get some sanitised, self-serving version of Provo or UFF truth about why their innocent relatives died. It can even be anonymous. It is certainly untestable. That is itself an insult to innocent victims, who suffered so much at the hands of terrorists.

Mr Lyttle: Will the Member give way?

Mr Allister: Yes.

Mr Lyttle: Does the Member acknowledge that there are innocent victims in Northern Ireland who have lobbied for, asked for and requested the very process that he has just so fundamentally objected to?

Mr Speaker: The Member has an added minute.

Mr Allister: If there are innocent victims who want to be satisfied with a self-serving, Provo version of the truth that they cannot test, that will raise more questions than it will answer and that might even come from an anonymous source, it is a matter for those victims, but, I must say that I do not know too many of them. The innocent victims whom I know crave justice, and justice is someone being held accountable for the villainy that was visited on them and their family, not hearing some self-serving story that is part of the rewrite of history by perpetrators of terrorism. That is the vehicle that the Haass proposals offer, in, of course, the diminution of and as an alternative to the proper pursuit of justice. On parading —

Mr Lyttle: Will the Member give way?

Mr Allister: No, I have given way.

On parading, the proposals open up a whole new vista, where anyone, anywhere can object to any parade anywhere and then require the parade organisers to subject themselves to negotiation with that individual. We are meant to think that that is progress. Like everything else that seems to be in the proposals, that is not progress and not an advance.

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

Mr Allister: What the proposals represent — this is why Sinn Féin is so enthusiastic about them — is another opportunity to pocket what Sinn Féin sees as some advance until the concession meter next needs to be fed, and then it will be out demanding more.

Mr Agnew: The Green Party NI sees the Haass proposals as a small but forward step rather than the game changer that we had hoped for. However, it becomes particularly disappointing when we cannot, it appears from today's debate, get agreement to implement even those small steps. The agreement proposed is far from perfect, but the question that I would pose is this: if it were implemented, would we be in a better place than we were before the process started? By the assessment of the Green Party NI, we would.

What we were promised and the objective of the Haass talks was the delivery of agreement on the three issues of the past, parades and flags by the end of the year. There was a failure in that regard, as that was not achieved. That has fed public cynicism. Already, questions are being asked about whether the five Executive parties, working together, can deliver on the economy, social issues and environmental issues. However, such a focus was put on the Haass process at the outset, and the failure to produce an agreement has fed public cynicism. The public expected failure, and the Executive parties delivered it.

Mr Lyttle: I realise that the Member's time is short, so I will take that into consideration. Has the Member any intention of outlining alternatives to any of the issues up for discussion?

Mr Agnew: I thank the Member for his intervention. As I said, I do not believe that the document itself is a failure. It is disappointing that there were not resolutions on all issues, but I believe that there is much good in it. We believe that, if implemented, it would take Northern Ireland to a better place.

As I said, it was the failure to reach agreement again and the continuing divisiveness in some of the post-Haass comments that really fed into public cynicism. However, I agree with Peter Robinson that, where there is agreement, the parties should outline the bits that they are happy with, and, where there is consensus, they should absolutely get on with implementing those elements. As the document states:

"Further delay will risk an increase in levels of public disengagement."

We in the House have to give the public the narrative that we can work together to achieve progress. The longer we delay, the more disenchantment and disengagement there will be and the greater likelihood of unrest on the streets.

From the outset, the Green Party has challenged the process. That because it has a fundamental failing. I heard people pay tribute to those who put in the hundreds of submissions — I think that it was in the region of 500 — to Haass. Mr Allister said that he did not believe that he would be representing victims if he accepted it, and I do not believe I would be representing civic society if I said that being allowed to put in a submission was

sufficient. We need genuine civic conversation, bringing the public in to the process.

The Good Friday Agreement was called the people's agreement. Everyone endorsed it — well, 72% did, and everybody had the opportunity to endorse it. What we had were closed-door meetings that people have been allowed to feed a submission into, but they were kept out of the discussions. Indeed, the discussions were private, and now we have, "You said, and you said", and nobody knows because we did not see the process.

We need to bring the public into the peace process. It has to be a public process, because, if we want any sustainable solution to the problems that were outlined, we need something that communities, not politicians, can endorse. All 108 of us could agree to the proposals, but it would not necessarily stop the trouble on our streets. That is because we need communities to agree to them. To do that, we need to bring communities with us, and to do that we need to include communities in the process.

We need a process that serves the common good. Again, it is a failure of our whole peace process and a failure of our politics that we still have people saying, "Our community does not accept this". This is the Northern Ireland Assembly, and it is here to represent the people of Northern Ireland. No politician should be talking about "our community" separate from "their community" when we are talking about other people in the House.

If you look at the Hansard report of Gregory Campbell's speech, you will see that he is clearly a man who is still entrenched in the idea that "I serve this section of society". That is indicative of some of the attitudes that were brought into the process. I am here to represent all sections of society in Northern Ireland, and that is what we should all be here to do. We should improve Northern Ireland for the common good and for everyone. People should not go into these processes with a self-serving agenda; they should go in to serve the common good, take Northern Ireland forward and make real, genuine progress.

Mr McNarry: When a deal results in a parades policy that enforces the curtailment of civil liberty, it is inequitable. When we find that a flag policy is contemplated that endorses the removal of the national flag on any day, we see that it is iniquitous. When attitudes, as we heard, on innocent victims abuse their dignity, the deal is indefensible. Yet, this evening, we appear to have a scramble in hot pursuit of

momentum that puts at risk the advances made since 1998. Of course, if you hold no allegiance to the flag of the nation, despise and detest the culture and traditions of Orangeism and do not really give a toss about innocent victims and far less about their families' needs, what would you care about sharing in Northern Ireland when some of you cannot even come to this place and bring yourselves to name it properly?

7.15 pm

I hear the siren chatter of the liberal luvvies, most of them on the well-paid appointments list, putting their penny's worth into backing a deal that is not a deal. From the triumphant flag-removing coalition of Sinn Féin, Alliance and SDLP, I did not expect much, and I was not disappointed. What aches me is seeing unionists having learned nothing, having gained nothing and rushing forward to regenerate the Haass proposals — not their proposals, but the Haass proposals — and put back on the table concessions that they clearly left behind on New Year's Eve. They will not argue so, but, when they refuse to tell what they have already conceded in reaching 90% agreement, is it not reasonable for some of us to suspect that they will go back to have their pocket picked again? Will they tell us here and now that preparations are being made for the flag to fly all year round instead of being parked away, as they have all agreed? Will they tell us that Portadown and Ligoniel Orangemen are being notified, as we speak, to gather for their return walk home? I suspect not.

They say there are good things. Are they in the 90%? Where is the bad? I sense the realisation is kicking in that the political offshoots of republican terrorists will never be satisfied. Is that not the ugly? Is the ugly not also that they cannot let go of agitating? They will not let things rest, and they will not hold back from creating division. I thought, mistakenly, that it would be enough to be settled in this place and to share in the Union. I thought we could move on inside that settlement, rather than see people seek to rip it apart at the first opportunity. It takes 10 minutes to read this deal, but it will take 10 years to explain it, because it is going nowhere.

The commentator Ed Curran recently wrote:

"The 40-page final Haass draft is a verbose, convoluted mishmash of irreconcilable views."

How right he is. If we are going to talk on a level playing field, does that not mean talking when the flag is up, when the men are back home and when the victims are satisfied? If not, our time would be better used improving the quality of life for a lot of our people.

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

Mr McNarry: Hopefully, by tomorrow, the reality check will kick in. I trust that it will be kicked into touch.

Mr Ford: I add my thanks to Richard Haass, Meghan O'Sullivan, Charles Landow and their team for the work that they did, which moved us significantly forward from the place that we were in of failure to reach any agreement among the five parties before we started the independently chaired process last year.

A number of Members have referred to the meeting of the five party leaders that is to be held tomorrow. It seems that there is a certain amount of hope being invested in that meeting. I am committed to attending that meeting and approaching the issues before it in a constructive fashion, but we need to be absolutely certain that we do not settle on some kind of process as a substitute for progress. Those investing hope in that meeting need to ensure that we see genuine ambition and not just the illusion of activity as a substitute for meeting the needs of the Province. Otherwise, those outside who are cynical and those in the Chamber who are being negative will have been proven to be correct.

We owe it to the people of Northern Ireland to move significantly forward from where we are. There is no doubt that, after the process was set up because of the failure of five parties to agree without any outside assistance, we saw some significant progress being made over the past six months. There was progress on the past, a limited amount of progress on parades and, unfortunately, none at all, as Chris Lyttle and Stephen Farry said, on flags.

There were other points made in the debate that are worthy of discussion. I agree with the unionists who expressed in robust terms their support for the rule of law and their opposition to terrorism, but I have to ask the unionists from both parties what they gained by the insertion in the paper of the reference to "one's man's terrorist is another man's freedom fighter".

Mr P Robinson: We never asked for it.

Mr Ford: Unionism asked for that, but, when Mitchel McLaughlin referred to it, the snorting that came from the DUP Back Benches was a fascinating example of what exactly they achieved. That was what they achieved when they asked for terrorism to be mentioned: a fairly pointless reference to it. Instead of looking forward, they were seeking to look to the past in a way that did not help them at all.

We owe it to victims and survivors to build on what was achieved by the Haass talks around the issues of the past. There are proposals that we could put in place as a matter of urgency if the Assembly, the Executive and the relevant Departments were willing to take things forward and if we had the necessary support from the British and Irish Governments in carrying some of the points through. Alliance believes that the final text from the Haass talks provides a blueprint on legacy issues that could provide real benefits for victims. For some, it could provide the opportunity for justice; for others, who recognise that after a period of years they will not get justice, it could provide the truth that they have been denied, because some recognise that truth is better than having nothing at all. It would improve the services generally available to victims, and it would provide the opportunity to move generally on reconciliation.

The five party leaders and, subsequently, the Executive and the Assembly must move to refine the proposals. Sadly, it appears that some people in this place and, indeed, some people in Westminster are seeking to row back from the points that they and their colleagues agreed at an earlier stage during the talks. We need to ensure that we continue to make progress and see progress carried through on parades and flags.

Flags was probably the most disappointing example of all — the unwillingness to engage at all, the unwillingness of some to discuss designated days as an appropriate way, within equality guidance, of recognising the constitutional position, and the unwillingness of those on the unionist side to take any stand at all against the unofficial displaying of flags on street furniture. I meet many people who regard the Union flag as their flag, and they are utterly opposed to the way in which it is left as a tatty rag, a point highlighted by John McCallister and Stephen Farry.

So, there are points where progress is possible, and there are points where we need an urgent, time-limited, independently chaired process to move on from what we experienced under Richard Haass and Meghan O'Sullivan. That is

how we can reach agreement in a short time and move forward to deal with the real issues of this society: the economy, public services and improving the system of government here.

Mr Bell: As a DUP MLA, I speak in support of the amendment proposed by the DUP leader. I worked alongside the DUP team and wish to record my thanks to Reverend Mervyn Gibson, Jeffrey Donaldson MP and the party leader, who stayed with us through 22 hours of negotiations at times and through every stage of the negotiations, lengthy though they were. He brought with him the forensic intelligence that he has been able to advise and guide the party with over the past four decades. I would also like to thank the party officers for their support throughout the process.

Our thanks also go to Professor O'Sullivan and Dr Richard Haass, who engaged in a Herculean task, put in a massive effort and brought a considerable degree of clarity and, on elements, progress across the three critical issues.

I agree with elements of what John McCallister said about the Union and with his quote from my party leader on its benefits. I agree that Northern Ireland is working. I agree that we have the lowest average unemployment in the United Kingdom. I agree that, compared to many European Union states, we have got some of the best records — as bad as it is here — on youth unemployment. I agree that there are many things, right across the board, to show that Northern Ireland is working, and working the best of any constituent parts of our United Kingdom.

I think that we have to bring truth —

Mr McCallister: Will the Member give way?

Mr Bell: I will, but I want to make progress first.

I believe that we have to bring truth and clarity to the process. The flag issue is settled. This is a sovereign part of the United Kingdom. It is not optional, it is not negotiable and there is nobody in the Chamber, I believe, who will live under anything other than the sovereign position of the United Kingdom. Why? Because the people of Northern Ireland clearly, freely and of their own choice and volition wish to remain within the United Kingdom, and the sovereign flag of the United Kingdom retains that part.

Parts of nationalism and republicanism fell short when they agreed to engage in fantasy politics

of Irishness. We had Caitríona Ruane talk about the fact that she lives in the Republic of Ireland and wants to show her allegiance to the country that she lives in. Fair play to her, but this is the United Kingdom. If she wants to cross the border — we are part of the European Union and there is the free movement of work — she comes into the United Kingdom, where the sovereign flag is that of the United Kingdom.

Turning to parades, I put on record the massive contribution made by the Orange Order, the Apprentice Boys, the Royal Black Preceptory and the Independent Order, who made a serious effort to bring clarity and make progress on these particular issues. However, we are not going to settle for a situation in which we take a stick to criminalise one section of the community via over-regulation and by putting in double remedies where law already exists. It is time for the ending of that hatred of Orange culture. It is also time to end attempts by those who would bring in some form of apartheid against Orangeism and its cultural expression.

The past is the area where we do get clarity. That is because 60% of deaths in Northern Ireland were brutal murders by republican terrorists. In many cases, that was responded to by loyalists, who committed 30%. Only 10% of deaths involved the state, including deaths such as those at Loughgall, where terrorists got their just desserts as they went out to murder and to maim. So, let us have 90% of the attention focused on the terrorists, as opposed to the current situation where we have 10% of attention focused on terrorists and 90% on the 10%. Let us remember that 60% — the majority of murders — were carried out by republican terrorists and 30% by loyalists. Only 10% of deaths involved the state.

We did object — you were there, Mr Ford, when I objected directly — to Mr Haass referring to a terrorist and a freedom fighter in the same breath, and the notion of equivalence. You were there when I said to Mr Haass that there was a difference between the terrorists who flew the planes into the twin towers and the innocent victims who were working there and who were murdered. You were there when I said that there was a difference between the terrorists and the terrorised —

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

Mr Bell: — and when I said that we needed to look at the genocide along the border and the torture of civilians.

In conclusion, the DUP will look to work positively with the other party leaders. We will not say no to everything. We will not say yes to just anything. We will say yes to —

Mr Speaker: The Member's time is gone.

Mr Bell: — the right agreement, if the five parties can bring it together.

Mr Nesbitt: I thank Mr Kennedy and Mr Elliott, who so articulately defined our position. In opening the debate a couple of hours ago, Mr Kelly, a Member for North Belfast — I am sorry that he is not with us — mentioned me and the Ulster Unionists, I think, three times. I want to be careful to take the time to give an appropriately detailed response to his three points. On point one, he is wrong; on point two, he is wrong; and, on point three, he is wrong.

7.30 pm

Mr Kelly and I were on the BBC yesterday. We did not quite get into a proper debate about narratives. Sometimes I think that Mr Kelly thinks that I do not get it. Well, I do get it. He and I will never agree on a narrative. The sections of the population in Northern Ireland will never agree on a single narrative about what happened during the Troubles. I have no doubt that Mr Kelly will offer a narrative that says that, at one point in his life, he thought that it was a jolly good idea to try to blow up the Old Bailey. I will never accept that narrative. I think that it was a jolly bad idea to try to blow up the Old Bailey. However, the narrative is different from the fact.

When I woke up last Friday morning, I heard a very interesting piece of news on the BBC. The former leader of the Democratic Unionists, Ian Paisley, was offering a narrative about the reasons behind the Dublin and Monaghan car bombs in the mid-1970s. I think that that narrative is abhorrent. He seemed to imply that, in some sense, the people of the Republic brought those bombs upon themselves. That is a narrative, but I absolutely reject it. Actually, I find myself with Eamon Gilmore, the Tánaiste and Irish Minister for Foreign Affairs, who reacted by sticking to the facts of what happened in Dublin and Monaghan and describing them for what they were: terrorist acts carried out against innocent people.

I can call that a factual description because we have an Act of Parliament called the 2000 Terrorism Act, within which is an interpretation of what is and what is not terrorism. It is part of the law of this land. I believe that every party in

this House says that it upholds the rule of law. Therefore, all the parties support the 2000 Terrorism Act, which says that detonating a no-warning car bomb — whether it is in Dublin, Monaghan or Belfast on Bloody Friday — planting a bomb at La Mon or blowing up McGurk's bar are, by definition, acts of terrorism. Let us stick to the facts and agree those, and then we can disagree about the narratives.

People are saying that we have got a lot closer to dealing with the past. I wonder whether we have. Our concern has always been that the four processes that we use — public inquiries, the HET, the Police Ombudsman and article 2 compliant Coroners' Courts — put an almost exclusive focus on the actions of the state and the security forces. We want to see that spotlight spread and shone into the dark corners of the IRA, the INLA, the UVF, the UDA and all the rest. I question whether the proposals in Haass 7 did not simply shine a brighter light on the state and the agents of the state.

It is not a matter of academic or historical significance and interest whether it was terrorism or not. Patrick Azimkar and Mark Quinsey were murdered by terrorists at Massereene. Stephen Carroll and Ronan Kerr were killed by terrorists. David Black was killed by terrorists. The bombs at Victoria Square and the Cathedral Quarter over Christmas were live acts of terrorism. We have to name it for what it is, otherwise we will relive our past.

The Minister of Justice and leader of the Alliance Party talks about the insertion of the word "terrorist" in Haass 7 and the equivalence with freedom fighter. Let me make clear to him that the use of that phrase in that document is no more acceptable to me and the Ulster Unionist Party than his words on 3 December 2012 when, reacting to the vote at Belfast City Hall to bring down the Union flag, he stood up publicly and said that it was a great victory for the Alliance Party. Well, it was no victory for community relations.

Ms J McCann: Go raibh maith agat, a Cheann Comhairle. I thank my colleagues Gerry Kelly and Caitríona Ruane for bringing this motion to the Assembly. I am quite disappointed by the tone of some Members in the debate, but I think that it is important that we have this debate because these issues are very important to people living in our communities. I am just disappointed that the debate did not send a more positive message to them.

I pay tribute to Richard Haass, Meghan O'Sullivan and the rest of the team. We have to remember that the Executive invited them in. So, when we are dealing with this, we need to mention the time that they put into the process and the sincerity with which they conducted themselves. I am sure that everyone who was involved in the talks will commend them and all the team for that.

My colleagues pointed out that our party felt that we made significant progress on at least two of the three issues, and, as others have said, the set of proposals was a compromise. That is the key word: compromise. People in the Chamber today do not seem to get that compromise is not about getting everything that you want. Indeed, our party did not get everything that we wanted. So, when people talk about it, they need to remember what a compromise is. We believe that it is a compromise on a way forward and that people should not cherry-pick parts that they like and do not like because that is when it will all start to unravel. Even Richard Haass and Meghan O'Sullivan said that, if implemented, the proposals will be beneficial to everyone who lives in the North of Ireland, particularly victims and survivors of the conflict. They are the people who we need to implement the proposals for.

A lot of people have gone into detail on parades, and I want to touch on it briefly. It has always been our party's position that the best way to deal with contentious or controversial parades is to have meaningful, direct dialogue and that, when that does not work, there is a need for a robust regulatory body to deal with that. The proposals would allow for legislation to be brought forward to devolve that responsibility to the Executive and have a set of criteria and a code of conduct by which all parades could be monitored. Why would anybody resist a code of conduct or, indeed, criteria if they want to have a lawful demonstration or a lawful parade? Why are people so afraid of that? We have to face up to our responsibilities and, as elected representatives, particularly elected leaders in the Assembly, we need to tackle the difficult issues of sectarianism and deal with all the controversial issues that we are talking about today, which are parades, flags and legacy issues.

I believe that the proposals that have been put forward to deal with the past and the legacy issues have, as my colleague Gerry Kelly said in his introduction, the interests of the victims and survivors at the centre. He outlined how the historical investigation unit and the

independent commission for information retrieval will work, and it will give families the choice of what way they want to go. It is important that it is their choice on finding out the truth about what happened to their loved one. The reality is that victims and survivors — I am sure that other people have had meetings — are helped by some of the key elements of the proposals. That is acknowledgment, the services for victims and survivors, justice, truth and information recovery and, indeed, reconciliation. That is what the victims and survivors told us and Richard Haass and Meghan O'Sullivan.

Once again, some Members used the Chamber to treat the past like a contest and something that has to be won by someone. Whether you are a member of a political party or a member of the community, nobody has the right to treat the past as a contest or to use victims and survivors for their own narrow political objectives. I see that time and time again, and I wish that people would stop doing that because we owe it to the victims and survivors out there to help them and see to their needs. We will never reach an agreement on a single narrative for the conflict, but we can reach agreement on a mechanism to deal with it. I hope that we can go forward doing that.

Our party has difficulties, just like everybody else, with some aspects of the proposals, particularly those on the commission on identity, culture and tradition. We have a difficulty thinking that it will resolve the serious issues that we want resolved. Those issues should be of interest to everybody, because they are about equality and respect for all cultures, traditions and identities and the principle of upholding the right of people to express their Irish identity on an equal basis, not dominating anybody else, with those who see themselves as British. *[Interruption.]*

Mr Speaker: Order.

Ms J McCann: Why would anybody not want to let a person have that right? We are coming to this in a positive way. We welcome the fact that these issues will be brought forward and that everyone will see them as essential elements for any society. We cannot go forward without them.

I want to touch on a few things in finishing. I want to say clearly that negotiation is what the dictionary says it is. It is about give and take. It is about making compromises and making concessions, because none of us can come out of this as winners or losers. The important thing is that it is about compromise. The

proposals are a challenge to us all. Indeed, there are issues that we did not get either, such as the Irish language Act, equality, parity of esteem and the bill of rights, but you do not see us standing up here shouting about it.

[Interruption.]

Mr Speaker: Order.

Ms J McCann: We want to work together to implement the proposals through the Executive. We, too, have stretched ourselves and are up for the challenge. I want to ask the other parties this direct question: are you up for that challenge? *[Interruption.]*

Mr Speaker: Order.

Ms J McCann: Are you going to go back out on to the streets and tell people that they can expect more of what we got last year — the violence on our streets — because we do not have a mechanism to deal with controversial or contentious parades? Are you going to go back out there and say to victims and survivors that we do not have a mechanism to deal with their issues? I am putting this up to you: are you up for it? We are certainly up for it over here. I just want to say that we want to bring the proposals forward. We want everybody to work together to bring that positive message. That is what we need to do here today.

Mr Speaker: I remind the House that if amendment No 1 is made, I will not put the Question on amendment No 2 or amendment No 3.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 12; Noes 89.

AYES

Mr Beggs, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Ayes: Mr Elliott and Mr Nesbitt

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Durkan,

Mr Easton, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKeivitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Ms Fearon and Mr G Kelly

Question accordingly negated.

Question put, That amendment No 2 be made.

Mr Speaker: Order, Members. I have been advised by the party Whips that, in accordance with Standing Order 27(1A), there is agreement that we should dispense with the three minutes and move straight to the Division. If that is agreed, I call for Tellers. Let us all try to finish the business before we are left in the dark.

The Assembly divided:

Ayes 38; Noes 63.

AYES

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr McQuillan and Mr G Robinson

NOES

Mr Agnew, Mr Allister, Mr Attwood, Mr Beggs, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr

Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr Hussey, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr McNarry, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Swann.

Tellers for the Noes: Ms Fearon and Mr G Kelly

Question accordingly negated.

Question put, That amendment No 3 be made.

Mr Speaker: Order. There has already been agreement to dispense with the three minutes — *[Interruption.]* — Order. We will now move to ask for Tellers. *[Interruption.]* There seems to be cooperation around the Chamber, so let me put the Question again.

Question, That amendment No 3 be made, put and negated.

Main Question put.

The Assembly divided:

Ayes 49; Noes 52.

AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Ms Fearon and Mr G Kelly

NOES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mrs Overend and Mr G Robinson

Main Question accordingly negatived.

Adjourned at 8.22 pm.

Written Ministerial Statements

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

Agriculture and Rural Development

Common Agricultural Policy: Transfer of Moneys from Pillar 1 to Pillar 2 Budget

Published at 11.30 am on Friday 20 December 2013

Mrs O'Neill (The Minister of Agriculture and Rural Development): I wish to make a written statement to the Assembly to advise Members of my decision regarding the transfer of monies from the Pillar 1 to the Pillar 2 budget of the Common Agricultural Policy (CAP) within the north of Ireland.

The average transfer rate which I intend to apply is 7% for the 2014-2019 years. This will result in a total transfer of €137,482,128 from the Pillar 1 to the Pillar 2 budget.

The issue of a transfer between Pillars 1 and 2 of the CAP was part of my Department's consultation on the proposals for the Rural Development Programme 2014 – 2020, which was out for public consultation for 16 weeks from the 1st of July to the 21st October 2013. In addition, my officials gave presentations on these proposals at a series of consultation events across the north, and held several meetings with stakeholders and other interested parties to provide more detail on our proposals, and listen to their views.

In making my decision, I have considered carefully the range of opinions from stakeholders on whether funds should be transferred between Pillars 1 and 2 of the CAP. I have looked closely at how any transfer would affect the budget available to both Pillar 1 and Pillar 2, and the sources of funding that could be available to a future rural development programme.

The CAP is structured along two distinct Pillars. Pillar 1 provides for direct payments to farmers, such as the Single Farm Payment. Pillar 2 provides funding to the Rural Development Programme, which is a wide ranging package of measures that supports our agri-food industry, protects and enhances our environment and countryside and helps to improve the quality of life in rural areas.

The European Union's proposals for rural development provide for the option of transferring annually up to 15% of the Pillar 1 budget to Pillar 2. There is also an option to transfer up to 25% of the Pillar 2 budget to Pillar 1. Rates of transfer between the Pillars of the CAP for the years 2014 to 2019 must be declared by Member States to Europe by the 31st December 2013. If a Member State does not meet this deadline, there is a further option to declare a rate to Europe for the years 2015 to 2019 before the 1st August 2014. However, the declaration must be made on a Member State basis, and as England, Scotland and Wales all intend to declare their rates by the 31st of December, for that reason I must take a decision on the rate for the north of Ireland now too.

Under the European regulations, I have the option to revise the rates for scheme years 2018 and 2019 in 2017. However, the rates may only be revised upwards.

I consider the Rural Development Programme to be a key mechanism in delivering positive change in our rural areas and it is important that it is adequately funded. Similarly, I know how important direct payments are to our farm businesses. The Rural Development Programme will benefit our farmers through ensuring funding for farm capital investment and other farming facing measures, it will allow me to continue to protect our natural environment through a well funded agri environment scheme, and continue to provide support to our rural businesses and voluntary organisations, which are so vital to our rural communities.

Health, Social Services and Public Safety

Child Sexual Exploitation: Safeguarding Board for Northern Ireland Thematic Review

Published at 5.00 pm on Friday 20 December 2013

Mr Poots (The Minister of Health, Social Services and Public Safety):On 25

September 2013, I announced that an independent expert-led Inquiry and a Thematic Review by the Safeguarding Board for Northern Ireland (SBNI), both relating to child sexual exploitation, would be undertaken. On 5 November 2013, I announced that the Inquiry would be led by Professor Kathleen Marshall and advised members of the Terms of Reference of the Inquiry. At the same time, I indicated that I would make a further statement on the SBNI Thematic Review following the agreement of the Terms of Reference. The SBNI Review is being directed by my Department under section 4 of the Safeguarding Board Act (NI) 2011. As my Department is required in law to do, draft Directions were forwarded to the SBNI for consultation and, where relevant and appropriate, the comments of SBNI member agencies have been reflected in the final Directions, which include, in the Schedule, the Terms of Reference for the Review.

The final Directions were issued to the SBNI on 10 December 2013 and came into operation on 11 December. As a consequence, both the independent expert-led Inquiry and SBNI Thematic Review are now underway. It is estimated that both will take approximately one year to complete. Given the scope of the Inquiry, the Chair will report to me and the Ministers of Justice and Education. The SBNI Review, which will focus on the handling of 22 cases involving children in or previously in state care, will report solely to me.

Under the Terms of Reference of the Thematic Review, the SBNI has been asked to examine and evaluate:

- the extent to which SBNI member agencies acted in accordance with established policy procedure and guidance governing the welfare and safeguarding of children from the first point of entry by all of the 22 children into the care system;
- the effectiveness of any action taken by SBNI member agencies to safeguard the 22 children and promote their welfare during their time in care, taking into account whether or not

steps taken were in accord with existing policy, procedure or guidance;

- the effectiveness of communication and co-operation between SBNI member agencies in accordance with relevant guidance ; and

- the effectiveness of engagement with and nature of relationships of SBNI member agencies staff with young people.

In particular, the Review will consider the following key issues -

- the nature and quality of the assessments carried out in respect of each of the 22 children and how these assessments informed initial decisions to place each child in care and any other placements which may have occurred subsequent to the initial placement, taking account of each child's previous life experience and any specific factors which influenced the decision to place him or her in care;

- the effectiveness of the care planning, risk assessment, risk management and review processes and how those processes took account of those factors which increase a child's vulnerability to risk of harm, including being absent from any placement without permission;

- the adequacy and effectiveness of the provision of care, including therapeutic and specialist services, to the 22 children in any placement or setting;

- the adequacy, effectiveness and timeliness by SBNI member agencies response to any of the 22 children being reported as absent from any placement or setting without permission and their response to allegations of criminal offences being committed against any of the 22 children. This includes any action taken by SBNI member agencies to put a stop to such activities, any preventative measures which were taken and the reporting of allegations to the PSNI;

- the effectiveness of reporting and information-sharing systems employed by SBNI member agencies and their adequacy in securing the safety and wellbeing of the 22 children who are the subject of this Review; and

- the involvement and support provided by senior management to frontline staff in the management of, or responses to any of the 22 children.

Also, taking account of the ongoing police investigation and the need to preserve the integrity of that process, the SBNI has been directed to seek the views of:

- each of the 22 children involved, taking account of each child's willingness to participate in the Review, the need to protect their anonymity and guard their need for confidentiality;
- the families of the young people; and
- key staff involved in the care or protection of any of the 22 children and any other personnel who played a significant role in their lives during the period they were in care.

The SBNI has specifically been directed to identify key learning points and opportunities for improvement. Where relevant, the Review will also feed into the wider Inquiry process. Should learning emerge in the course of the Review, which needs to be acted upon more quickly, the SBNI will advise accordingly. My aim in directing the SBNI to conduct this Review is to ensure that in future children and young people in care are offered the best possible protections from individuals who ruthlessly exploit them.



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