



Northern Ireland  
Assembly

**OFFICIAL REPORT**  
(Hansard)  
and  
**JOURNAL OF  
PROCEEDINGS**

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# Table of Contents

Assembly Members .....	vii
Principal Officers and Officials of the Assembly .....	vii
Ministerial Offices .....	ix
Office of the Official Report (Hansard).....	x

## Official Report (Hansard)

### Assembly Sittings

Monday 13 May 2013

<b>Assembly Business</b> .....	1
Public Petition: Health Service Dental Care.....	1
<b>Executive Committee Business</b>	
Marine Bill: Further Consideration Stage .....	2
<b>Oral Answers to Questions</b>	
Employment and Learning .....	18
Enterprise, Trade and Investment.....	22
<b>Executive Committee Business</b>	
Marine Bill: Further Consideration Stage ( <i>continued</i> ) .....	26
Social Security Benefits Up-rating Order (Northern Ireland) 2013 .....	27
Child Support Maintenance Calculation Regulations (Northern Ireland) 2012.....	29
Child Support Maintenance (Changes to Basic Rate Calculation and Minimum Amount of Liability) Regulations (Northern Ireland) 2012 .....	30
Child Support (Management of Payments and Arrears) (Amendment) Regulations (Northern Ireland) 2012.....	31
<b>Private Members' Business</b>	
Child Poverty Targets .....	32
<b>Assembly Business</b>	
Extension of Sitting .....	43
<b>Private Members' Business</b>	
Energy Costs .....	44

Tuesday 14 May 2013

<b>Assembly Business</b> .....	55
<b>Ministerial Statements</b>	
Together: Building a United Community .....	55
North/South Ministerial Council: Environment .....	65
<b>Private Members' Business</b>	
Vehicle Fuel Duty.....	70
<b>Oral Answers to Questions</b>	
Environment.....	71
Finance and Personnel .....	75
<b>Private Members' Business</b>	
Vehicle Fuel Duty ( <i>continued</i> ).....	80
Rural Schools .....	89
<b>Assembly Business</b> .....	102

## Monday 20 May 2013

### **Matter of the Day**

Graeme McDowell: World Match Play Golf Success .....	103
--	-----

### **Private Members' Business**

Civil Service (Special Advisers) Bill: Further Consideration Stage .....	104
--	-----

### **Oral Answers to Questions**

Office of the First Minister and deputy First Minister .....	120
--	-----

Health, Social Services and Public Safety.....	124
--	-----

### **Private Members' Business**

Civil Service (Special Advisers) Bill: Further Consideration Stage ( <i>continued</i> ).....	128
--	-----

### **Assembly Business**

Extension of Sitting .....	147
----------------------------	-----

### **Private Members' Business**

Civil Service (Special Advisers) Bill: Further Consideration Stage .....	147
--	-----

### **Private Members' Business**

Hill Farming.....	151
-------------------	-----

## Tuesday 21 May 2013

### **Ministerial Statements**

Teacher Education Infrastructure .....	161
--	-----

Primary Schools: Computer-based Assessments.....	169
--	-----

### **Executive Committee Business**

Marine Bill: Final Stage.....	174
-------------------------------	-----

### **Oral Answers to Questions**

Justice .....	179
---------------	-----

Regional Development.....	183
---------------------------	-----

### **Private Members' Business**

Shared Future .....	188
---------------------	-----

Farm Incomes .....	204
--------------------	-----

### **Adjournment**

Whitemountain Quarries Hazardous Waste Transfer Site, West Belfast .....	216
--	-----

## Tuesday 28 May 2013

### **Matter of the Day**

Murder of Drummer Lee Rigby .....	221
-----------------------------------	-----

### **Assembly Business**

Public Petition: Cushendall Fire Station .....	224
--	-----

### **Committee Business**

Tobacco Retailers Bill: Extension of Committee Stage .....	225
--	-----

### **Private Members' Business**

Epilepsy Services .....	225
-------------------------	-----

'Transforming Your Care' Review .....	234
---------------------------------------	-----

### **Oral Answers to Questions**

Social Development.....	236
-------------------------	-----

Agriculture and Rural Development .....	240
---	-----

Culture, Arts and Leisure .....	245
---------------------------------	-----

Education .....	249
-----------------	-----

<b>Ministerial Statement</b>	
North/South Ministerial Council: Special EU Programmes .....	254
<b>Private Members' Business</b>	
'Transforming Your Care' Review ( <i>continued</i> ) .....	259
<b>Adjournment</b>	
Post-primary Education: East Belfast.....	272

## Monday 3 June 2013

<b>Ministerial Statement</b>	
First Minister and deputy First Minister: Visit to China .....	279
<b>Executive Committee Business</b>	
Carrier Bags Bill: First Stage .....	284
<b>Private Members' Business</b>	
Civil Service (Special Advisers) Bill: Final Stage .....	284
<b>Oral Answers to Questions</b>	
Office of the First Minister and deputy First Minister .....	296
Enterprise, Trade and Investment.....	300
<b>Private Members' Business</b>	
Civil Service (Special Advisers) Bill: Final Stage ( <i>continued</i> ) .....	304
<b>Assembly Business</b>	
Extension of Sitting .....	320
<b>Private Members' Business</b>	
Civil Service (Special Advisers) Bill: Final Stage .....	321

## Tuesday 4 June 2013

<b>Assembly Business</b> .....	337
<b>Speaker's Business</b> .....	337
<b>Ministerial Statement</b>	
Employment, Learning and Skills: Gender Issues .....	338
<b>Executive Committee Business</b>	
Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013.....	344
<b>Private Members' Business</b>	
Northern Amateur Football League's Primacy Rule.....	345
<b>Oral Answers to Questions</b>	
Employment and Learning.....	355
Environment.....	359
<b>Private Members' Business</b>	
Equal Pay Settlement: PSNI and NIO Staff.....	363
<b>Adjournment</b>	
Knockbreda High School and Newtownbreda High School, South Belfast .....	375

## Written Ministerial Statement

<b>Office of the First Minister and deputy First Minister</b>	
Together: Building a United Community Strategy .....	WMS 1

# Committee Stages

## Committee for the Environment

Planning Bill.....	CS 1
--------------------	------

## Written Answers

### Friday 17 May 2013

Office of the First Minister and deputy First Minister .....	WA 1
Department of Agriculture and Rural Development .....	WA 4
Department of Culture, Arts and Leisure .....	WA 8
Department of Education .....	WA 9
Department for Employment and Learning.....	WA 24
Department of Enterprise, Trade and Investment .....	WA 29
Department of the Environment.....	WA 37
Department of Finance and Personnel .....	WA 44
Department of Health, Social Services and Public Safety.....	WA 50
Department of Justice .....	WA 68
Department for Regional Development.....	WA 76
Department for Social Development .....	WA 92

### Friday 24 May 2013

Office of the First Minister and deputy First Minister .....	WA 103
Department of Agriculture and Rural Development .....	WA 109
Department of Culture, Arts and Leisure .....	WA 116
Department of Education .....	WA 119
Department for Employment and Learning.....	WA 133
Department of Enterprise, Trade and Investment .....	WA 138
Department of the Environment.....	WA 144
Department of Finance and Personnel .....	WA 145
Department of Health, Social Services and Public Safety.....	WA 149
Department of Justice .....	WA 172
Department for Regional Development.....	WA 180
Department for Social Development .....	WA 192
Northern Ireland Assembly Commission .....	WA 201

### Friday 31 May 2013

Office of the First Minister and deputy First Minister .....	WA 203
Department of Agriculture and Rural Development .....	WA 203
Department of Culture, Arts and Leisure .....	WA 215
Department of Education .....	WA 220
Department for Employment and Learning.....	WA 255
Department of Enterprise, Trade and Investment .....	WA 263
Department of the Environment.....	WA 269
Department of Finance and Personnel .....	WA 276
Department of Health, Social Services and Public Safety.....	WA 277
Department of Justice .....	WA 287
Department for Regional Development.....	WA 293
Department for Social Development .....	WA 302

## Friday 7 June 2013

Office of the First Minister and deputy First Minister .....	WA 315
Department of Agriculture and Rural Development .....	WA 317
Department of Culture, Arts and Leisure .....	WA 323
Department of Education .....	WA 331
Department for Employment and Learning.....	WA 354
Department of Enterprise, Trade and Investment .....	WA 362
Department of the Environment.....	WA 364
Department of Finance and Personnel .....	WA 368
Department of Health, Social Services and Public Safety.....	WA 378
Department of Justice .....	WA 388
Department for Regional Development.....	WA 401
Department for Social Development .....	WA 412
Northern Ireland Assembly Commission .....	WA 421

## Revised Written Answers

Department of Culture, Arts and Leisure .....	RWA 1
Department of Education .....	RWA 1
Department of Finance and Personnel .....	RWA 10

## Official Report (Hansard)

Members' Index .....	IDX 1
Business Index .....	IDX 41
Strangers' Index.....	IDX 53

## Journal of Proceedings

### Minutes of Proceedings

Monday 13 May 2013 .....	MOP 1
Tuesday 14 May 2013 .....	MOP 11
Monday 20 May 2013 .....	MOP 19
Tuesday 21 May 2013 .....	MOP 33
Tuesday 28 May 2013 .....	MOP 41
Monday 3 June 2013.....	MOP 51
Tuesday 4 June 2013 .....	MOP 55





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Allister, Jim (North Antrim)  
Anderson, Sydney (Upper Bann)  
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Durkan, Mark H (Foyle)  
Easton, Alex (North Down)  
Eastwood, Colum (Foyle)  
Elliott, Tom (Fermanagh and South Tyrone)  
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Foster, Mrs Arlene (Fermanagh and South Tyrone)  
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Givan, Paul (Lagan Valley)  
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# Official Report (Hansard)



# Assembly Sitings





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# Northern Ireland Assembly

Monday 13 May 2013

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Allister:** On a point of order, Mr Speaker. I appreciate that this is a matter over which, at best, you probably have influence rather than control. However, last week, again, we had a classic illustration of Executive Ministers — this time the First Minister and the deputy First Minister — choosing to make a statement on what they called a critical issue, not to the House but to the public media. Indeed, there was no sign of any intent to come to the House at all today about the matter. Is there nothing more that you can do to stem the contemptible “So what?” attitude to the House?

**Mr Speaker:** I have some sympathy for the Member's point of order. I know that he has a question for urgent oral answer with the Business Office at the moment on which I have not taken a decision. My clear understanding is that the First Minister and deputy First Minister are coming to the House tomorrow to make a statement, and that is why I have not made my decision on your question for urgent oral answer. If that is not the case, I will certainly take the Member's question. It is an issue, and I continually encourage Ministers to come to the House. On urgent and important business, they should come to the House. Yes, I have some sympathy with the Member.

## Public Petition: Health Service Dental Care

**Mr Speaker:** Mr Kieran McCarthy has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak.

**Mr McCarthy:** Thank you very much, Mr Speaker. On behalf of some 1,700 very concerned County Down residents, I will shortly present to you their heartfelt objections to what is proposed by our Health Department in its change to treatments available through general dental services. Last week, we challenged the closure of residential homes and our children's cardiac unit; today, we plead for our dental services. No one knows what we will be faced with tomorrow. The dental proposals go against the values of Transforming Your Care, namely to be better at preventing ill health, to provide better patient-centred care and to tackle health inequalities.

Northern Ireland already has the worst oral health in the UK. These proposals will simply exacerbate that, and those in our constituencies who cannot afford to pay for their dental needs will fall further back and into ill health.

We pay tribute to those who administer our dental health services. They have worked hard over the years to ensure that all dental needs are met through the National Health Service. We wish the practice allowance and commitment allowance to continue, as these give our local dentists the opportunity to dispense only the best service to every patient.

Our dentists and constituents are shocked at the proposal relating to dentists' work, namely that dentists providing large bridges and root canal treatment would have to leave their patient in the chair and consult an official at the Business Services Organisation (BSO) on whether they had clearance to do the work. That would lead to a distressed patient, less efficiency and more bureaucracy. Surely this cannot be right, and it must not undermine the professional judgement of any of our dentists.

We do not wish to see a two-tier dental service. The 1,700 people who signed the petition, along with the British Dental Association (BDA), wish to see a full dental service for everyone. These cutbacks will have a devastating effect on the most vulnerable.

Last week, the authors of Transforming Your Care clearly got it spectacularly wrong over the closure of residential homes. They must not be allowed to get it wrong over dental care services. Mr Speaker, I will now present you with the petition from 1,700 local residents and thank you so much on their behalf.

*Mr McCarthy moved forward and laid the petition on the Table.*

**Mr Speaker:** I will forward a copy of the petition to the Minister of Health, Social Services and Public Safety and the Chair of the Health Committee, Sue Ramsey.

## Executive Committee Business

### Marine Bill: Further Consideration Stage

**Mr Speaker:** I call the Minister of the Environment, Alex Attwood, to move Further Consideration Stage of the Marine Bill.

*Moved.* — [Mr Attwood (*The Minister of the Environment*).]

**Mr Speaker:** Members have a copy of the Marshalled List of Amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list. There is one group of amendments. The debate will be on amendment Nos 1 to 8, which deal with adding grounds for judicial review to the Bill, placing duties on the public authorities and enhancing related penalties. Once the debate is completed, further amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. If that is clear, we shall proceed.

#### **Clause 10 (Validity of marine plans)**

**Mr Speaker:** We now come to the single group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 to 8. Members should note that amendment Nos 3 and 4 are consequential to amendment No 1 and amendment Nos 6 and 7 are consequential to amendment No 5. I call Steven Agnew to move amendment No 1.

**Mr Agnew:** I beg to move amendment No 1:

In page 7, line 36, at end insert

*“(c) that the document, or part of the document, is irrational;*

*(d) that the document, or part of the document, is incompatible with any of the Convention rights.”.*

*The following amendments stood on the Marshalled List:*

No 2: In page 7, line 38, at end insert

*“(5A) Notwithstanding the generality of subsection (4), applications under that subsection may be made by—*

*(a) a natural or legal person affected or likely to be affected by, or having an interest in, the relevant document;*

*(b) a non-governmental organisation promoting environmental protection.”.— [Mr Agnew.]*

No 3: In clause 11, page 8, line 15, at end insert

*“(c) that the document, or part of the document, is irrational;*

*(d) that the document, or part of the document, is incompatible with any of the Convention rights.”.— [Mr Agnew.]*

No 4: In clause 12, page 8, line 39, at end insert

*“‘the Convention rights’ has the same meaning as in the Human Rights Act 1998;”.— [Mr Agnew.]*

No 5: In clause 22, page 16, line 7, at end insert

*“(8A) Where the authority has given notice under subsection (5), it should only proceed with the act if it is satisfied that—*

*(a) there is no other means of proceeding with the act which would create a substantially lower risk of hindering the achievement of conservation objectives stated for the MCZ,*

*(b) the benefit to the public of proceeding with the act clearly outweighs the risk of damage to the environment that will be created by proceeding with it, and*

*(c) where possible, the authority will undertake, or make arrangements for the undertaking of, measures of equivalent environmental benefit to the damage which the act will or is likely to have in or on the MCZ.*

*(8B) The reference in subsection (8A)(a) to other means of proceeding with an act includes a reference to proceeding with it—*

*(a) in another manner, or*

*(b) at another location.”.— [Mr Agnew.]*

No 6: In clause 24, page 17, line 40, leave out “section” and insert “sections 22(8A)(c) and”.— [Mr Agnew.]

No 7: In clause 25, page 18, line 7, after “section 22(2)” insert

*“, or the duty imposed by section 22(8A).”— [Mr Agnew.]*

No 8: In clause 25, page 18, line 12, leave out paragraphs (a) and (b) and insert

*“(a) if the achievement of the conservation objectives stated for an MCZ is hindered as a result of the failure, a public authority is, unless there was a reasonable excuse for the failure, guilty of an offence and is liable on summary conviction to a fine not exceeding £20,000 or on conviction on indictment to a fine; and*

*(b) in all other cases the Department must request from the public authority an explanation for the failure and the public authority must provide the Department with such an explanation in writing within the period of 28 days from the date of the request or such longer period as the Department may allow.”.— [Mr Agnew.]*

**Mr Agnew:** In my view, amendment Nos 1 to 4 are about being explicit about the grounds for judicial review. When we discussed the clause that those amendments apply to at Consideration Stage, my concern was that, in explicitly outlining the grounds for judicial review, the Bill was narrowing those grounds from within common law. That attempt, perhaps deliberate, was made when, originally, the timeline for lodging a judicial review was limited to six weeks. I welcome the fact that that was extended at Consideration Stage to 12 weeks. We already have common law provision for judicial review. In putting in that clause, I think the original intention to reduce the timeline for judicial review belied a wider attempt to narrow the grounds for judicial review.

As I mentioned at Consideration Stage, the Aarhus convention requires that financial and other barriers to access to justice in environmental law are reduced or removed. My reading of the clause is that it narrows access to judicial review and breaches the Aarhus

convention or, at the very least, is not within the spirit of the convention.

Amendment Nos 1 and 3 attempt to broaden the grounds for judicial review. As Members will be aware, in common law there are four grounds for judicial review. Two are in the Bill, and two are not. So, illegality and impropriety are in the Bill, but irrationality and compatibility with convention rights are not. Through amendment No 1, I propose to introduce those two extra criteria to bring the Bill into line with common law.

Moving on to amendment No 2, there was discussion at Consideration Stage about whether a “person aggrieved” could be interpreted as bodies such as environmental NGOs. I was clear in my view at that stage that clause 10 as it is now was not required, because we have access to judicial review in common law. However, once you start being explicit on the grounds, you have to be very explicit and include all the grounds. That is why I maintain that the clause does more harm than help. So, I felt the need to table amendment No 2 to be very explicit. Although it may be implicit in the Bill that an environmental NGO could be a “person aggrieved” — I will be interested to hear the views of the Minister and others on that — I felt it necessary to be explicit on this point so that there would be no doubt and it would be made very clear. The Aarhus convention requires that environmental NGOs be allowed to make a legal challenge in cases of environmental law. Again, this amendment is trying to keep the Bill in line with the letter and spirit of the Aarhus convention and to ensure that the Bill is more broadly in line with common law with regard to access to judicial review.

Amendment No 4 is a simple defining amendment that aims to make explicit what is meant by “Convention rights”. In my view, it was necessary to clarify amendment Nos 1 and 3 and to give them proper definition in the Bill.

Moving on to amendment Nos 5 to 7 —

**Mr Weir:** I thank the Member for giving way. Will the Member clear up a little bit of confusion? We seem to have moved on to amendments Nos 5 to 7 but not amendment No 4. He seems to be referring particularly in amendments Nos 1 and 3 to the Aarhus convention. Yet I note that, in amendment No 4, he defines “Convention rights” in the context of the Human Rights Act 1998, which I assume would be the European Convention. I am a little confused that he seems to be referring to one convention in one phrase and then, from a definitional clause point of view, seems to define that as relating to a different convention from the one that he referred to in his speech on amendment Nos 1 to 3.

I wonder whether he might clarify that confusion.

**12.15 pm**

**Mr Agnew:** I apologise for that confusion and for perhaps not being clear. Essentially, amendment No 4 tries to ensure that amendment Nos 1 and 3 are defined properly and to bring the Bill into line with common UK law. When I mention the Aarhus convention, I am referring to the broader framework for access to environmental justice. When I refer to common law, I am referring to UK common law. For that reason, the amendment refers to the UK Human Rights Act 1998, which, as the Member will be aware, transposes, to some extent, European directives into UK legislation. I am happy to give way to the Member.

**Mr Weir:** Surely when we are talking about the Human Rights Act 1998, the specific reference to “the Convention rights” can be interpreted by the court only as meaning the European convention, whereas the Member’s intention in amendment Nos 1 to 3 clearly seems to be meaning the Aarhus convention. In that sense, there seems to be a mismatch in the definitions that the Member has given, which, I would have thought, could leave the amendments flawed, certainly from a drafting point of view.

**Mr Agnew:** I take the Member’s point. As I said, and as the Member well knows, European directives and domestic law work very much in tandem. The UK Human Rights Act 1998 is the transposition of convention rights into UK law. Therefore, in legislating in the context of devolution in the UK, that was, in my understanding, the most appropriate way in which to define it. It is very clearly an attempt to ensure that the Bill ensures explicitly that there is an equally wide or, indeed, a no-less-narrow definition of the requirement to access judicial review that we have in common law.

Amendment Nos 5 to 7 deal very much with the responsibilities of public authorities in cases in which the conservation objectives of a marine conservation zone (MCZ) may be hindered. I had originally tabled similar amendments at Consideration Stage. I did not move them at that time in order to try to aid discussion with other parties. Given the tight turnaround, I am pleased that that was able to take place in some cases. Unfortunately, I was unable to speak directly with all parties.

Members will be aware that, elsewhere in the Bill, there will be a requirement on persons to show that if they wish, in any way, to act in a way that is detrimental to the conservation objectives of an MCZ, they will have to apply three tests. First, is there a better, less harmful way to do it? They will have to demonstrate that there is not. Secondly, is the damage of the act outweighed by a greater public interest? Thirdly, is there a way in which to mitigate damage in one area through compensatory measures in another area of equal conservation value?

It seemed strange to me that, in the Bill, there seems to be less onus on a public authority. I hope and believe that public authorities should lead by example. At the very least, they should have the same requirements placed on them that private individuals have. In that regard, the amendment simply provides equity between public authorities and persons. We can all assume that a public authority will always act in a way that is deemed to be in the public interest, and we have seen that on land, where various pollution fines have been received by Northern Ireland Water. So, it is important that we have stringent criteria in the Bill for Departments to act.

I am glad that I was able to meet some parties to discuss the matter, because I know that there were some concerns that it may inhibit a public authority’s ability to act in the case of an emergency. I think that it was Mr Elliott who, in the last debate, raised the issue of an oil spill. That is why the proposed new subsection (8A)(b) is key. It states:

*“the benefit to the public of proceeding with the act clearly outweighs the risk of damage”.*

I would define that as the public interest test. It is clear that that subsection would allow public authorities to act in the wider public interest even if that hindered the conservation

objectives of an MCZ. Indeed, the Bill already provides for a 28-day notification period. My reading of that is that you cannot act within 28 days unless given permission to do so by the Department. So, again, I know that there was a concern about urgency. However, to me, that concern is greater than the provisions outlined in amendment No 5.

Amendment Nos 6 and 7 are very much consequential to that.

One other concern to address — which may or may not be a concern, but I want to deal with it should it come forward as a concern — is the potential cost to public authorities of this added scrutiny and more stringent criteria for giving permission to harm the conservation objectives. We need to be clear that we need to have stringent laws on the management of marine conservation zones, because that is the right thing to do and because the marine strategy framework directive requires us to have good environmental status by 2020. Failure to get that status would be significantly more costly than any administrative cost that may arise out of this amendment.

Finally, amendment No 8 proposes to introduce a penalty if public authorities are found to be hindering the conservation objectives of an MCZ and fail to demonstrate that they have indeed acted in the wider public interest. The amendment essentially proposes to bring how we treat designated areas on land into line with how we propose to treat designated areas at sea.

In the Environment (Northern Ireland) Order 2002, there is a potential penalty of £20,000 if a public authority damages an area of special scientific interest (ASSI). So, this is about seeking consistency in law in respect of penalties and consequences. Again, it is about ensuring that, in setting up MCZs, they are about more than pieces of paper and nice objectives, and, equally, that there are consequences should the conservation objectives of MCZs be breached by a public authority.

As regards the level of the fine, we obviously considered whether that was still the correct level given that we are a number of years on from the Environment Order, but we felt that, in respect of having consistency in law, using the £20,000 figure, and therefore providing the same penalty and protection, showed that we see the MCZ designation as equivalent in importance to that of ASSI.

**Mr Weir:** I thank the Member for giving way. He explained quite clearly the derivation of the level of fine on summary conviction to put it on a par with that. In respect of the drafting intention, the amendment refers to a fine limit of £20,000 for a summary conviction but makes no reference to any amount for a conviction on indictment. Is the intention to be completely open-ended with regard to any fine on indictment? That is certainly the way it appears, as drafted. I would be grateful if the Member would elucidate.

**Mr Agnew:** I thank the Member for his question. I will take time in my winding-up speech to try to answer that. The intention, as I say, is to ensure equivalence. The amendment mirrors what is in the Environment Order. Not having drafted that legislation —

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

**Mr Agnew:** Yes.

**Mr Weir:** I thank the Member. This intervention is on a separate point, but if the Member is going to respond

to some of these matters in his winding-up speech, it is maybe worthwhile raising it at this stage to give him a little time. Amendment Nos 1 and 3 relate to judicial reviews and a document or part of a document being “irrational”. I am fairly familiar, from a judicial review point of view, with the issue of whether something is unreasonable. There is clear case law around the definition of the word “reasonable”. Will the Member explain the use of the word “irrational” and how he sees that being defined by the courts?

**Mr Agnew:** I thank the Member for his question. Given that there is an explicit clause on access to judicial review, the intention was, as best as possible, to word amendments in such a way as to reflect what is commonly interpreted by the courts. The Member may suggest that there are better ways to have worded the amendments but, certainly with the time and advice I had, that seemed the best way that I could find to transcribe common law explicitly into the Bill.

As I have said, my preference was not to have an explicit clause. Good precedents for judicial review have been set, and transcribing those poses difficulties. However, without any further opportunity to amend the Bill, I could see no better way to transpose common law into it. I did seek to meet all parties in advance of this debate, but there was a restricted timeline. The amendments, as drafted, need to be taken or left on those grounds. I thought it best to meet as many people as possible in advance of tabling the amendments and in advance of the debate to ensure that I got them right and drafted them as best I could. I am interested to hear feedback from others on how they view the amendments.

To conclude, the Green Party’s clear and consistent intent in the amendments is to ensure that the enforcement of the measures in the Bill is as stringent as it can be and the deterrents are sufficient to ensure that, when we designate MCZs, they are meaningful, and that the Bill in its entirety pushes us closer to the target of achieving good environmental status by 2020 and provides for sustainable management of our marine areas.

The objective of the amendments is very clearly to ensure that public authorities are held to account on these issues as much as, if not more than, private individuals. My reading of the Bill, as introduced, was that it was, perhaps, a bit soft on public authorities. Indeed, I was concerned that there may have been attempts in the Bill to protect the Department. In that regard, the amendments seek to ensure that the Department and other public authorities are held to the highest account.

12.30 pm

**Mr Hamilton (The Deputy Chairperson of the Committee for the Environment):** I wish to speak initially on behalf of the Environment Committee. I apologise for the Chair’s absence; she is at a conference in Dublin that is part of the Irish presidency of the European Union and sends her apologies. I am sure that she would not mind my saying that she is very pleased, in fact giddy, at the House’s support for her amendment on sustainability that was made a couple of weeks ago. In fact, she was so giddy that she threatened to kiss me in joy at the whole thing. I managed to beat a — I have witnesses to prove that I beat a fairly hasty retreat. *[Laughter.]* She was very pleased that her amendment was passed by the House,

and I had to point out that, although I did not support it, my opposition was somewhat muted.

**Mr Elliott:** I am hugely surprised at the length that some Members in this House will go to in order to get their own way.

**Mr Hamilton:** I refer the Member to the comments I made earlier about beating a fairly hasty retreat.

Back to more serious matters, if I may. I will begin by addressing Mr Agnew’s proposed amendments Nos 1 to 4, which relate to the circumstances in which there might be a judicial review in relation to a marine plan. The Committee was content with clause 10 as drafted, subject to an amendment being made that would extend the time to allow for an application for a legal challenge against a published marine plan. The Committee also agreed to recommend that the Minister should stress that there is a recognised process for engagement throughout the preparation of a marine plan and that the High Court option should not be considered an alternative.

I welcome the fact that such an amendment was made at Consideration Stage, and that the Minister provided us with the necessary reassurance. However, I should also add that, although we were content with clause 10 as drafted, we were initially concerned that the grounds for a judicial review of a marine plan were too limited. The Committee suggested that these grounds should be expanded, at least to include irrationality. The Department argued that the rest of the UK marine planning authorities had similar provisions with regard to challenges in order to allow judicial review of a marine plan and that the standard grounds of judicial review were reflected in the grounds of challenge specified. The Committee accepted that argument. It is not that the Committee is opposed to the principle underpinning amendments 1 to 4; rather, we accepted the Department’s argument that amendments were not necessary. I look forward to the Minister clarifying whether that remains the position.

The Committee does not think that Mr Agnew’s proposed amendment No 5 to clause 22 and the consequential amendment Nos 6 and 7 are necessary. Clause 22(11) requires a public authority to have regard to any advice or guidance given by the Department under clause 24. The Department told us that a public authority must have a very good reason for dismissing this advice because a third party could challenge its decision via judicial review. The Committee was satisfied with this explanation and so was content with clause 22 as drafted.

On the proposed amendment No 8 to clause 25, the Committee was content with this clause subject to a departmental amendment requiring a public authority to provide a written explanation if it fails to comply with the duties required by an MCZ. As such, an amendment was agreed at Consideration Stage, and the Committee does not believe that any further amendments to that clause are necessary.

That concludes my remarks on behalf of the Committee, but I want to say some things on behalf of my party. This Bill has been characterised throughout its passage — from drafting, the Committee’s consideration and the amendments to various clauses at Consideration Stage — as an attempt to get a balanced Bill, because there was a recognition on everybody’s part — the Department, the Committee, the stakeholders — that there is a range of interests at stake here. Principal among those are the

interests of the marine environment, but underneath that there are interests of various sectors: the environmental lobby and various environmental groups; fishing interests; shooting and conservation interests; and energy interests. At all stages, an attempt was made to reach a balanced Bill.

The Bill that the Minister presented to this House was reasonably well-balanced, and a few tweaks and changes have improved that balance. My concern at this late stage — Further Consideration Stage — is that, while I accept the right of any individual to bring competent amendments forward, I am always mindful of upsetting that balance that has been created through the fairly extensive work that the Committee did at roughly this time last year during its scrutiny and some of the work that has continued up to this point.

So, all of us, no matter whether we were from the Department, the Committee or the various stakeholder groups, have always sought to get an appropriate balance in how we deal with our marine environment, as characterised in this Bill. I think that that is a reasonable and appropriate principle to have when dealing with important legislation like this. There are lots of interests that are sometimes competing. Therefore, we need that degree of balance.

I do not want to say too much about amendment Nos 1 to 4 — I know that Mr Weir wants to speak on those on behalf of the party in some greater depth — other than, as I mentioned when I spoke on behalf of the Committee, in order to test the Department's position, the Committee raised some of the issues that Mr Agnew raised and enunciated in the presentation of his amendments. The Committee was satisfied with what the Department said on that. One of the key responses that we got — it is worth highlighting — was that, if we were to legislate in the way that Mr Agnew is proposing, Northern Ireland would be outwith and outside what other jurisdictions in the United Kingdom have done with legislation. Obviously, they are much further along the line on marine legislation that is similar to this Bill, but they have legislated in a way that the Bill proposes that we legislate, and we need to be careful about legislating in a different way in Northern Ireland.

At Consideration Stage, we were careful when Mr Agnew proposed an amendment on the sea fishing defence, which would have made Northern Ireland distinct and different and put the fishing community at a disadvantage. I think that we need to be similarly careful about legislating in a way that is entirely and fundamentally different from what other jurisdictions in the UK have done.

I want to speak about amendment No 5 in a little more depth, and, obviously, there are a couple of consequential amendments to it. I understand — I think I understand, anyway — where Mr Agnew is coming from with his amendments and what he is trying to achieve. He can correct me if I am wrong in trying to argue what his position is.

I sympathise with his argument that, if you take the time to go through a fairly painstaking process to designate certain parts of our marine environment as marine conservation zones, by that very process and by setting it aside you are saying, "This area that we are mapping out in our inshore region is so important that we must be incredibly sensitive when we do anything that might affect it." I can agree with that, and I have argued that point and

agreed with it throughout the process of the Committee's involvement with this legislation. I worry, though, that what is proposed, in the first instance, ignores the general duty that exists in what is now clause 22(2), which states:

*"Every public authority to which this section applies must (so far as is consistent with their proper exercise)—*

*(a) exercise its functions in the manner which the authority considers best furthers the conservation objectives stated for the MCZ".*

So, there is already a fairly broad general duty on public authorities to exercise their different functions while operating in the marine environment. They perhaps have entirely different interests from those of the Minister of the Environment, but they still have to do so in a way that does not "maintain" or "keep where it is," but that:

*"best furthers the conservation objectives stated for the MCZ".*

Clause 22(2)(b) —

**Mr Agnew:** I thank the Member for giving way. He was about to go on to clause 22(2)(b), which refers to "where it is not possible". That paragraph also refers to "least hinders", which, to some extent, replicates proposed new subsection (8A)(a) of my amendment. What it does not include is the public interest test, which is how I define proposed new subsection (8A)(b) of my amendment, whereby you have to demonstrate that the harm you are causing is outweighed by a greater public interest.

Equally, it does not include that kind of mitigation or compensatory measure. So, to me, it falls short of what we expect of persons elsewhere in the Bill. Although subsection (2) goes some way to addressing some of my concerns, it does not go the whole way and does not put the same level of criteria on public authorities as on persons.

**Mr Hamilton:** I accept that, and I was going to go on to paragraph (b) and particularly point out the two words "least hinders". I accept that, as drafted, the clause does place a duty on public authorities to think a little more carefully about what they do in and around an MCZ rather than simply leaving it that they can do what they want. A duty is being placed on them. Not only is that additional to what the Member proposes — so we keep those general duties — we add additional specific duties.

The problem that arises is that what the Member proposes may be reasonable in the sense of certain events that could happen, and I talked about this a little at Consideration Stage. I can think of two types of event. One is fairly benign: it might be, say, an energy company wanting to lay a pipeline or a telecommunications cable or the like on behalf of the Department of Enterprise, Trade and Investment (DETI), which is taking forward something on the energy front. Something such as that would be considered and dealt with over a long time. You see it happening and know that it has to be done. You see the benefits and decide that you want to do that, and you then take it forward through a process that may take months or even years. In considering the impact of laying a cable or pipeline that might go across an MCZ, the public authority would be able to look at ways in which it "least hinders" the marine environment and furthers the conservation

objectives of the MCZ. That is an example of an event that you can see coming down the line and know is happening. You agree that it has to happen, but you accept that there are ways in which to do it.

In his amendment, the Member proposes the following in subsection (8A)(a):

*“there is no other means of proceeding with the act which would create a substantially lower risk of hindering the achievement of conservation objectives”.*

That is something that you would do automatically in the event of something that was foreseeable and planned. Indeed, it is a duty that, I believe, is placed on that public authority by clause 22(2)(b). However, other types of event could come up, where a public authority has to act very quickly without the luxury of seeing something planned and thought about over a long time. At Consideration Stage, I used the potentially relevant and realistic example of a spill from an oil tanker. We know that the Irish Sea and the North Channel see a fair amount of traffic of that variety. There was an instance in the past year of an oil tanker — I cannot remember the name of the ship — off the Copeland Islands, very close to Belfast lough. For a number of days, many of us were concerned about what would happen to the oil tanker involved and whether we would have an environmental incident on our hands. You do not have the luxury of knowing that that is going to happen. It is perhaps a known unknown or a not-entirely-unknown unknown: you know that it could happen, but when it happens —

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

**Mr Hamilton:** Yes, I will let you in before I elaborate.

**Mr Agnew:** I take the Member's point, which is why, in my opening, I made a reference that I will make again: in the amendment, subsection (8A)(b) sets out a public interest defence. If taking the act is clearly more in the public interest than not taking it, there will be that defence. In the example that he outlined, it would be strange to argue other than that clearing up an oil spill was in the public interest. There is not much point in having an MCZ if it is covered in oil. So, it is clear that, in the example he outlined, the public authority would be enabled to act in such circumstances if the amendment were passed.

**12.45 pm**

**Mr Hamilton:** I thank the Member for his intervention. I used the example of an oil spill because it is understandable. It is perhaps extreme. Obviously, a lot of things that happen will fall between the laying of a pipeline or cable and the fairly extreme example of an oil spill, and they may not be just as clear cut. However, even in that example or something similar, clause 22(8)(b) would allow the public authority to set aside the requirement in subsection (7) to give 28 days' notice to the Department before it acts. In fact, for a lot of the fairly benign issues that I was talking about, you would need more than 28 days to work out how that would happen and the best way to achieve it. Clause 22(8)(b) gives power to the authority to act where it thinks that there is an urgent need to do so, and that would apply to something like an oil spill.

My problem with the Member's amendment is that it would put additional hurdles in place. Irrespective of whether we universally accepted that there was an urgent matter requiring an immediate response by whatever public

authority or authorities were responsible, the amendment would place additional duties and requirements on them. It may involve several public authorities. With something like an oil spill, several public authorities would be engaged — both central and local government, as well as arm's-length bodies — and all would have to go through and pass the tests that the Member lays out in his amendment, ask themselves whether there was no other means of proceeding and look at the benefit to the public of proceeding with the act.

Clearing up an oil spill is clearly — I think that everyone would agree on the word “clearly” — something that would need to be acted on fairly promptly and urgently. There may be other grey areas that I, not being an expert on the marine environment, cannot think of. There may be several ways in which you could act but only one decisive way that would not only save and further the objectives of the MCZ but would protect the whole marine environment. The benefit of the marine environment to Northern Ireland will extend beyond MCZs, and damage that we cannot contemplate could be done if we focused entirely on them. I am concerned that what the amendment proposes would put additional hurdles in the way of public authorities considering their response, which may need to be rapid, to incidents. They would have to think about things. What would happen if there were disagreement externally about whether the benefit was clear and whether there was a better way? We could get into a system of challenge from other public authorities, never mind external challenge.

In my view, this is an amendment to a clause that is quite clear and recognises the very issue that the Member is getting at, which is the duty on public authorities. Before acting, they must think a little more about what they are doing and how that will affect the marine environment. They are to do so in a way that furthers the objectives set in establishing the MCZs or in a way that “least hinders” those objectives. I think that I understand where the Member is coming from — I hope that I do. I sympathise with his general point, but the legislation as drafted deals with that. I worry that what he proposes to put in place would put in the way of public authorities hurdles that could impede the rapidity of their response to urgent matters that come up. For those reasons —

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

**Mr Hamilton:** Yes.

**Mr Weir:** I apologise if the Member touched on this while I was out of the Chamber briefly, but there are a couple of further dangers in paragraph (c). I appreciate the thinking behind it, but, if something can be of environmental benefit, should that not be done anyway rather than waiting for a quid pro quo? Something is either needed or it is not. If something does not need to be done, you will be doing something unnecessary simply to tick a box. If something is needed, it should be done irrespective of that.

If I were being entirely cynical about public authorities, I would ask whether there was a degree of danger that they might hold back on doing certain things that are required on the basis that they might have to throw them in as a balancing measure at some future stage. By way of the law of unintended consequences, you inadvertently create a situation in which you delay or prevent potentially environmentally beneficial acts. That is because, for want

of a better phrase, the public authority wants to leave that club in the bag in case it needs to use it at a later stage.

**Mr Hamilton:** I thank the Member for his intervention. I am sure that public authorities would not be as cynical as he is, given what he outlined, but you never know.

I did not touch on subsection (8A)(c) in amendment No 5. There is an uncertainty there: how can you do benefit to damage that has been done? There may even be a legal principle around whether you can do benefit to something that has been damaged. It is not clear where those measures of "equivalent environmental benefit" would take place. They could, conceivably, take place in an entirely different location that is not marine-based. The Member will correct me if I am wrong, but I would have thought that such measures should take place in and around the same area and should be to rectify some of the damage that has been done. The amendment states:

*"where possible, the authority will undertake, or make arrangements for the undertaking of, measures of equivalent environmental benefit".*

It does not say "marine environmental benefit". It could be the planting of trees or something to do with animals, birds or insects.

**Mr Agnew:** I thank the Member for giving way. Does he accept that the wording is lifted from elsewhere in the Bill where "persons" are referred to? It is putting in an equivalent duty. The Member has a concern about the particular wording and its implications, but my understanding is that it is a Marine Bill that is legislating for the marine environment. So, the measures would have to be within a marine context.

The Member is on the Committee for the Environment, and other members of that Committee have the same concerns. That wording exists elsewhere in the Bill. Forgive me, I forget the other clause at the moment; I think that it is in clause 23. Was the Committee concerned about the existing wording in the Bill where it applies to persons? If not, why would the Member be concerned about the wording in relation to a public authority, given that the implications are the same?

**Mr Hamilton:** The Member makes a fair point. He is challenging me to recall the Committee's view on anything. We looked at the Bill a year ago, so the fact that I can remember anything is probably a good thing.

For the reasons that I outlined, I am less concerned about subsection (8A)(c) than I am about (a) and (b), which was why I was moving on before Mr Weir intervened. So, for Members' benefit, I will not rehearse those reasons.

I will now turn to amendments Nos 6 and 7, which are consequential, and to amendment No 8. I will touch first on new paragraph (b) in amendment No 8. There is already a clause in the Bill on this; in fact, I think that it was added that this matter should be in the Bill. Although I appreciate that there is a subtle difference, I think that the duty and the requirement are already there. In respect of new paragraph (a), I share some of Mr Weir's concerns. Without wishing to steal any more of his thunder, I always have concerns about public authorities fining other public authorities at that high level and about the circular movement of money. Members may say that it is only £20,000, but the second line of the paragraph states:

*"unless there was a reasonable excuse".*

It is likely that one public authority would challenge what the other public authority or Department was saying about whether the excuse was reasonable enough. If a Department says that what was done in certain circumstances was unreasonable and the other public authority thinks that it was reasonable, they may well test that in court. The cost to the public purse will be not £20,000, which may be a small amount of money in the grand scheme of the Northern Ireland Budget, but, when we are talking about legal fees and costly lawyers being involved, somewhat more than £20,000.

I share Mr Weir's concern about the reference to a public authority being:

*"liable on summary conviction to a fine not exceeding £20,000 or on conviction on indictment to a fine".*

There is a question mark over the level at which such a fine would be set. Again, the principles of the circular movement of money and whether the fine would be limited at £20,000 because of the likelihood of legal challenge to it are issues.

I hate to be the bearer of bad news for Mr Agnew, but that all adds up to a lack of support for all the amendments that he proposes today. However, if I can give him some small bit of solace, I will say that I understand the principle, particularly in respect of amendment No 5. I hope that I understand where he is coming from, and I have some sympathy with where he is coming from. I merely argue back to him that the Bill already addresses those concerns. We should move forward with the Bill as drafted and unamended and deal with the very important issue of the marine environment and how we can better protect it. I go back to my point about how we balance all the interests, whether they be environmental, fishing, shooting, energy or governmental.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom cúpla focal a rá. I will say a few words about the amendments. I will use my native language by saying "Tús maith", which means "A good start". This legislation is a good start.

I want to start with the amendment that relates to judicial reviews. I understand that there should be an appeals mechanism and a review process. However, we are starting here with legislation to look after our marine environment and to set out clearly how we should go about that, yet already we are talking about a judicial review process. I will not go into too great detail, especially on the first four amendments. However, I will say that, in my experience, there will always be a legal challenge to anything that is brought forward. There is no doubt about that. If there are ways of bringing a legal challenge, there are certainly people out there who will find them. We could talk about judicial reviews all day, but those in the legal system will always find a way to challenge something.

On the amendments themselves, I have to keep referring to the legislation that we are dealing with at the minute, which is the Planning Bill. I know that the process is that you are allowed to table amendments for the Chamber. However, unfortunately, we have not had proper time to consult on these amendments. I have some sympathy with the Member in that regard. In all the amendments that he has tabled, he is trying to make the Bill better. However,



we have gone through a good period of consultation on the legislation —

**Mr Agnew:** I thank the Member for giving way. I take his point that to some extent the procedures, particularly the time between Consideration Stage and Further Consideration Stage, do not allow much time for consultation. However, the Green Party submitted its views on the Bill to the Committee for Committee Stage. We are not on the Committee, so we felt that putting forward our arguments at that stage rather than waiting until Consideration Stage was the way to do it. I do not think that the Member was making a criticism. However, almost in defence against a criticism that was not made, I will say that we have tried as much as possible and as much as the process has allowed to be up front with our intentions to allow as much time as possible for consideration of our proposals.

**Mr Boylan:** I take the Member's intervention, and I understand where he is coming from. However, we went through a long period of consultation. The Bill has sat for a while now, but we have got to a point at which participation on this legislation has been welcomed. We are starting to move from a process of consultation to one of proper participation. That is why I say that the Bill has had a good run. On the Member's amendments, I think that we took it on board in Committee that the clause, as drafted, was satisfactory. I know that a change was made to this clause concerning the period in which a challenge can be made, but I cannot agree with the proposals in amendment No 1 and consequential amendment Nos 3 and 4.

#### 1.00 pm

I want to talk a wee bit about amendment No 5, because the key to all of this is the MCZ process. I said to the Minister at Consideration Stage that how we designate an MCZ is key: it has to be evidence-based. Amendment No 5 relates to clause 22. If there are concerns from NGOs and everybody else in relation to all of this, they should be part of the process of bringing forward as much evidence as possible to designate an MCZ.

I am sorry that the Member did not bring up any examples. I want to talk a wee bit about his concerns in relation to damage to the MCZs. There are two elements. One is the reactive element, and I use the example of an oil spill. Maybe the Minister can elaborate a wee bit on the process when it comes to emergency cover and everything else, because, in some cases, I would be concerned about the reinstatement of something that had been damaged. In some cases, there may not be an opportunity to reinstate things fully where damage has been caused, but I want to hear what the Minister says about what exists in regulations. That is one element.

The other element arises where there is, as the Deputy Chairperson said, a pipeline or a utility of some description. That, surely to God, should be looked at during the designation process. If we are going to designate MCZs, we should be looking at what would go there in the future and take that on board. Those are the two elements involved.

We can only discuss these things and learn from the mistakes we have made and also examples or models of good practice. I keep going back to that, and I will keep repeating it until there is a process for the proper

designation of an MCZ. The designation cannot be done without being evidence-based.

In relation to clause 22, I have some concerns when it comes to putting extra duties on public authorities, because, if we are going to do that, we need to give them the necessary resources. I am concerned, in particular, about local authorities, given that we are going to transfer a number of powers to them. They will buy into this. This is a good piece of work, and its success will depend on everybody being involved, particularly NGOs, in the designation of MCZs.

In relation to amendment No 8 and clause 25, I will say this, as I mentioned with regard to working with public authorities. I ask the Minister whether we could look at dealing with some of the concerns, raised by Mr Agnew in his amendments, through secondary legislation or even guidelines with respect to the responsibility of public authorities, when looking at the whole process of designating at the start. Maybe there should be guidelines, duties or whatever is there. Some duties are covered in the Bill, but, if the Member feels that this piece of primary legislation is lacking, we could look at some other ways of bringing measures forward, either through guidelines or secondary legislation.

With that, I will bring my remarks to a close. I will not be supporting the amendments. Go raibh míle maith agat.

**Mrs D Kelly:** As a member of the Committee for the Environment, I support the views expressed by the Deputy Chair on behalf of the Committee. Unfortunately, our party will not be supporting the amendments.

The amendments tabled have obviously helped the debate about the Bill and its interpretation, and they provided some clarity. For that, Mr Agnew ought to be commended. Amendment Nos 1 to 4 deal primarily, as others have said, with the judicial review process, and there is a definition under amendment No 2. The grounds for judicial review are quite clearly defined in the Bill, in keeping with legislation and commitments elsewhere.

Amendment No 5 is a wee bit unclear. The Minister has given commitments, and, as others have said, there was extensive consultation with a range of stakeholders, including those who have sea fishing interests, environmentalists and public authorities, and it would be unjust to demand a different approach to local councils than to Departments. That is one reason why we cannot support the amendment.

Amendment No 8 relates to a public authority's failure to comply with its duties in relation to MCZs and with regard to advice and guidance from the Department of the Environment (DOE). That is a situation where the district council is the only authority and would potentially have action taken against it.

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

**Mrs D Kelly:** I will.

**Mr Agnew:** To be clear, my understanding of the term "public authority" is that it includes councils as well as Departments. It is any public authority. My understanding — I stand to be corrected — is that it has a wide definition. The amendments do not refer to local government and are not specific in that regard.

**Mrs D Kelly:** The Member is right that the term “public authority” has a wider context but, given that the Departments enjoy Crown immunity from prosecution, there is a difference in how bodies that come under that definition are dealt with.

As a party, we are strongly supportive of the protection of the marine environment, which has a lot of potential for marketing and tourism of a different nature. We strongly support the Marine Bill but we are unable to support the amendments.

**Mr Elliott:** I thank the Minister for getting the Bill to this stage. I do not have a great deal of interest in supporting the first four of Mr Agnew’s amendments, and that clearly means we will oppose them. We do not think that they are necessary at all. I have relayed that to Mr Agnew and I am sure that he is aware of my position on those amendments.

There is merit in amendment No 5. Before the previous debate, Mr Agnew tabled the same amendment but withdrew it. At that stage, before Mr Agnew withdrew it, the Minister indicated that he was going to support it. I have a number of questions about that. First, is it competent in the context of clause 47? Clause 47 deals with Crown authority, and the amendment seems to conflict with that. Has any legal advice been sought on that either through the Department or by Mr Agnew? I do not want us to approve something and, at a later stage, it be declared not competent or that it does not fit with other parts of the Bill. Clause 47 states:

*“No contravention by the Crown of any provision of this Act is to make the Crown criminally liable”.*

To my mind, that is what amendment No 5 would do. The clause goes on to state that the High Court may decide on that at a later stage. We are supportive of the principle behind amendment No 5 but I am not sure that we can support it because we are not confident that it is competent. I will be interested to hear what the Minister says about that and what Mr Agnew says in his winding-up speech. Obviously, there are also some consequential amendments to that.

On amendment No 8, we have had some debate around the £20,000 fine that may be levied on Departments, and I wonder how that fits with other pieces of legislation. I know that there is an argument about whether you should impose that maximum amount of £20,000 or whether you should leave it open to a wider amount if the authorities or the courts feel that a much larger fine should be levied against a Department. Those are some of the issues. I will wait to hear what the Minister says about amendment No 5 and, indeed, what Mr Agnew says in his winding-up speech.

**Mr Weir:** I rise a little earlier than I thought I would. I see that, in the absence of the Chair of the Committee, the Alliance representatives seem to have abandoned ship, and we are left with empty Benches at this point in the debate. Mr Hamilton said that I would be dealing with these issues in some detail. I do not intend to deal with them in some detail, not least because, I suspect, the more detail that I go into, the more detail it will tend to provoke from the Minister in response. Quite frankly, I do not want to give him any more excuse than he normally has.

I will deal with a few of the issues that have been raised. I do not intend to talk about amendment Nos 5 to 7,

which have been covered fairly comprehensively by my colleague. I await to hear what has to be said. Suffice to say, I agree with the general tenor in that, although I understand the thinking behind amendment Nos 5 to 7, there is already coverage in the Bill. I have already highlighted some concerns on the drafting of amendment No 5.

Amendment Nos 1 and 3 run very much together, and again I believe that the provisions in the Bill are sufficient. We raised the issue at Committee, and we got assurances. Indeed, I wait to hear from the Minister on that. To pick out irrationality as simply one ground for judicial review when there are a number of others that could be looked at puts things a little out of kilter.

Amendment Nos 1 and 3 have been quite badly drafted, particularly when read in the context of amendment No 4, which seeks a definitional clause that can be read only in the context of amendment Nos 1 and 3. Amendment No 4 ties in “Convention rights” with the European Convention on Human Rights, which we are bound by anyway. Leaving that aside, it ties in a definitional quality on references to “Convention rights”. Clearly, this is interpreted within this piece of legislation, yet it is clear from what the Member said when moving this that he has a completely different convention in mind when he talks about amendment Nos 1 and 3. He talked about the Aarhus convention and the need to secure compatibility with that. Yet, in light of amendment No 4 if it were passed, courts could not interpret amendment Nos 1 and 3 as referring to the Aarhus convention because it specifically defines “Convention rights” as referring to the European Convention on Human Rights.

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

**Mr Weir:** I will give way to the Member.

**Mr Agnew:** It is not a case of defining it within the Aarhus convention. I made reference to the Aarhus convention in making the point that the Bill should, at least, be within the scope, if not compliant with it, or if compliant with it, be compliant both in word and spirit. There are two separate points, I suppose. It is about defining grounds for judicial review, and there is a more general point on access to justice beyond what exists in common law within the European framework. So, the Aarhus convention sits above, almost, the UK common law. The attempt of the amendments is to bring the Bill in line with UK common law and to seek, overall, to ensure that it is compliant with the Aarhus convention.

**Mr Weir:** It is intended to have “Convention rights” in one sense to mean one thing and in a different definitional sense to mean something else. Clearly, any legislation is bound by common law and by the European Convention. Not all of us in the House will be the greatest fans of every aspect of the European Convention on Human Rights, but it is enshrined in domestic law. Therefore, it is not only unnecessary but, from this point of view, confusing, because if the court is trying to read in what the Member said in the first instance to this, there will be a degree of conflict within that. On the issue of irrationality, as has been indicated, if there is a specific reference to irrationality, that is something that would put us in a different situation from similar legislation that applies in other parts of the United Kingdom. Again, I am not convinced of the necessity for that.

1.15 pm

I turn briefly to amendment No 2 —

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

**Mr Weir:** Yes, I will give way to the Member.

**Mr Allister:** Following the Member's earlier intervention about irrationality, is it not the case that, in judicial review, that which is deemed "irrational" in more modern cases is really the same manner of expressing what was formerly expressed under *Wednesbury* unreasonableness? Without wanting to bore the House, I point out that this goes back to what Lord Diplock said in the landmark GCHQ judicial review, where he set out irrationality as equating to *Wednesbury* unreasonableness, which is not just unreasonableness but has to be so outrageously unreasonable as to be irrational, to put it in simple terms. So, I do not think that there is any magic in the introduction of the word "irrational". I think it is, in fact, a more up-to-date way of expressing *Wednesbury* unreasonableness.

**Mr Weir:** I thank the Member for his intervention, and I understand that. Obviously, irrationality is something that encompasses what previously may have been referred to as unreasonableness; indeed, it is something so unreasonable that no rational or reasonable person could have decided that.

The point that I am trying to tease out from the proposer of these amendments is that, if he seeks to change the law to make a specific reference to irrationality, it is incumbent on him to explain what he sees as the meaning of that. Courts can draw conclusions from their own inferences but, if someone is putting forward legislation, they need to at least understand exactly what is behind that intention.

I turn to amendment No 2. I do not believe that it is necessary, as there is provision already in clause 10. I take exception to this sort of blanket definition:

*"a non-governmental organisation promoting environmental protection."*

How is that to be defined? As has been indicated by Members who spoke previously, very delicate balances have been set up through this legislation. Will this amendment give carte blanche to any one, two or three people who set up and call themselves an NGO promoting environmental protection? Does this give parity, for example, to other organisations that could arguably have an interest? There is a specific mention of environmental protection organisations, but no specific reference to, for example, the interests of the fishing fraternity or the shooting and conservation side of it.

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

**Mr Weir:** Yes, I will give way.

**Mr Agnew:** I appreciate the Member's point. Before I submitted the amendment, it was something that I questioned. However, I think that that is why, notwithstanding the generality of subsection 4, the wording is important. It is explicit in saying that environmental NGOs should be able to take that challenge. The wording comes from the Aarhus convention, and that is required for access to environmental justice, but it certainly does not exclude other organisations. So, to some extent, it is to ask the Minister whether it is his interpretation of his Bill that those organisations could take legal challenge. This is

just about being explicit. As I said from the outset, I would rather that this clause were not here and we could just allow judicial review under common law.

**Mr Weir:** I fear that, in striving to dot all the i's and cross all the t's, the Member is in danger of disappearing up the Aarhus convention. It should not simply be treated as some degree of Holy Writ. I do not see the equivalence. The Member was right to question whether paragraph (b) of amendment No 2 is needed. It is quite clear that paragraph (a) is covered by the legislation, and paragraph (b) seems to make explicit one particular section, but there is sufficient cover within the legislation as it is drafted. Clearly, what is there around locus for someone taking a judicial review, for example, means the court will be able to determine whether someone has sufficient interest, and I believe that that is an adequate enough protection.

My colleague has dealt with amendment Nos 5 to 7, so I will make no further comment on them.

As was said, paragraph (b) of amendment No 8 replicates what is in the Bill. It is unnecessary because it simply repeats what is there. As was said about paragraph (a), it is not a good principle for money to circulate from one public authority to another. Fines are issued that then go back into the government system, which is not a sensible use of public money. It is a principle that has largely been accepted. There is some loose drafting in the amendment, in that it refers to a cap on the level of fine on summary conviction, but, from the wording, the level of fine on indictment seems to be open-ended. I am not sure whether that is the intention. The Member can deal with that in his winding-up speech. The wording seems to be flawed.

The amendment would mean that public authorities are putting money — the fines collected — through the courts, which, presumably, would then go back into the Executive. The fines seem to serve very little purpose, except, as Mrs Kelly pointed out, to create a potentially injurious situation in which local authorities would not benefit from the fines but instead have money removed.

The biggest single winner would be lawyers. I am a former lawyer, and I appreciate that there are others in the House. The amendment would not serve any useful public purpose because the fines would simply shift money around. It would put more and more money into the hands of lawyers. With a summary conviction, there is a maximum fine of £20,000. As we see in our court system, on most occasions for which there is a maximum fine, that is very rarely exercised. Minimum fines flow around the system, and you pay groups of lawyers on both sides of the argument, which is slightly illogical.

I believe that the protections in the Bill are adequate. I share some sympathy with others for the thinking behind the proposals, but I do not believe that any of the amendments improve the Bill. I look forward to remarks from the Minister and the proposer of the amendments in summation.

**Mr Attwood (The Minister of the Environment):** At Consideration Stage, Mr Speaker, I acknowledged the work of all those who had contributed to the Bill, in the Assembly and outside the Assembly. However, I wrongly overlooked your staff in the Business Office and elsewhere in the Assembly who helped in getting the Bill to this stage. I want to correct that now.

In Mr Agnew's concluding remarks, he talked about the ambition and requirement to have good ecological status by 2020, a coherent network of designations and the need for sustainable management of the marine area. Whatever about the amendments that I am about to address, he was right to conclude his remarks by outlining the ambition of the legislation. Over the weekend, that struck me quite acutely because two relevant stories in yesterday's papers point up the very issues that Mr Agnew referred to.

One newspaper article confirmed that, for the first time in human history — that is how far back this goes — the concentration of CO<sub>2</sub> has passed a milestone of 400 parts per million. At one level, those are statistics, but at another level, that reflects the fact that, at no time for three million to five million years, have we had that level of concentration of CO<sub>2</sub>. Greenhouse gas can be assessed scientifically by drilling down into the ice caps and capturing air bubbles from that period. The last time that we had that level of greenhouse gas and that scale of global warming and threat, the Arctic was ice-free, there were savannahs at the Sahara and sea levels were up to 40 metres higher than they currently are.

Although those are global figures, they will work through to the quality of our local ecosystems. When they do so over the next 10, 20 or 30 years, there will be a dramatic decline in our habitat range that will mean that half of our common plant species and one third of our animal life will face threats to their habitat as a consequence of global warming and gas emissions. The impact of that will be a loss in the quality of water, air purification, flood control, nutrient cycles and so on.

That is the global picture, and the Marine Bill is part of the local response to that. For the sake of argument, if all of that were to work through into Strangford lough, which, as people know, is one of the most protected waters in Europe and will be the first marine conservation zone, the loss of habitat and impacts on the quality of water, air purification, flood control, etc would all be very significant. That is why Mr Agnew's comments and amendments are relevant in challenging us on where we are taking the legislation, which leads me to the conclusion that, unfortunately, I will not support any of his amendments.

First, I will deal with amendment Nos 1 to 4, which deal with judicial review and so on. As we know, these issues were touched on by Mr Agnew at Consideration Stage. Let me give as much reassurance as I can to Mr Agnew and other Members so that I can narrow the difference between us — if there is any difference because I think that the difference is not of the scale that some comments suggest. Amendment No 1 seeks to extend the grounds on which an aggrieved person may make an application to the High Court on the validity of a marine plan so that they expressly include irrationality and incompatibility with any of the Convention rights. The irrationality point was touched on in an earlier exchange between Mr Weir and Mr Allister.

Let me say very clearly that, in considering these amendments and the issue generally, I took legal advice from a number of sources. There may be some convention that I am not entitled to name sources — the Speaker seems to agree. Apparently, I am not allowed to name all my sources of legal advice. However, I reassure people that I have taken all legal advice from within the Department and within government. I will put it that way,

which probably captures who I am referring to. That legal advice is very consistent with what is or is not captured in the Bill as it stands. I touched on this during the Bill's previous stage, and I want to confirm that, even since then, I have checked and double-checked the legal authority. As a consequence, I give the House the further legal reassurance that the Deputy Chair of the Committee invited me to confirm. If necessary, that will act as a guide to the judiciary in its interpretation of the legislation in the event of judicial reviews on the far side of the Bill becoming law.

I want to give reassurance about what the Bill means as we speak. Although there is a point at which you could have a process relying just on common law — there are four points of legal challenge on common law, which Mr Agnew referred to — I reassure the House that the legislation and its meaning as has been outlined to me capture those four points of common law.

### 1.30 pm

So, let me confirm the following as a consequence: clause 10(4) provides the capacity for judicial review in which the standard allegations of unreasonableness/irrationality may be raised. I think that part of the debate that Mr Allister and Mr Weir were having is that clause 10(4) captures the issues of unreasonableness and irrationality that Mr Agnew touched on in his opening contributions. I am told that there is consequently no need to refer expressly to any particular ground of challenge. The law deals with impropriety and failure of process, as again Mr Agnew outlined in his opening remarks. However, the advice that I have been given is that, when the law as it is drafted goes before a court in the event of a judicial review, unreasonableness and irrationality are captured by the legislation. So, I want to give that reassurance.

The second issue concerns whether, where convention rights are concerned, there is any consequence of the law as drafted in a judicial review. I indicated this at an earlier stage, and I have checked and rechecked it since the Consideration Stage of the Bill, so I confirm that DOE, as with any Department, may not, by virtue of section 24(1) of the Northern Ireland Act 1998, carry out any act that is incompatible with any of the convention rights or Community law. Therefore, in my view, the argument on incompatibility with convention rights is rebutted. That is because, although the relevant sections in the Northern Ireland Act gave expression to the will of the people of Ireland through the Good Friday Agreement, you are not able to carry out any act that is incompatible with any of the convention rights or Community law. So, I want to give that reassurance to the House and to Mr Agnew in particular.

A further point was raised about compatibility with the Aarhus convention. I want to give further reassurance and place it on record that clauses 10 and 11 are compatible with the convention as they afford members of the public access to the courts to challenge the marine plan or any amendment thereto on the basis that the document is not within the appropriate powers or that a procedural requirement has not been complied with. Further, where an application for a judicial review or statutory review of a decision, act or omission that is subject to the Aarhus convention's provisions is made to the High Court after 15 April — this is relevant to the point — there could be a

situation where third-party organisations go to court for judicial review, or tempted not to go to a court or restricted in going to court because of the costs.

I want to confirm that the relevant cost regulations that came into force on 15 April, which the Department of Justice (DOJ) took forward, fix the cost that the High Court may award against applicants and respondents in Aarhous convention cases. In general, the caps are £5,000 where the applicant is an individual and £10,000 where the applicant is a legal person or an individual applying in the name of a legal entity or unincorporated association. Therefore, as previously, I am affirmed in my view that, where issues of judicial review are concerned that are the subject of amendment Nos 1, 2, 3 and 4, I am satisfied that I can give again today the reassurance that I gave. I hope that that will settle some of the worst fears and concerns that Members or people outside the Chamber might have.

Amendment No 2 seeks to define in part what is covered by “person” so that it includes “a natural or legal person” and

*“a non-governmental organisation promoting environmental protection.”*

I reconfirmed my legal advice, and a “person aggrieved” may include non-governmental organisations and community groups. According to section 37 of the Interpretation Act (Northern Ireland) 1954, which gives expression to what a “person aggrieved” may mean, a “person” may include individuals, bodies corporate and unincorporated bodies. In that regard, I confirm that “person” is not narrowly defined, is an inclusive concept and would clearly capture the third-party organisations that are the ambition of amendment No 2 to capture. I am pleased to give that reassurance to the Member.

I do not intend to comment on amendment Nos 3 and 4, as they are consequential to amendment No 1 being made. In those circumstances, however, I ask that Members accept that those amendments are not necessary and that I accordingly oppose them.

Amendment Nos 5, 6 and 7 relate to the general duties of public authorities in relation to MCZs. The amendments were withdrawn on the previous occasion, so there has been more substantial debate at Further Consideration Stage today. I indicated on the previous occasion that I would look closely at the amendments’ intention. Indeed, I had some conversation with Mr Agnew in that regard.

I will deal with the substantial points in amendment No 5, which proposes to insert new subsection (8A)(a), (b) and (c) into clause 22. The first deals with the issue that a public authority:

*“should only proceed with the act if it is satisfied that—*

*(a) there is no other means of proceeding with the act which would create a substantially lower risk of hindering the achievement of conservation objectives stated for the MCZ”.*

That is to amend the relevant clause in the Bill, which states that a public authority, in its duties to an MCZ, has to ensure that it:

*“exercise its functions in a manner which furthers those objectives, exercise them in the manner which the authority considers least hinders the achievement of those objectives.”*

It is certainly arguable that the standard of the Bill, in which “least hinders” is the duty on the public authority, is a higher standard than that proposed in the amendment, which states that the public authority has to act in a way:

*“which would create a substantially lower risk of hindering the achievement of conservation objectives stated for the MCZ”.*

In the relevant words in the clause as drafted and in the amendment as outlined on the Marshalled List, the question is whether the standard of “least hinders” is lower or higher than “substantially lower risk of hindering”. It is my view that “least hinders” places a higher standard on a public authority than one that is of “substantially lower risk”, because “least” is a higher threshold than “substantially lower risk”. Consequently, I have an issue with amendment No 5.

The second reason that I have an issue with the amendment is technical, and technical is not necessarily the best response to amendments to Bills that clearly have an overall ambition to do more to protect a public asset such as the marine environment. I have some issues with the amendment’s technical integrity, and I use that word advisedly. The standards in the amendment, as outlined by the proposer:

*“substantially lower risk of hindering”;*

*“clearly outweighs the risk of damage”;*

and,

*“measures of equivalent environmental benefit”,*

are very substantial. I do not deny that. They would have been better placed earlier in clause 22. In any case, the body of the amendment, as outlined by Mr Agnew, has all sorts of consequences for other parts of the Bill in a way that could lead to — and this was touched upon by other Members in their contributions — levels of inconsistency and confusion in the conduct of the Bill.

Therefore, although I understand the sentiment and, as I have indicated, have sympathy with some of the amendment’s sentiments, I do not feel sympathetic towards it when taken in its totality with respect to drafting, the consequences for the Bill overall, and the risk of creating confusion and uncertainty as to the Bill’s intentions.

That is also the legal advice that I have received. The advice that I have received from a number of sources — again, without naming them — suggests to me that there is tension between the intention of the amendment and that which is already in the Bill. We have to ensure that we try to legislate for good law, not for confusing law, and that we create certainty and avoid doubt. We need to be careful about the consequences of that amendment in its totality.

My third problem with amendment No 5, as outlined, is less of a problem than it is an issue with my understanding of how this is all going to work. It was touched upon by Mr Boylan in his contribution. What will be the public authority’s responsibility? Will it have a fairly casual, laissez-faire, approach to its obligations under the marine plan, such that it would get to a point in time where something that it might intend to do is so controversial, risky and damaging that it might do it? In that regard, I do

not think so. That is why I have an issue with subsection (b) of the amendment.

If one looks at clauses 22, 23, 24 and 25 of the Bill, as amended, they outline arguably the most rigorous process with regard to obligations on public authorities that arises from primary statute. There are many instances in law and in this jurisdiction when public authorities have to follow certain processes in respect of their functions and statutory obligations. We could all talk at some length about that.

Later, I will touch on Mr Boylan's question about what the process will be on MCZs and whether it will be rigorous and exhaustive. I say to the Member that it is arguable that what is now in the body of the Bill regarding the duties of public authorities on MCZs — the process outlined in clause 22 and subsequent clauses — is so exhaustive that public authorities will have to be very disciplined in any actions that they may want to take with regard to a MCZ that would mitigate the risks that, clearly, the Member has tried to capture in his amendment.

By my reading of it, a public authority, in its general duties in respect of MCZs, has to go through a maze and jump over four or five hurdles — if that is not mixing my metaphors — in order to ensure that it complies with its general duties. Similarly, it has to jump five different hurdles before it can get to the point of making a decision about activities capable of affecting a particular feature of an MCZ. In that regard, as clause 24 outlines, the Department not only has a power but a duty.

#### 1.45 pm

There is a difference between a power and a duty, which the Finance Minister seemed to forget last week in respect of his decision on the flying of the Union flag on public buildings. He has a duty, arising from the Flags Order 2000, to fly the Union flag on some buildings on designated days. He has a power to designate other buildings on which it is flown. In his exercise of that power in respect of Goodwood House, he should have followed good process and had conversations with people, including me. It may or may not have been a satisfactory conversation, but there was not one. So there is a difference between a power and a duty but, under clause 24 of the Marine Bill, the Department has a power and a duty to give advice or guidance to public authorities in respect of MCZs. It specifies the issues on which advice and guidance may be given. Clause 25 goes even further. The explanatory and financial memorandum states:

*"This clause enables the Department to obtain an explanation if it thinks a public authority has failed to exercise its functions to further ... the conservation objectives".*

That clause has effect even when the public authority did not initially request the advice or guidance. Therefore, not only do we have the hurdles in respect of the obligations of public authorities, and not only can we give advice and guidance, but the Department even has powers to obtain an explanation when the public authority did not initially request advice or guidance. When you take the Bill in its totality in respect of the general duties that fall to public authorities in relation to MCZs and the particular duties in relation to certain decisions, you see that there is a

rigorous process that captures the sentiment of what is in proposed subsection (8A)(b).

I understand Mr Agnew's point — he will come back on this when he makes his winding-up speech — about stating in statute that an authority should proceed with an activity only if:

*"the benefit to the public of proceeding with the act clearly outweighs the risk of damage".*

He believes that that is better than the process I outlined because it creates more certainty and has more legal authority, and people will, therefore, think that they are more obliged to follow it. However, in my view, clauses 22 to 25 provide such a rigorous, disciplined and demanding process that the scenario that Mr Agnew articulated in respect of decisions that a public authority might want to take is not realistic, because a public authority clearly would not act in a way that would carry that level of risk.

I note that proposed subsection (8A)(c) states:

*"the authority will undertake ... measures of equivalent environmental benefit to the damage which the act will or is likely to have in or on the MCZ."*

Again, I very much understand the principle behind that. When it comes to a public authority having responsibility for taking certain decisions or actions in respect of an MCZ, my judgement is that you would then have to say to them that, as a consequence, they would have to give with one hand and take away with the other. I understand and have some sympathy with that principle. Although it is not quite the same, there is a similar principle in wider environmental law: let the polluter pay. If you do damage, you have to pay for the mitigation or restoration of that damage. I have sympathy with that sentiment and principle, which is elsewhere in public law. However, in my view, as we work through the Marine Bill, to have a principle that where the public authority takes certain measures, you then have to undertake compensating measures of equivalent environmental benefit to the damage is, at this stage, overreaching.

**Mr Agnew:** I thank the Minister for giving way. I make the point that it is "may" rather than "must" in the amendment. That recognises the fact that it will not be possible to do in all circumstances. Just to be clear, it is "may" rather than "must".

**Mr Attwood:** I note the point, but even if I have some sympathy with the sentiment, my concern in respect of paragraph (a) is that there is a danger that a lower standard rather than a higher standard may be introduced into the Bill. Given the rigour of the process that public authorities have to go through in their duties generally and in respect of decisions that may affect an MCZ, I am not minded to support that amendment for those broader reasons.

I will deal with amendment No 8. Paragraph (b) replicates a clause that is already in the Bill, so I do not have any particular comment to make around that. I do have some issues in respect of paragraph (a). My difficulties are as follows. The first difficulty, as was touched upon by Mr Weir, is that a consequence of amending clause 25 to include paragraph (a) is the creation of a criminal offence that would fall to public authorities. "Public authorities" as outlined here, and as indicated by the Member, is

an inclusive and broad concept. As Mr Weir indicated, Departments, which act further to the Crown, cannot be captured by law in that way. Consequently, while again I understand the sentiment, to legislate in this way would be bad law, because it would capture Departments that cannot be captured in that way.

The remedy for Departments is by way of judicial review, on the far side of which a court might render a decision by a Department unlawful. There is not a Minister in this Government who has not been there or who will not be there soon, one way or the other. So, there is a problem in the first instance, in that the scope of the amendment is outwith convention, practice and law, because public authorities cannot be captured in that way. District councils could be; a point made, I think, in an earlier exchange. However, a public authority — being Northern Ireland Departments as included in the Bill's definition of a public authority — cannot be held criminally liable. Consequently, on that ground alone, that amendment would, in my view, fail.

In any case, the Bill already places a statutory duty on all public authorities, including Departments, to exercise their functions to further the conservation objectives of an MCZ. Those duties must be exercised in accordance with the requirements of public law. Failure to do so would leave the offender vulnerable to challenge by judicial review. Whilst I have sympathy with the sentiment, the amendment is legally and practically fatally flawed, and consequently I must decline to accept it.

I will deal very briefly with a number of points made by other Members. Mr Boylan made a very fair point. The entire Bill is shaped to maximise the input into the marine plan and the MCZ designation process. As I indicated at the previous stage, the process to get this far has been, in my view, one of the more inclusive, comprehensive and exhaustive ones. I like to think that those three standards would inform how the marine plan and MCZ designation are taken forward.

Those are warm words unless you have the firm evidence that that is how things will be managed.

Work on this is already going forward because, as I have indicated, Strangford lough is likely to be the first MCZ and there may be a potential second MCZ up in Rathlin because of the quality of sponge life on the sea bed, which acts as an incubator for various forms of fish life. After Royal Assent, the Department will consult on draft guidance on designating MCZs in order to ensure that our guidance is comprehensive and captures what needs to be captured in designation. The draft guidance will set out how the Department intends to approach the selection designations of MCZs under Part 3 of the Bill. It will set out the factors that the Department considers important in the selection process, including economic, social and cultural factors, which was as a result of an amendment that came from the Committee regarding the use of the word "cultural". As I indicated, the island fishermen have identified a potential site that they might be happy to have designated as a no-take zone, which is a win-win. It is a win for the fishermen, a win for the fish life and a win for the protection of the marine environment on that part of Rathlin.

Clearly, the process of designation has to be informed not just by the views of all the relevant stakeholders, to

borrow that phrase, but by the best science. In that regard, the best science is the 2011 'State of the Seas Report', ongoing survey work undertaken by the DOE since 2006 and other scientific work undertaken since the 1980s by the Ulster Museum. Further survey work is being undertaken by scientific staff in the NIEA, and it is clear that there will have to be further science and research undertaken to ensure that, as we move to the point of designation of an MCZ, whether we are taking a light-touch or a maximalist approach, best science informs our decisions and it is not made up as we go along. Clearly, the ambition of the MCZ is part of creating a coherent network of protected sites in our marine environment, and we will clearly focus initially on protecting threatened, rare or declining species or habitats.

I think I have touched on most of the points raised in the debate. We should all acknowledge the work of Mr Agnew in proposing the amendments. He is not a member of the Committee — more's the pity — which means that he has not been in a position to make these arguments as fully as he might have. Clearly, some of the marine stakeholders will have made these arguments very fully in Committee heretofore. We have to acknowledge that there are clearly good intentions and ambitions behind the amendments, and they have helped inform Further Consideration Stage, but, as has been outlined by other Members, understanding the ambition and agreeing with the content are different.

## 2.00 pm

**Mr Agnew:** I thank the Speaker and Members for the tone of the debate in considering my amendments. It has largely been respectful, and I think most Members have played the ball and not the man, which I thank them for.

A general point has been made that, given that the first some Members knew of the amendments was when they were tabled for Further Consideration Stage, although there is sympathy with the intent, there may not always have been enough certainty and clarity around them. Indeed, perhaps if some amendments had been worded differently, they would have been considered further. A certain amount of that relates to the process we have here and raises a question around whether we have sufficient time between deadlines for submission of amendments and consideration of them. However, I am sure that, if we had more time between those two stages, there would be criticisms that there was too much time and amendments would come forward that could not be submitted if there was too long between the deadline and the debate. I am sure that the Bill Office would be pushed in that regard. So, there is no perfect system, and I am certainly not going to stand up and say that it is the system's fault.

I suppose that another argument is that, had those amendments come forward sooner at Committee Stage, greater consideration could have been given to them. You could argue that that is a good argument for having more Green Party MLAs so that we can be on all the Committees. As Members will be aware, I do not sit on the Environment Committee, but I take a keen interest in it while sitting on the Committee for Enterprise, Trade and Investment. I commit to Members today that I will try to return after the next election with more Green Party MLAs to contribute to more legislation at Committee Stage. I am sure that Members will be pleased to hear that.

The Green Party submitted a response to the Committee's consultation on the Bill. It is probably unusual for a political party to do that, as you have the opportunity to make your arguments at Consideration Stage and Further Consideration Stage. However, we wanted to inform the debate. I will be candid in saying that this has been a learning process for me as an MLA and for my party more broadly in how we seek to influence when we are not represented, say, on a Committee. I noted that the Chair suggested to the Committee that the Green Party should make an oral presentation. Unfortunately, that was rejected, and I think that it was argued that the place for the Green Party to do that was in the Chamber. However, had we been afforded that opportunity, perhaps we would have had more time to consider the amendments. As I said, it is something that my party and I will consider in the future for other legislation. It has been a learning experience, and we will take learning from it.

Amendment Nos 1, 3 and 4 deal with the introduction of the extra element of grounds for judicial review. I appreciate the Minister's clarification that the advice that he has been given is that the two subsections would allow for the full scope of judicial review. I do not have access to his advice, and he was candid enough about the restrictions that he has on where that advice came from and its nature. He made it clear that his advice is that my concerns, while they may be genuine, are unfounded. However, I reread the clause after Consideration Stage and that is still not my interpretation. I accept that I am not a legal expert and that I do not have access to the legal expertise that the Minister would have, but, no matter how many times I read the clause, although I maybe accept the point around convention rights, irrationality seems to be missing. I will say no more than that, because, without getting a team of lawyers into the room, we will not get a definitive answer. I accept the Minister's statement, and I appreciate that he has put on the record the intention of the Bill as well as its wording. That is certainly helpful. In that regard, I am glad that I tabled the amendments to get that response. It may go some way to mitigate the concerns that I have.

Given that the will of the House is fairly clear on the amendments, I will come to some specific points made on them. Mr Weir and Mr Allister, in their exchange, interrogated as well as I could the term "irrationality" and its meaning in law. My understanding of it and the advice that I have been given is that it is a fairly clear term with a legal background. Wednesbury unreasonableness was referred to, and I think that "irrationality" is the best and most appropriate word. I put that to the House, including Mr Weir, who raised the issue, and I hope that it clarifies the point.

Although, I think, Mr Hamilton, the Deputy Chair, was speaking as a DUP Member at the time, he referred to perhaps doing things differently from the rest of the UK with regard to judicial reviews. That argument confuses me. I ask why the Member did not come forward with an amendment for a marine management organisation (MMO) such as they have in GB. It is an argument that sometimes seems to work in our favour and one that we do not always want to move from. Unless there is really good reason to do so, I am never completely convinced that we should say, "Let's not deviate from another jurisdiction". If there are good grounds not to do that, that is fine, but, in and of itself, it is not a strong argument for not doing things our way.

Other Members commented on the amendments throughout the debate, and I am just trying to check through those. We have had a lot of debate about whether we should be explicit, what is implicit in the Bill and how the Bill will be interpreted, and I remain unconvinced after hearing the Minister. Although some of my concerns have been allayed to some extent, I remain unconvinced that we need an explicit provision for judicial review. That is still my position. I accept that it appears not to have been a big issue for the Committee, so maybe that is why the case was put late. However, that is still where I stand on it.

The one further point that I would make about amendment No 2 and being explicit about environmental NGOs is that, while it is clear that "persons" could indeed refer to a corporate body — the Minister has been very clear about that — and other advice given to me is that it would not be uncommon to interpret the law in that way, I have some concerns about the "aggrieved" issue. An environmental NGO may not be directly aggrieved, and the Bill creates a higher test for an NGO to say that it has been aggrieved. That is why the subsection in the amendment was necessary: to make it explicit that, although you may not be directly impacted on by an act or a document, the work in which environmental NGOs are engaged and what they seek to achieve may be. I thought it important to put forward the amendment. Again, I appreciate the Minister's clarification, and having that on the written record will, I think, be important to some environmental NGOs. I suppose that we will see, over time, how it is interpreted and whether there is such a restriction. I do not think that environmental NGOs are queuing up to take judicial reviews. Notwithstanding the point that the Minister made about the cap on costs, judicial review should always be a last resort. Indeed, I think that it is a last resort for NGOs and, more broadly, for other bodies. It is an expensive and difficult process that would not normally be taken lightly. Equally, that is why I feel that the scope for judicial view should not be narrowed. The significant financial and other hurdles are sufficient to limit judicial review to cases where it is felt necessary to go down that line.

The debate on amendment No 5 and the subsequent amendments has been helpful. I accept what the Minister and some others said about proposed subsection (8A) (a) in amendment No 5 being replicated to some extent at an earlier point in the Bill. In fact, as the Minister would point out, the Bill goes further. If I had been able to discuss that possible amendment at an earlier stage, I might have drafted it differently. However, I see proposed subsections (8A)(b) and (c) as adding to the Bill where a duty on public authorities is concerned, because I see them as putting in necessary protections. Indeed, when Mr Hamilton talked about my intentions, he spoke about them quite well when referring to the work that would be put into creating an MCZ and, indeed, into creating the legislation to allow MCZs to be established. That gets to the crux of what I was trying to achieve, which was to say that Departments should not run roughshod over MCZs. I apologise to the Minister for that term; I know that there is more in the Bill to ensure that that does not happen. Key to it was the public interest defence and putting that in the Bill so that it is clear that, given the importance of MCZs to achieving the objective of good environmental status, the only time you should hinder their conservation objectives is when there is a wider public interest for doing so. That is a pretty good principle for any environmental legislation. It is unfortunate



that it is not explicit in the Bill, and it would appear that it is not going to be explicit in the Bill. I accept the Minister's views that, taken as a totality, it is certainly implicit in the Bill, but that public interest test is an important one.

Although I accept some of the points about the compensatory measures providing benefit elsewhere, I think it was "may, where practical". I sent a letter to the Minister on a recent issue to do with a tree preservation order (TPO). As the Minister will be aware, it can be the case with TPOs that, for management reasons or for reasons related to the health or condition of the tree, you will cut down trees under a TPO, or the Department may require equal benefit elsewhere to be provided. Again, that is a good principle that should be applied to public authorities as well as to private individuals. That was the rationale of the amendment.

Finally, I move on to amendment No 8. Again, I accept some of the points that the Minister and Mrs Kelly made about the ability of the House to put in a Bill provisions for the imposition of penalties on public authorities that would be broad in definition. Again, it would have been beneficial to discuss some of these things at Committee Stage or earlier in the process. We have existing environmental legislation — the Environment Order, which I referred to — that has a similar provision. So, I will take away from today's debate as a learning experience how that is applied and interpreted in law and, if it has been beneficial, what benefit there has been from its being there. It is in existing legislation, and I accept that that in itself is not a strong enough argument to replicate it. However, that is why I will go back and see whether the provision has been beneficial, because then, in future, I can look again at whether I would want to cite that legislation as good legislation or not. Given the concerns that have been raised, I will look at the legislation with those concerns in mind to see whether those who drafted it got it wrong or whether my reliance on it in tabling the amendment was sound.

## 2.15 pm

I will now turn to Mr Weir's point, because I said that I would get back to him. On amendment No 8, he raised a concern that there was no limit on penalties imposed on indictment. My understanding is that it is not common in law to do so. If I have got the term right, it is "at large", and it is not common in that regard.

I accept his point. Reading the amendment, I can see that that may have been a genuine concern, but my understanding is that being specific and proposing a limit in the amendment would have been outside of what is common practice and, indeed, seen as good legal practice. To answer briefly his query, that is the advice that I have been given. Subject to receiving any stronger advice, that is where I am on it, but I suppose that I will make this point and be candid about it: the amendment was largely taken from wording in the Environment Order 2002, to which I have already referred. I thank the Member for his point.

**Mr Weir:** The Member has highlighted the issue of indictable fines, but it is also not common legal practice for one public authority essentially to take criminal action against another public authority and try to fine it. Will the Member also deal with what is essentially a circular flow of money within government?

**Mr Agnew:** I was coming to that, because that comment was made by a number of Members. Ultimately, why do we have penalties in law at all? They are there to act as a deterrent. The penalty is included in the hope that it will not be used. I do not want to see the conservation objectives for an MCZ hindered, nor do I want public authorities act against those objectives, but is there sufficient disincentive in the Bill as it stands? The Minister talked about powers and responsibilities, and, although there are sufficient responsibilities placed on Departments, what happens when public authorities act outside those responsibilities? Judicial review, which the Minister mentioned, is always a legal avenue that is open, but, as I said, it is a last resort. The fine mechanism is a relatively quick-acting disincentive against public authority breaches to put in a Bill, but I accept some of the Minister and Mrs Kelly's points about the amendment, which, as I said, was to some extent lifted from existing legislation. I will look at that again for my own learning as much as anything else but also because there is existing legislation on which the amendment is based. The comments made by the Minister and Mrs Kelly suggest that the amendment may be flawed. I think that the Minister said that it was a fatally flawed amendment. I am worried, therefore, that we are using fatally flawed legislation for the protection of ASSIs. That concerns me, and I will go back and look at that.

I apologise if I have not covered all Members' points. I hope that I have touched on the main ones and given my rationale. In conclusion, I reiterate my party's support for the Bill as a necessary piece of legislation. As I said in my opening remarks and as the Minister said, it is legislation that will help us to achieve the objective of good environmental status for our marine area. That is an important objective, because it is required by Europe. It should also be an objective that we all share in managing a sustainable environment for generations to come, showing good environmental governance and seeking to right some of our mistakes of the past, which may have been made either in ignorance or in the context of a lack of regulation and good joined-up governance of our marine area. I welcome the fact that we are going a long way towards putting that right. The Bill will not be everything that I hoped it would be, but it goes a good deal along the way towards achieving what were my party's objectives when we put forward our comments and amendments. I welcome the fact that we have got to this stage of the Bill. I welcome today's discussion and thank Members for their consideration.

**Mr Speaker:** Order. As Question Time will commence at 2.30 pm, I suggest that the House takes its ease until then. The Questions on the amendments will be taken after Question Time.

*The debate stood suspended.*

2.30 pm

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

## Oral Answers to Questions

### Employment and Learning

**Mr Principal Deputy Speaker:** Questions 7, 13 and 15 have been withdrawn, and written answers are required.

#### Students: Scottish Universities

1. **Mrs D Kelly** asked the Minister for Employment and Learning what discussions he has had with his Scottish counterpart on Irish passport holders' access to student funding. (AQO 3998/11-15)

**Dr Farry (The Minister for Employment and Learning):** I have been in contact with Mike Russell, Cabinet Secretary for Education and Lifelong Learning in Scotland, and there have been a number of meetings between our officials at which the issue has been discussed. I stress that eligibility for European Union tuition fee status at Scottish universities is a policy matter for the Scottish Government and the higher education institutions in Scotland.

The Scottish Government have determined that it is the responsibility of each Scottish university to make a decision on a student's eligibility for the European Union rate of tuition fees by applying residency guidelines produced by the Scottish Government. Prior to that, presentation of an Irish passport was sufficient for a Northern Ireland-domiciled student to be eligible for European Union fee status in Scotland. However, from academic year 2013-14, the Scottish universities will independently seek to establish whether an applicant has exercised a right of residence elsewhere in the European Economic Area or Switzerland. I stress again that this is a matter solely for the Scottish Government.

**Mrs D Kelly:** I thank the Minister for that information. Minister, do you have any idea of the numbers involved? This is something that is coming across in a number of our constituency offices — the numbers of young people involved and how they might be assisted in establishing the criteria with each university. Is there going to be a uniformity of approach by the Scottish universities, for example, and can you, as Minister, make any representation on their behalf?

**Dr Farry:** I understand Members' eagerness, especially when they are dealing with constituents, to urge the Department and me to intervene in the matter, but I stress that it is as much a matter for the Scottish authorities as our own system is for us, and we need to respect each other's responsibilities. All that we can do is recommend that any students who wish to avail themselves of what they perceive to be an opportunity should take their own independent counsel from the Scottish authorities directly and make their own judgement based on that. Unfortunately, we cannot be more helpful than that, and it would actually be counterproductive to go further.

**Mr McElduff:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. In the spirit of east-west and

North/South student mobility being increased, can the Minister give us an update on any dealings with Minister Ruairi Quinn to remove the remaining obstacles to North/South mobility at undergraduate level?

**Dr Farry:** I thank Mr McElduff for his question. My officials have had a very detailed discussion with their counterparts in the Department of Education and Skills in the Republic of Ireland in recent days, and I hope to see Mr Quinn on Wednesday evening at the University of Leuven in Belgium on the margins of the European Council. I will certainly take the opportunity to once again press him on the issues that the Member has referred to.

**Mrs Overend:** Can the Minister outline the effect of this access to student finance issue on the number of students from Northern Ireland going to Scottish universities?

**Dr Farry:** We do not have the formal figures just yet, but, anecdotally, there was an increase in interest, especially last summer, when this came to light. One would anticipate that there perhaps has been an increase in applications to Scotland, but we will be able to confirm that in due course. It is important to stress that it is for each individual student to make their own decisions in full understanding of the opportunities and the risks involved in taking that course of action.

**Mr Lyttle:** What impact has the decision to freeze tuition fees in Northern Ireland had on university applications and student flows within these islands?

**Dr Farry:** Again, we are in fairly early days in this regard in that we have had only a year and a bit of formal information. We have seen that our decision in Northern Ireland to freeze tuition fees for our own local students has had a beneficial impact and that the number of applications to local universities has been more or less maintained while applications elsewhere in these islands have seemed to drop off to some extent. Those are the initial figures, and, in the medium term, we may see a stabilisation in application figures. The evidence to date suggests that our decision locally has certainly had a major impact on people's decision to go on to higher education. We want to see people progress in that manner in this society because it is important that we invest in the skills of our young people for the good of our economy.

#### Recruitment Agencies

2. **Mr Hilditch** asked the Minister for Employment and Learning how many recruitment agencies are currently in operation. (AQO 3999/11-15)

**Dr Farry:** My Department's employment agency inspectorate estimates that there are approximately 210 recruitment agencies in operation in Northern Ireland. However, recruitment agencies are not required to register with the Department. The figure, therefore, is only an estimate, albeit one that has been informed by our ongoing programme of inspections.

**Mr Hilditch:** The Minister will be aware of my ongoing interest in what is sometimes the plight of the agency worker. Minister, with the expansion of agency employment, are you content that regulation is robust enough in the interests of the agency employee?

**Dr Farry:** The Member will be aware that we had the agency workers directive transposed in Northern Ireland

in 2011. That increases considerably the protection that is provided to agency workers. It also has a 12-week derogation for the start of certain aspects of the directive. That was negotiated at a UK-wide level between the social partners, namely the Confederation of British Industry (CBI) and the Trades Union Congress (TUC). That is beneficial to Northern Ireland in creating some flexibility in our own market. We are having a review of aspects of the agency workers regulations, and I am also happy to look at the wider issue regarding inspection over the next number of months.

**Mr P Ramsey:** What safeguards are in place to ensure that, when recruitment agencies are advertising for posts such as social workers and nurses, they are not advertising at a significantly lower salary? In fact, many of them are advertised at the minimum wage.

**Dr Farry:** I understand the concerns that Mr Ramsey is voicing. Unfortunately, as a Department, we do not have the locus to intervene in the specific way that he suggests. There is, of course, protection through the national minimum wage, which applies in all respects. I certainly understand the concern that is being voiced in this regard, but it is one aspect of the many to do with the balance of flexibilities in our market that we wish to find in Northern Ireland. Clearly, from a business point of view, there are arguments about increased flexibility. Others take a different view on protection for employment rights and the interests of employees, and it is important that we reach our own decisions about what is in the best interests of our economy overall.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister give us an assurance that, as part of the ongoing process to bring in the Steps 2 Success scheme, no recruitment agency will be paid twice for finding a young person a job through that scheme?

**Dr Farry:** As the Member is aware, we are finalising our policy on that. Hopefully, I will be coming to the House in the next number of weeks to formally announce the way forward on Steps 2 Success. This has been informed by a wide-ranging consultation with the public and, indeed, by a very detailed engagement with the Committee. All those issues, including the one that the Member raised, will be taken into account for the final design. We will certainly look to ensure that there are safeguards in the manner that the Member requests.

**Mr Beggs:** The Minister indicated that there are some 210 recruitment agencies and that there are others that do not even make themselves known to the Department. So, can he advise us how he is proactively working to ensure that agency staff who are being recruited are fully aware of their employment rights under the 2011 legislation to ensure that they receive comparable rates of pay, to which they are entitled?

**Dr Farry:** I thank the Member for his question. That is something that we will capture as part of the review of the agency workers regulations. However, the point that he makes is one that you could make for all employees. There is an ongoing need to inform all workers, whether permanent staff or agency workers, of their employment rights. Indeed, I highlight the Labour Relations Agency as a useful source of advice to people.

## Universities: Protestant Students

3. **Mr Dunne** asked the Minister for Employment and Learning what action he is taking to make Protestant students feel more welcome and included in local universities and student unions. (AQO 4000/11-15)

**Dr Farry:** A number of studies have challenged previously-held perceptions that there was a chill factor for Protestants in Northern Ireland's higher education institutions. In 2008, my Department published a research report on participation in higher education, which indicated that there were very few negative perceptions of Northern Ireland's institutions among school leavers. Most respondents reported that institutions were very welcoming to all groups with respect to religion, disability, ethnicity and socio-economic status. I am delighted that our universities and further education colleges offer a genuine option for integrated education.

Participation in higher education by the Protestant section of the community is in line with Protestant representation in the school-leaving population. Each year, slightly higher numbers of Protestant students choose to study at institutions in Great Britain. Predominantly, those opting for a university in Great Britain do so not because of any perceived chill factor at home but because they believe that their preferred university is the best place to study their chosen subject or they wish to take the opportunity to study away from home.

Generally, there is no under-representation of Protestants in higher education. However, Access to Success, my Department's strategy for widening participation in higher education, identified young Protestant males from areas of deprivation as being among the under-represented groups. The key to increasing the uptake of university places from the Protestant working-class community is to raise aspirations and attainment levels while young people are still at school. Although that is primarily an issue for the Department of Education (DE) and the school sector, my Department provides funding that allows the universities to raise aspirations and attainment levels in non-selective schools in disadvantaged areas with traditionally low levels of participation in higher education. Additional initiatives to raise aspirations and attainment among under-represented groups will be developed in the new strategy.

**Mr Dunne:** I thank the Minister for his answer. However, there are genuine concerns among unionist students about equality of opportunity. One example of that is the display of Irish-language signage within the Coleraine university students' union. Will the Minister outline his views on that? What actions will he take to address the issue?

**Dr Farry:** I am opposed to any actions, in any of our colleges or universities, that would create a chill factor. That said, you should not automatically jump to the conclusion that the erection of an Irish-language sign in a students' union will lead to that. Those matters are, of course, for the universities and the students' unions to address.

I want to stress the point that there is no hard, solid evidence of a chill factor within our universities. We should be very proud of them, in that, in this still-divided society, our universities alongside our colleges offer a genuinely integrated form of education at the tertiary level.

We should celebrate that rather than undermining it by whipping up tensions in the system when they do not exist.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Given that the question relates directly to universities and students' unions in particular, will the Minister give us his response to the overwhelming rejection by students at Queen's University, in a referendum last week, of the outsourcing of students' union jobs to private companies? Some 97% of the students took part in the referendum.

**Dr Farry:** The Member has rather diverted us from the subject of the question. However, I will say this: that is not a matter for me to intervene on; it is an issue for the universities themselves to manage. It is important to remind ourselves that the universities are not non-departmental public bodies; they are autonomous institutions, albeit heavily funded by the public sector. They do not, however, receive the majority of their funding from the public sector. Universities have to manage those issues.

## 2.45 pm

It is also important to remember that, within Northern Ireland's current Budget, all publicly funded bodies have to meet savings targets. I appreciate that some Members may disagree with Queen's University's actions, which is their right. Ultimately, the universities must make decisions themselves. As the Minister, it is not my place to seek to micromanage what happens.

**Mr Dallat:** I thank the Minister for his answer and particularly for clearing up the myth, once and for all, that there is a chill factor for young Protestants attending universities in Northern Ireland. What steps will the Minister now take to stop the rumours, which do a disservice to those from the Protestant community who may be put off by the rumours that are constantly peddled by Members on the Benches opposite?

**Dr Farry:** It is incumbent on all of us, including me, to talk up the fact that our universities are genuinely shared and integrated facilities and to encourage people from all backgrounds that they can attend such institutions without any fear for their safety or of their identity being disrespected.

It is important to recognise that there is under-representation of young Protestant males from deprived areas. That under-representation is not based on a perceived chill factor in the institutions but is a feature of lack of attainment and aspiration. The widening access strategy seeks to address that issue.

## Economic Inactivity

4. **Ms McCorley** asked the Minister for Employment and Learning for an update on the Programme for Government 2011-15 commitment to develop a strategy to reduce economic inactivity through skills, training, incentives and job creation. (AQO 4001/11-15)

**Dr Farry:** Further to my statement to the Assembly last month on the outcomes of the baseline analysis of economic inactivity, my Department and the Department of Enterprise, Trade and Investment have continued to develop a draft strategy to tackle the high levels of economic inactivity in Northern Ireland.

Work is under way to take forward the recommendations of the baseline analysis, most notably on the expansion of the scope of the strategy to include other Departments and public bodies in its development and implementation. To date, the key addition to the interdepartmental working group has been the Department for Social Development (DSD); the expertise of officials from this Department will be crucial in addressing the barriers that prevent inactive individuals from finding work.

As the Member is aware, the baseline analysis highlighted two key inactive groups for the strategy to target: individuals with health conditions or disabilities that limit their ability to work; and individuals with family commitments, in particular lone parents who would be better off in work but are unable to make the transition into employment. Individuals in those groups are directly affected by the work of the Department for Social Development in tackling poverty and disadvantage, and are among the groups most in need of support to manage the upcoming changes to welfare. As such, I welcome the involvement of that Department in the development of the strategy.

A draft strategy will be presented to my Executive colleagues in the coming months for discussion and agreement. Following that, there will be a period in which the proposals can be informed by public consultation. The final strategy document will then be presented to the Executive for agreement, and measures designed to tackle inactivity will begin to be implemented by 2014.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. The Committee for Employment and Learning recently received a briefing on the strategy that the Minister spoke about, and I have been informed that it is light on proposals for job creation. Will the Minister comment on that?

**Dr Farry:** I am happy to clarify that. The Committee received a briefing on the baseline analysis, not the strategy itself, which is under development.

The baseline analysis gives us very clear information on what our current starting point would be. It is important that the Committee engages with that at a very early stage and begins to give my officials its ideas about and input into the emerging strategy.

Of course, the strategy is part of a much wider suite of policies and strategies by the Executive, virtually all of which have job creation at their heart. So, a lot is happening in job creation. The purpose of the economic inactivity strategy is to encourage people who are outside the labour market to move into that market and, in due course, into employment by addressing the employability skills and any barriers that prevent them from engaging with the labour market. It is not a job creation strategy per se, but it will interface with the other actions that the Executive are taking on that matter.

**Mr Campbell:** The Minister outlined what he termed the "baseline analysis" of economic activity. Will he give us an outline of the assumption of the number of people under his own youth employment scheme and under the scheme that the First Minister and deputy First Minister announced whom he anticipates would come under a combination of both schemes in, say, two years' time?

**Dr Farry:** Again, the Member moved away slightly from economic inactivity. I will address his two specific points in a moment. However, I think that it is useful for Members to see our current categories in three different ways. First, we have those who are in employment; secondly, we have those who are unemployed but actively seeking work; and, thirdly, there are those who are inactive and are, essentially, outside the labour market.

This strategy is aimed at addressing those who are outside our labour market. However, we are not simply looking to shift them into unemployment — in essence, to move them from one category to another without their actually being in work. Ultimately, through this scheme, we want to increase the economic participation rate in Northern Ireland, which is currently in the mid- to high-60% range. However, if we are to have a healthy competitive economy, it should be at least 70%. That would certainly be in line with the minimum standards that are set by the European Union.

The youth employment scheme is there to address young people who, if it were not for the current situation in our economy, should really be in work and who maybe just lack the experience to compete with more experienced workers for scarce opportunities. That scheme is being rolled out across Northern Ireland, and the numbers are building momentum as we go.

The announcement that was made last week is a much more far-reaching measure. I do not regard it as something that is a matter solely for my Department. It has its genesis in the Office of the First Minister and deputy First Minister (OFMDFM), and it is part of a very clear narrative about increasing contact among young people. So, it is primarily a community relations initiative. However, it clearly has an element that is aimed at encouraging people into meaningful activity.

I think that it is important that that forms part of a hierarchy of interventions, and that is there to address people who are most marginalised. Nevertheless, I should not undermine the existing work on the youth employment scheme, Training for Success, which is our current training programme that is available to all 16- to 18-year-olds, and the work that we are doing on apprenticeships and youth training. So, it should be complementary and fit into our wider structures.

**Mr Swann:** Unemployment is at its highest level since 1998, and youth unemployment is at its highest level since 1995. Your Department claims that it has exceeded the Programme for Government target by over 6,000 and that those people are no longer economically inactive. Will the Minister confirm whether that figure is realistic, whether it is real time, whether it is an achievement, or whether it is just a manipulation of the figures?

**Dr Farry:** I think that the Member and the Chair of the Committee is jumping ahead a little bit on to the issue in question 5 that deals with our targets for placing people into employment. So, it might be best if I respond at that point.

## Employment

5. **Ms Fearon** asked the Minister for Employment and Learning how many people moved from unemployment benefits into work during the 2012-13 financial year. (AQO 4002/11-15)

**Dr Farry:** I thank the Member for her question. Hopefully, my answer will formally address the issue that Mr Swann raised.

In the 2012-13 financial year, 38,871 people moved from unemployment into work. That is 29.6% above target for the year. The Programme for Government target for moving people from unemployment into work in the programme period — that is, from April 2011 to March 2015, and signed off in April 2012 — is 114,000. We are now two years into that period, so it is worth looking at progress against the target across the first two years. In total, my Department has helped 76,841 people move from unemployment into work against a two-year target of 65,000. We have, therefore, exceeded the two-year target by just over 18% and are well on course to exceed the four-year target.

Those figures indicate that there are jobs available and that people are finding those jobs in spite of the ongoing difficult economic conditions. I encourage all those who are claiming benefits and who wish to return to work to take advantage of the full range of programmes and services available through my Department's employment service.

There has never been a more comprehensive range of support available to help people to make the transition back to work. There are mainstream programmes such as Steps to Work, Pathways to Work and a suite of specialist programmes for people with disabilities offered by the Disability Employment Service. In the past year, I have also added the youth employment scheme, First Start and Step Ahead 50+. In addition, the schemes and initiatives funded under the umbrella of the not in education, employment or training strategy Pathways to Success are helping to address worklessness among young people. I encourage Members, in turn, to encourage their unemployed constituents to take full advantage of the support that is on offer. There should be something available to meet everyone's needs.

**Ms Fearon:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his answer. Is he fully satisfied with the performance to date? Does he intend to bring any policy changes to improve on it?

**Dr Farry:** It is difficult to say that you are satisfied with performance to date in the context of the current levels of unemployment. We can never be complacent in that regard, but the point of the figures and what we are showing is that there is considerable churn in the labour market.

We are not in a static situation. Jobs are being filled, and my employment service is actively helping people into work. We are seeing people coming off jobseeker's allowance and moving into employment. At the same time, other people are losing their jobs and moving on to the register of those who are unemployed. Therefore, we are seeing considerable movement in the job market. That should be encouraging, but we need to be cautious about overstating it. We are also seeing an increase in the number of vacancies that are being advertised, which is an encouraging sign.

I appreciate, and I think that this is where the Chair of the Committee is coming from, that, in the context of ongoing unemployment, saying that we are ahead of target in

placing people into work may sound to some people as being slightly counter-intuitive, but, to be clear, the targets are based on the performance of the employment service in actively moving people from unemployment into work. In that respect, yes, we are ahead of target. People seem to think that those targets were too low, but when we set them, we were criticised in the Assembly for setting unrealistic targets. I stress that the targets are an increase on the targets that were there in the previous Programme for Government period.

**Mr Byrne:** Will the Minister outline to the House what number or proportion of young people who have employment have gone into self-employment? What are his Department and Invest Northern Ireland doing to create young entrepreneurs who are anxious to start their own business?

**Dr Farry:** I do not have the precise figures available for Mr Byrne, but I am happy to write to him. It is worth stressing that my Department, the Department of my colleague the Minister of Enterprise, Trade and Investment, and Invest Northern Ireland are very keen to encourage young people to consider going into self-employment. If the Member thinks back to last autumn, when the Executive announced their job and economy initiative, the increase in support for enterprise allowances was one of the key themes.

Although self-employment will not be to everyone's taste, it is something that we need to encourage. As we look to a much more dynamic, private sector-based economy, it is something that we need to warmly embrace and encourage as many young people as possible to consider.

3.00 pm

## Enterprise, Trade and Investment

### US/Northern Ireland Investment Conference 2008

1. **Mr Lunn** asked the Minister of Enterprise, Trade and Investment for her assessment of the outcomes of the 2008 US/Northern Ireland investment conference. (AQO 4013/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** There is no doubt that the US/NI investment conference in May 2008 was an unqualified success. It was the largest delegation of senior US business executives to visit Northern Ireland and it gave us a tremendous platform to showcase our region as a great place in which to do business.

The most notable achievement in investment arising as a direct result of the 2008 conference was the announcement by NYSE Euronext project in October 2009, promoting an additional 325 jobs. In addition to securing first-time visits to Northern Ireland, the US/NI conference provided the opportunity to advance or accelerate a number of projects that were in the pipeline prior to the event; for example, projects involving Bombardier, B/E Aerospace and CyberSource.

Invest NI's US sales team continues to pursue and develop key accounts as a result of the May 2008 and October 2010 conferences.

**Mr Lunn:** I thank the Minister for her answer. How do the outcomes compare with the expectation of the targets set in 2008 and how will the lessons learned over those five years inform the next US/NI conference?

**Mrs Foster:** Our first US/NI investment conference was in May 2008 and the global recession kicked in around October/November 2008, so the progress that we made was substantial and was something that we should be proud of. Little did we know at that time that that was going to be the case. As I indicated, we have progressed a number of projects that were in the pipeline.

It is always difficult to assess how much longer such projects would have taken had we not had the US/NI investment conference. However, we can safely say that it had a major impact in bringing attention to Northern Ireland at that time and providing us with a platform to talk about the things that we intend to talk about when the G8 comes here in June, namely that this is a good place in which to do business, to work and to visit. We hope that we get those messages across.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra go nuige. I thank the Minister for her response. She touched on the G8 meeting in County Fermanagh. There are rumours that the Executive will try to showcase the North and use that to piggyback further economic investment here. What organisation has been put in place to facilitate that?

**Mrs Foster:** I can confirm to the Chair of the Committee that it is much more than a rumour. It is absolutely a fact that we will use the G8 summit to give us a platform, because there will be global attention on our little part of the world between 17 and 18 June, and before that, because a lot of journalists and delegations will have arrived. We had many delegations from the countries involved sending their ambassadors to see what it is all about in Northern Ireland and in County Fermanagh.

My Department, Invest Northern Ireland, the Executive Information Service, the Tourist Board, the Northern Ireland Office, No 10 and other partners, including Fermanagh District Council, have been developing proposals to maximise the opportunity. They are looking at short-term and longer-term benefits in particular to raise the profile of Northern Ireland, encourage investment, build trade links, create awareness, change perceptions, drive visitor numbers and stimulate that all important measure of civic pride.

I say to the Chair of my Committee that it is all about partnership and working together to make the most of that huge event. We saw how we worked together over a short period in the run-up to the Irish Open just last year. The announcement was in January, the event happened in June and through partnership working we made the most out of it. I hope that is what happens in Fermanagh in June.

**Mr Frew:** Would the Minister care to comment on the Barclays report on the benefits of the G8 summit?

**Mrs Foster:** The report is timely. I thank Barclays for putting it out before Question Time today. The report underlines what we have been talking about in connection with the G8, namely that it will have a significant impact on Fermanagh, of course, and across Northern Ireland. The

report estimates spend of £40 million, and media coverage worth £70 million of advertising in the shorter term, rising to a massive figure of half a billion pounds over a longer time frame. Those are very significant figures that have come not from my Department but from an independent report that was published today. Of course, we will do our own assessment after the event to establish exactly the actual benefits to Northern Ireland. However, as far as that report goes, it is a very welcome addition to the discussion.

**Mr Brady:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister outline what consideration has been given to facilitate, request or stimulate demand from councils to take part in specific trade missions where those councils have particular strengths that could be attractive to potential investors?

**Mrs Foster:** If the Member is asking how we will try to facilitate councils right across Northern Ireland, I very much welcome them coming forward to Invest Northern Ireland with particular ideas for their own areas. Indeed, I have encouraged that as I have gone around Northern Ireland. Some councils have taken up that opportunity and have put forward their own propositions to Invest Northern Ireland.

I encourage that because people ask me about the visits to different areas of Northern Ireland. I put the question back to them about what they have put forward to try to entice people to come to their parts of Northern Ireland. I am pleased to say that, when it comes to the G8 summit, Fermanagh District Council is putting together an app for iPhones, iPads, and what have you, so that people can establish what we have to offer in that part of the world. I encourage all other councils to do likewise.

## Electricity: Security of Supply

2. **Mr Beggs** asked the Minister of Enterprise, Trade and Investment what action she is taking to ensure that there is sufficient long-term security of electricity supply. (AQO 4014/11-15)

**Mrs Foster:** I have held ongoing discussions with the Utility Regulator and the System Operator for Northern Ireland (SONI) to ensure a sufficient future conventional generation capacity margin for Northern Ireland. In addition, renewable generation now accounts for almost 14% of our overall electricity generation capacity. It is also important to progress the new North/South electricity interconnector to help to meet future demands. I have encouraged Mutual Energy to restore the Moyle electricity link with Great Britain to its full capacity as soon as possible.

**Mr Beggs:** In three years, Northern Ireland is scheduled to lose 510 megawatts of electricity generation from part of Ballylumford power station. On top of that, there is a degree of uncertainty about the Moyle interconnector. New generators have come online in the Republic of Ireland, but there is no such significant generating capacity in Northern Ireland. Given the apparent market failure and the degree of uncertainty about security of supply, what action is the Minister taking to ensure that Northern Ireland will not suffer any electricity outages?

**Mrs Foster:** I thank the Member for his question. As I indicated, I have had ongoing discussions with the regulator and, indeed, with SONI. Just last week, I met the

board of the Utility Regulator. It will not surprise him that security of supply was one of the issues that we discussed.

Obviously, this all comes from the recent statement about supply that indicated that there would be difficulties in 2016. Obviously, we are looking at that issue and what we need to do to ensure security of supply after that time. We know that the reason for that pressure, particularly on Ballylumford, relates to the EU industrial emissions directive, which limits power station emissions. That, in turn, will curtail the operation of some of the older parts of Ballylumford power station. All the options are being discussed between the Department and the regulator. We hope that we will have clarity on those issues within the next month to six weeks.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I am fairly confident that a solution to that problem will be found. Specifically on security of supply, will the Minister outline her Department's efforts to encourage community energy projects to help towns and villages to become self-sufficient through combined heat and power plants that use renewable energy generation?

**Mrs Foster:** We have had discussions on that matter, particularly with the Fermanagh Trust, which raised the issue with the Department. As a result of that, we are speaking to a number of renewable energy companies to see how they look at community benefit. Indeed, I know that there is a very good example of community benefit in, I think, the Scottish Highlands, where a community has been able to have its own renewable energy facility. I do not think that that is the answer, if I may say so, in relation to security of supply at a Northern Ireland level. It may, of course, help individual little communities around Northern Ireland, but as the Minister in charge of energy policy for the whole of Northern Ireland, I have to be concerned with what happens at that level.

One of the issues that we really must get to grips with is the constraints on the system at present. Those constraints are caused by the Moyle interconnector only working at half capacity and the fact that the North/South interconnector has not become a reality. Not having the North/South interconnector is costing the consumer in the Republic of Ireland and in Northern Ireland £25 million a year. I think that everybody in the House should be concerned about that. We often talk about the cost of electricity and energy right across the piece, from domestic consumers to our manufacturers, so there should be concern right across the House about that constraint on our system.

**Mr Hilditch:** I was going to touch on the issue of the North/South interconnector. I am not sure whether the Minister has any further detail on how important that is to our energy needs.

**Mrs Foster:** It is very important for us to have that interconnector. We are moving towards a system of European regulation in the north-west of Europe, as it is called. So, instead of having a single electricity market across the island of Ireland, we, along with the rest of the United Kingdom, are working towards a system that connects the two islands. If we are to have true market openness, we must have interconnection between all the different constituent parts. I am aware of the interconnection between Wales and the Republic of

Ireland. We really must have interconnection between Northern Ireland and the Republic of Ireland, so that we can trade electricity and make sure that there is the lowest possible cost for our consumers.

**Mr A Maginness:** Given the seriousness of the lack of interconnection between North and South, has the Minister had any recent discussions with the Minister responsible for energy supply in the Republic?

**Mrs Foster:** On Friday, I had the privilege of sharing a platform with Minister Rabbitte in Belfast at a very good conference on all the challenges coming to us in relation to market integration and how we intend to deal with all those issues. Of course, the energy regulators on both sides of the border have a key role in all this. They are independent of government and sit on the single electricity market committee. We will, of course, continue to set the policy for Northern Ireland, which is very clearly set out in the strategic energy framework. We intend to push ahead with our renewable energy targets, but if we are to do that we have to have the grid to support those renewable energy installations. Somebody said to me recently, "If you love wind, you also have to love wires", because you need to have the grid there to deal with all the renewable energy. However, sometimes people who advocate renewable energy do not make the connection that you have to have the grid in place as well.

### Belfast International Airport

3. **Mr Kinahan** asked the Minister of Enterprise, Trade and Investment what work is ongoing in relation to further airline route development at Belfast International Airport. (AQO 4015/11-15)

**Mrs Foster:** My Department, in conjunction with Tourism Ireland, is in regular dialogue with Belfast International Airport and Northern Ireland's other airports to help bring new air services to Northern Ireland and to promote demand for existing services. However, while under development, those discussions are of a commercially sensitive and, indeed, confidential nature.

In terms of future prospects, I am keen to see improved access to all markets that offer the business and inbound tourism links that are important to the Northern Ireland economy. In particular, I believe that there is real potential to reinstate direct air services from Northern Ireland to Germany and Canada.

**Mr Kinahan:** I thank the Minister for her answer. I know that she would agree that direct access from airports positively helps our economy and tourism, but many feel that we are not getting our fair share. What mechanisms is she considering putting in place to attract airlines or to provide more slots at our airports?

3.15 pm

**Mrs Foster:** I thank the Member for his question. He will know that we are quite constrained in what we can do financially given the fact that the European Union is very zealous about state aid rules in connection with supporting particular airlines and air routes. In the past, we did have the air route development fund, but we are not allowed to do that under state aid at present.

We have engaged in co-operative marketing activity. Indeed, last year, we put £1 million into a co-operative

marketing campaign with our air and sea carriers. That leveraged in another £1 million from the private sector, from the air and sea carriers. Therefore, we had a £2 million pot to deal with. We were, of course, very successful in achieving the reduction in air passenger duty, and have the consent of the Chancellor to reduce band B to zero. I hope that will assist Tourism Ireland, and indeed the airports, to make the case that Belfast is a very good place to have a base within the United Kingdom because we do not have that air passenger duty.

Just last week, along with the Member's colleague, the Minister for Regional Development, I met Sir Howard Davies, the head of the Airport Commission, to talk about the all important issue of Heathrow as a hub for Northern Ireland, both to bring visitors to London and to stretch out to the rest of the world. We need those important slots into Heathrow and must maintain them.

**Mr G Robinson:** What are the priority new routes for Northern Ireland?

**Mrs Foster:** For me, the priority routes are, as I think I indicated at most recent Question Times, Canada, Germany and the Middle East, which I believe are very doable. More than that, they would be very important to us for economic development and through bringing visitors from the rest of the world to Northern Ireland. Those are the three priority areas that we are currently looking at.

**Mrs Cochrane:** Given the economic importance of the international airport, will the Minister outline any discussions she may have had with the Minister for Regional Development about improved road and rail networks to the airport?

**Mrs Foster:** As I indicated, we had a meeting just last week with Sir Howard Davies. It was he who made mention of the way in which the new airport at Southend has a good rail link to Liverpool Street station. Undoubtedly, if you have an airport, it is important to have connectivity to the areas where people want to go when they use that airport. So, it is vital that we have good connectivity, in this case to the city of Belfast, from the international airport. As I understand it, we do have good connectivity through bus transport, but unfortunately do not as yet have a rail connection to Belfast International Airport. One would hope that we will in the future. When you land at an airport, it is always very easy, if you like, to then make a train journey, if that is available to you.

### Unemployment: All-Ireland Strategy

4. **Mr Ó hOisín** asked the Minister of Enterprise, Trade and Investment to outline how she will work with her counterpart in the Dublin Government to develop an all-Ireland strategy to address unemployment. (AQO 4016/11-15)

**Mrs Foster:** I co-operate with my counterparts in the Republic of Ireland where it is beneficial to the Northern Ireland economy. However, both economies face very different challenges. The Irish Government have almost double our unemployment rate, operate in the euro zone and are subject to a severe fiscal regime imposed by the bailout from the European Union. I have, therefore, no plans to develop an all-Ireland strategy, but I remain committed to delivering actions detailed within our own Northern Ireland economic strategy and the more recent



economy and jobs initiative. I believe that implementation of those activities will deliver growth, prosperity and jobs, and rebalance the local economy in the longer term.

**Mr Ó hOisín:** Go raibh maith agat a Phríomh-LeasCheann Comhairle, Gabhaim buíochas leis an Aire as ucht an fhreagra sin. I thank the Minister for her answer. Given that routine approaches seem to have failed to deal with unemployment, should the Minister not explore all approaches to dealing with unemployment on this island?

**Mrs Foster:** I am unsure where the Member gets his figures from, because last week, Invest NI posted all its figures for last year. It hit every target, including in job creation, and exceeded them in most cases. Just today, I was absolutely delighted to make the announcement of 179 new jobs in Dungannon, a well-deserving constituency, if I may say so. Those jobs have been supported by the jobs fund, a mechanism brought into place at the start of the recession to assist companies to bring forward jobs. Those jobs are very welcome and are at a different level from the jobs that we have made announcements about recently. We have had quite a few jobs in the technology sector, and I am pleased to make that announcement today of jobs in the agrifood sector.

**Mr Campbell:** Instead of trying, as was alluded to in the question, to hitch our wagon to an exceptionally high unemployment rate in the Irish Republic, does the Minister look forward to further developments; for example, from the international sales representatives from Invest Northern Ireland who were in the north-west last week? Hopefully, we will see some significant progress in creating employment for all parts of Northern Ireland, particularly the west and north-west.

**Mrs Foster:** I welcome that question. When we had our sales conference here last week, I was very pleased to meet our teams from across the globe. I was particularly pleased to see the members from the Boston office. I have to say, who have an office quite close to where the explosion took place during the Boston marathon. I was delighted to see the team here, to see them all well and to welcome them back home, if you like, to Northern Ireland.

I was pleased to see the sales conference take place in the north-west. They will all now be aware — I was asked the question earlier — of the regional differences and the regional opportunities that there are in Northern Ireland. I hope that MLAs across the Chamber will take the opportunity to encourage businesses and councils to put forward a proposition for their own area so that Invest Northern Ireland is fully aware of what it has to offer.

**Mr Dallat:** I am sure that the Minister would agree that the curse of emigration among our young people is now affecting the four corners of this island. Does the Minister not believe that a common strategy between the Republic and ourselves might well bring solace and hope to those young people who have to go to Australia and other places to find work? Sometimes while they are there, they end up in tragic road accidents and so on.

**Mrs Foster:** I am sorry to say that I do not understand the logic behind that question. I do not understand why we would hitch up with the Republic of Ireland simply because our young people are deciding to go overseas. What we need to do for our young people is to give them opportunities to stay here in Northern Ireland. Surely that should be the focus of what we are trying to do. If they do

decide to go overseas, we should try to bring them back to Northern Ireland. That is one of the key elements that I have been engaged in, particularly with the legal services sector. I am pleased about the fact that young people who perhaps went away to wherever in the world after their initial degree are now coming back to Northern Ireland because there are opportunities in their particular field that allow them to come back.

In relation to the point about people leaving Northern Ireland, when I was at Linden Foods today, I was told that they struggle to get local people to apply for the jobs in their factory. Why is that the case? When there are jobs available for local people in the agrifood sector, why are people not applying for those jobs? That is a job of work that we really need to drill down into to find out the answers.

### Planning Application M/2011/0126/F

5. **Mr Milne** asked the Minister of Enterprise, Trade and Investment whether she has raised the delay in processing planning application M/2011/0126/F with the Minister of the Environment. (AQO 4017/11-15)

**Mrs Foster:** My Department and Invest Northern Ireland recognise the importance of companies such as DMAC Engineering Limited to the materials handling sector in Northern Ireland and, indeed, to mid-Ulster. I met DMAC's management team on 16 November 2011 to view the company's facilities and to be briefed on its long-term growth strategy.

I wrote to Minister Attwood on 15 February 2012 and 6 March 2012 to ask for an update on the planning application and a prompt resolution of any planning issues. I have spoken with Minister Attwood on many occasions, and it is my understanding that the planning application is progressing.

**Mr Milne:** Go raibh maith agat. I thank the Minister for her answer. As the Minister acknowledges the success of the engineering sector, will she continue to pursue the successful outcome of the job opportunities presented in this application?

**Mrs Foster:** As I indicated, I have been aware of the job opportunities relating to this planning application for a number of years. I have met the applicants on many occasions to discuss the issue, as have other colleagues, including the Member's predecessor. However, the decision is one for the Minister of the Environment. I can tell him how important I believe this sector is, particularly to mid-Ulster, but, on the heels of the hunt, it is really an issue for him to resolve.

**Lord Morrow:** This application has now been kicking through the system for some 18 to 20 months. Does the Minister accept that this is an unduly long time? It seems that Minister Attwood, for reasons best known to him, does not see the importance of pushing this application on. Minister, is there anything further that you can do to encourage Minister Attwood to make a decision? I suspect that there are jobs hanging on the end of it.

**Mrs Foster:** I am as keen as the Member for the application to be brought to a conclusion, which I hope, as I am sure he does, will be positive. When I asked for input from the Department of the Environment, I was told that the Minister is giving careful consideration to all the matters, that he has facilitated both applicants and

objectors with an opportunity to represent their views — apparently, the objectors met the Minister recently — and that he will speak further with planning officials.

Regardless of the outcome — I said that I hope that it is positive — we really need to speed the process up and bring this to a conclusion. This company has been waiting around for a decision for quite some time, and it has growth plans. Is it not good to see companies with growth plans that want to move forward? That is particularly the case in this sector, which Lord Morrow will know is tremendously important to the south Tyrone and mid-Ulster area. Indeed, in mid-Ulster alone, over 20 companies provide employment for more than 1,000 workers in this sector. It is a very important sector, we are competitive in it, and I would very much like a decision to be made in the very near future.

### Prospecting Licences

6. **Mr McMullan** asked the Minister of Enterprise, Trade and Investment to outline the rationale for her Department's decision to award prospecting licences for oil and gas when the safety of emerging techniques such as high-volume fracking has not been established. (AQO 4018/11-15)

**Mrs Foster:** Of the four existing petroleum licences issued by my Department to date, three have indicated their intention to target conventional oil and gas, not shale. As such, high-volume fracking is not relevant to these licences. Similarly, a further application that is being processed by my Department indicates an intention to target conventional oil and gas resources. Moreover, the issuing of a petroleum licence does not, of itself, give the licensee permission to undertake any substantial engineering works, such as drilling, without further consents from my Department, including the Health and Safety Executive (HSE), and others such as the Northern Ireland Environment Agency (NIEA).

Prospecting for oil and gas onshore in the UK is constrained by exacting industrial standards and intensive UK and European Union regulation. Any techniques such as fracking or hydraulic fracturing are subject to detailed scrutiny and research, and permits are tailored and adapted to militate against associated risks. I am confident that the process will be appropriately assessed and regulated before any deployment in Northern Ireland. I am content to proceed on this basis, given my Department's responsibility to the people of Northern Ireland, who expect government to facilitate a secure energy supply for their homes, transport and industry.

**Mr Principal Deputy Speaker:** That concludes Question Time. The House will take its ease while we change the top Table.

3.30 pm

(Mr Speaker in the Chair)

## Executive Committee Business

### Marine Bill: Further Consideration Stage

*Debate resumed.*

**Mr Speaker:** We now come to the Questions on the amendments.

#### Clause 10 (Validity of marine plans)

*Amendment No 1 proposed:* In page 7, line 36, at end insert

*“(c) that the document, or part of the document, is irrational;*

*(d) that the document, or part of the document, is incompatible with any of the Convention rights.”—*  
[Mr Agnew.]

*Question.* That the amendment be made, put and negated.

*Amendment No 2 proposed:* In page 7, line 38, at end insert

*“(5A) Notwithstanding the generality of subsection (4), applications under that subsection may be made by—*

*(a) a natural or legal person affected or likely to be affected by, or having an interest in, the relevant document;*

*(b) a non-governmental organisation promoting environmental protection.”—* [Mr Agnew.]

*Question.* That the amendment be made, put and negated.

**Mr Speaker:** I will not call amendment Nos 3 or 4, as they are consequential to amendment No 1, which was not made.

#### Clause 22 (General duties of public authorities in relation to MCZs)

*Amendment No 5 proposed:* In page 16, line 7, at end insert

*“(8A) Where the authority has given notice under subsection (5), it should only proceed with the act if it is satisfied that—*

*(a) there is no other means of proceeding with the act which would create a substantially lower risk of hindering the achievement of conservation objectives stated for the MCZ,*

*(b) the benefit to the public of proceeding with the act clearly outweighs the risk of damage to the environment that will be created by proceeding with it, and*

*(c) where possible, the authority will undertake, or make arrangements for the undertaking of, measures of equivalent environmental benefit to the damage which the act will or is likely to have in or on the MCZ.*

*(8B) The reference in subsection (8A)(a) to other means of proceeding with an act includes a reference to proceeding with it—*

*(a) in another manner, or*

*(b) at another location.”— [Mr Agnew.]*

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

**Mr Speaker:** I will not call amendment Nos 6 or 7, as they are consequential to amendment No 5, which was not made.

**Clause 25 (Failure to comply with duties, etc.)**

*Amendment No 8 proposed:* In page 18, line 12, leave out paragraphs (a) and (b) and insert

*“(a) if the achievement of the conservation objectives stated for an MCZ is hindered as a result of the failure, a public authority is, unless there was a reasonable excuse for the failure, guilty of an offence and is liable on summary conviction to a fine not exceeding £20,000 or on conviction on indictment to a fine; and*

*(b) in all other cases the Department must request from the public authority an explanation for the failure and the public authority must provide the Department with such an explanation in writing within the period of 28 days from the date of the request or such longer period as the Department may allow.”— [Mr Agnew.]*

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

**Mr Speaker:** That concludes the Further Consideration Stage of the Marine Bill. The Bill stands referred to the Speaker.

## **Social Security Benefits Up-rating Order (Northern Ireland) 2013**

**Mr McCausland (The Minister for Social Development):** I beg to move

*That the Social Security Benefits Up-rating Order (Northern Ireland) 2013 be approved.*

The uprating order is an annual order that sets out the rates of contributory and non-contributory benefits, together with the various allowances and premiums that make up the income-related benefits. The new amounts from April each year are generally based on the increase in the general level of prices over the 12 months ending in September 2012. They are measured using the consumer price index (CPI), the measure of price inflation considered most appropriate for this purpose by the Westminster Government.

I am aware that there has been some debate in the past about whether the CPI or the retail price index (RPI) should be used as the measure, and some argue that using CPI will cost less. Clearly, there is no perfect measure of inflation, but uprating by CPI ensures that, at the very least, benefit levels maintain their value against inflation. In addition, some commentators consider that it better reflects the inflation experience of pensioners and benefit recipients.

This year, however, because of the national economic situation, the Secretary of State for Work and Pensions decided that some benefits will be increased by a lesser percentage. I should stress that my Department has no power to uprate benefits by a different percentage in Northern Ireland. Basic state pension is increased by 2.5% to £110.15, which is an increase of £2.70 a week. The minimum guarantee in state pension credit is increased by the same amount, taking a single person's weekly income to £145.40. For couples, the increase will be £4.15, taking their new total to £222.05 a week.

Those facing additional costs because of their disability and who have less opportunity to increase their income through paid employment have seen their benefits rise by the increase in CPI. Therefore, disability living allowance, attendance allowance, carer's allowance and the main rate of incapacity benefit have all risen by 2.2%, as have the employment and support allowance support group component and those disability-related premiums that are paid with pension credit and working-age benefits. Other benefits have been increased by 1%.

As a result of the Up-rating Order, we will be spending an additional £101 million on social security in 2013-14, which is money that will go into the local economy. I fully appreciate that many of us wish that we could do more, but, as already stated, my Department is empowered only to set the same rates as those in Great Britain. I am sure that all Members will wish to ensure that people in Northern Ireland, including some of the most vulnerable in our society, can continue to receive those new rates of benefit and will therefore join with me in supporting the order.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. On behalf of the Committee, I confirm that the Committee considered the SL1 on this matter on 14

February 2013, and, at our meeting on 21 March, we agreed that the statutory rule should be made.

As the Minister pointed out, there was a discussion on CPI as opposed to RPI. I will just put on the record that members of the Committee were concerned that the switch from RPI to CPI would, in effect, mean a reduction in the uplift of the benefit. In saying that, the Committee took the view that, given that it was one of those fundamental arguments on parity, we are not in a position to formally reject the provision. So, reluctantly, the Committee agrees that the statutory rule be made.

**Mr Copeland:** I empathise with the comments of the Chair of the Social Development Committee. I would like to make a few comments for the record. Starting with the positive, my party and I warmly welcome the 2.5% increase in the basic state pension. That is a given. I am also pleased to see that the coalition Government continue to honour the triple-lock guarantee to increase the basic state pension by the greater earnings prices or 2.5%. I also very much welcome that those who face additional costs because of their disability and who have less opportunity to increase their income through paid employment will see their benefits increase by the full value of the CPI.

Disability living allowance, carer's allowance, attendance allowance, the main rate of incapacity benefit in the employment and support allowance support group component and disability-related premiums that are paid with pension credits and working-age benefits all increased only by the statutory minimum of 2.2% from April 2013. As the Chair alluded to, that is the minimum rate that could have been expected. It would be incorrect to say that that is anything more than the absolute minimum of what could have been expected. However, again because of parity, apart from commenting on them, those things lie outside our direct control.

Although the Up-rating Order may help pensioners, which I welcome, it will only just maintain support for people with disabilities or for whom the ability to work is medically limited. It is a cut for huge swathes of working-age people who claim the main rate of jobseeker's allowance or income support, as well as those on the main rate plus the work-related activity component of employment and support allowance and housing benefit.

We all know that the rationale for that decision is financial. However, when we consider that, across the UK, these regulations will see an increased spend of £2.8 billion in 2013-14, of which £2.1 billion is being spent on pensions, just under £500 million on people with additional needs and £300 million on people who are in receipt of work-related support, it is clear to see who has benefited most, and least, from them.

The Minister will be aware, no doubt, that the 1% cap also applies to tax credits, maternity allowance, maternity pay, sick pay and other means of support. All these benefits are, of course, claimed by working people, and I am sure that the Minister knows that the majority of children who are in poverty in Northern Ireland live in low-paid working households. Again, today's decision will have yet another negative impact on such households.

As the Chairperson said, we raised our concerns genuinely. They were cross-party, and I accept and concur with the views expressed by the Chairperson of the Committee for Social Development.

**Mr McCausland:** I welcome the contributions from the Chairperson of the Committee for Social Development and from Mr Copeland. The point has been made, and has been acknowledged in the past by Mr Copeland, that, indeed, we are bound by the principle of parity, and he referred to that this afternoon. We are, therefore, tied to a decision that was made by the Conservative and Liberal Democrat coalition Government at Westminster.

Nevertheless, having acknowledged the concerns that are shared across the community in Northern Ireland, I am pleased with the consensus of support across the Assembly for the uprating order. I thank Mr Maskey and his colleagues for the positive way in which they dealt with the order. I am certain that we all welcome the fact that the uprating order makes increases to benefits. I commend the order to the House.

*Question put and agreed to.*

*Resolved:*

*That the Social Security Benefits Up-rating Order (Northern Ireland) 2013 be approved.*

## Child Support Maintenance Calculation Regulations (Northern Ireland) 2012

**Mr Speaker:** The next three items of business are motions to approve statutory rules that deal with matters related to child support. There will be separate debates on each of the statutory rules, but the Minister and Members will be allowed some latitude during the first debate to address the broad policy issues that are common to all three sets of regulations. I hope that the House will find that helpful.

**Mr McCausland (The Minister for Social Development):** I beg to move

*That the Child Support Maintenance Calculation Regulations (Northern Ireland) 2012 be approved.*

The next three items of business are motions to approve statutory rules that deal with matters related to reform of the child maintenance system. I welcome the opportunity to address some of the broad policy issues that are common to each set of regulations.

The regulations were made on 3 December and 6 December 2012 and came fully into operation on 10 December 2012. They are required in order to implement the new 2012 child maintenance scheme as provided for by the Child Maintenance Act (Northern Ireland) 2008.

Child maintenance legislation is based on the general principle that all parents should take financial responsibility for their children. The main objective is to maximise the number of effective maintenance arrangements for children who live apart from one or both of their parents. The current child maintenance systems, which date from 1993 and 2003, need to change as they are no longer fit for purpose. Family-based arrangements will always be the best option for children. Research shows that children who receive support from both parents throughout their childhood enjoy better outcomes in later life.

In summary, I will now deal with each set of regulations in turn. The main set of regulations sets out the rules and procedures for the new scheme, with the aim of making it easier for parents to budget, giving them greater financial security and promoting financial responsibility. The second and third sets are designed to aid the resolution of difficult cases and to make the scheme simpler to administer and easier for claimants to understand.

### 3.45 pm

The regulations are made under the Child Support (Northern Ireland) Order 1991. They set out how child support maintenance under the new statutory 2012 scheme will be calculated, and the rules and procedures for that scheme. I will outline briefly the purpose of the regulations. Under the 2012 scheme, the majority of maintenance calculations will be based on the non-resident parent's gross weekly income, as provided by Her Majesty's Revenue and Customs (HMRC). Using income information provided by HMRC will ensure that maintenance payments are kept up to date and accurate, and provides for a faster calculation. Therefore, money will get to the parent with care and to children quicker.

Currently, cases are reviewed only when a parent contacts the Department to report a change in circumstances. Some cases have not been reviewed for many years, and the change in circumstances is sometimes minimal.

Instead, the new system will not vary the maintenance calculation unless the non-resident parent's gross income changes by at least 25%. That means that, apart from major changes such as the addition of another child or the loss of a job, the maintenance liability will remain largely stable throughout the year. This will offer greater certainty to parents about what they should expect to pay or to receive.

The new scheme will simplify decision-making in relation to shared care. Where parents agree that there is shared care but cannot agree on the number of nights, an assumption equivalent to one night per week will be made. Any assumption made will continue until the parents reach an agreement or an order is made by the court as a result of family proceedings. This, too, will support our aim of getting money to parents with care quickly, rather than cases remaining undecided indefinitely while agreement between parents is awaited. There will also be more equitable treatment of parents where there is a 50:50 split in childcare. Those parents will no longer be required to pay maintenance through the statutory scheme.

The new statutory scheme will bring about changes to the types of variation that parents with care can claim. Those changes will focus on capturing a non-resident parent's actual unearned income, such as income from property, savings and/or investments declared to HMRC. That will be more meaningful for parents than the current method of using a notional income to calculate unearned income. Children supported outside the statutory scheme will be acknowledged in the same way as qualifying children in the maintenance calculation. In such cases, non-resident parents will be required to provide evidence of a formal or informal agreement.

In conclusion, the regulations will make the scheme simpler to administer and make it easier for clients to understand how a maintenance liability is calculated. The use of HMRC information will result in a more straightforward system that will get money flowing to children quicker.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for bringing these regulations forward. The Committee considered the regulations at its meeting on 20 September 2012 and, at its meeting on 13 December, agreed that the statutory rule be made.

Given the fairly extensive deliberations that the Committee has had in co-operation with the agency and the Department over recent times, suffice it to say that we all recognise that this is a difficult and complex area. I am speaking generally about the three sets of regulations. While people understand that there is complexity around this issue, they realise that it is much more effective and beneficial for the children involved when there is a mutual agreement between resident and non-resident parents. The intention of these regulations is to simplify and speed up the process when there is no such agreement. As the Minister said, they also give greater certainty to both sides in that situation. The Committee agrees that the regulations be made and wishes the agency and Department well in trying to resolve what are sometimes very difficult circumstances between parents who happen to have split but still have to meet the needs of their children.

**Mr McCausland:** I am pleased by the comments from the Chair. I thank Mr Maskey and his colleagues on the Committee for the positive way in which they have dealt with this. I am glad that there was a consensus in the Committee. Therefore, I am pleased to commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That the Child Support Maintenance Calculation Regulations (Northern Ireland) 2012 be approved.*

## **Child Support Maintenance (Changes to Basic Rate Calculation and Minimum Amount of Liability) Regulations (Northern Ireland) 2012**

**Mr McCausland (The Minister for Social Development):** I beg to move

*That the Child Support Maintenance (Changes to Basic Rate Calculation and Minimum Amount of Liability) Regulations (Northern Ireland) 2012 be approved.*

These regulations are made under the Child Support (Northern Ireland) Order 1991. The regulations make provision for the recalculation of basic rate and minimum maintenance amounts. I will outline briefly the purpose of the regulations.

The regulations make changes to the way in which the basic rate of child maintenance is calculated by reducing the percentage by which the non-resident parent's gross income is reduced to take account of relevant other children, that is, children usually living in the non-resident parent's household. They also set out the minimum amount of liability where the non-resident parent is party to another maintenance arrangement.

I remind members that the regulations are not concerned with the amount of flat-rate maintenance paid by those non-resident parents who are on a weekly income of less than £100 a week or are in receipt of certain benefits, which remains at £5. The regulations will, first, reduce the percentage levels for children in the current household of a non-resident parent from 12% for one child, 16% for two children and 19% for three or more children to 11%, 14% and 16% respectively. The intention is to get a more equal allowance between children in first and second families.

Secondly, they temporarily maintain the £5-a-week minimum amount of liability of child maintenance payable by a non-resident parent who is party to another maintenance arrangement.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for bringing forward the regulations. The Committee dealt with the SL1 at its meeting on 20 September 2012. We confirmed that we would support the statutory rule at the meeting on 13 December.

As the Minister said, this is essentially about trying to ensure that child maintenance rates are shared fairly between the children who are subject to such calculations. On that basis, the Committee agreed that the regulations should be made.

**Mr McCausland:** Again, I thank the Chair and the Committee for the positive way in which they have dealt with this. I welcome the consensus across the Assembly and commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That the Child Support Maintenance (Changes to Basic Rate Calculation and Minimum Amount of Liability) Regulations (Northern Ireland) 2012 be approved.*

## **Child Support (Management of Payments and Arrears) (Amendment) Regulations (Northern Ireland) 2012**

**Mr McCausland (The Minister for Social Development):** I beg to move

*That the Child Support (Management of Payments and Arrears) (Amendment) Regulations (Northern Ireland) 2012 be approved.*

These regulations are made under the Child Support (Northern Ireland) Order 1991. The regulations do not represent a significant change in policy, but they will aid in the resolution of a minority of cases in which it is unlikely that the full amount of arrears will ever be collected.

The purpose of the regulations is to provide for the writing off of arrears in certain limited circumstances; to provide a realistic approach to the collection of arrears, as not all arrears are collectable; to prevent a level of historical debt from moving across to the new 2012 scheme; to ensure it operates as efficiently as possible; and, most importantly, to encourage parents to communicate and co-operate with each other.

The regulations will enable a more efficient management of arrears by implementing two new powers, namely the power to accept part payment of arrears in full and final satisfaction and the power to write off arrears. The first power will enable the Department to negotiate with both the non-resident parent and the parent with care in order to agree on a lump sum payment that is less than the total child maintenance arrears owed. That will be considered to be full and final satisfaction of the debt in cases where the Department is unable to collect the full amount owed.

The intention of the power is to enable money to flow to children, even where the non-resident parent is unable or unwilling to pay the full amount of arrears outstanding. The power is intended to be used where no suitable enforcement route is available or to enable a quick resolution in cases where the parent with care is willing to accept a lesser payment in lieu of the full amount. The agreement of both parents is crucial. The written consent of the parent with care is required before any offer of part payment of arrears in full and final satisfaction is accepted. The outcome of accepting an offer of part payment of arrears in full and final satisfaction will be explained to the parent with care when seeking their written consent. If the non-resident parent fails to adhere to the terms of the agreement, they will remain liable to pay the full amount of any outstanding arrears.

The second power, the power to write off arrears, is limited in nature and can only be used in certain circumstances; for instance, when one parent has died, the relevant children are grown up or perhaps where there has been a reconciliation. The power will be used as a tidying-up provision for the small number of cases where the arrears are very unlikely ever to be collected or where they are no longer wanted.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for bringing forward the motion on the regulation. I confirm that the Committee dealt with the SL1 at the meeting of 20 September 2012 and agreed to confirm the rule on 17 January.

As the Minister pointed out, it is about trying to resolve a fairly limited number of outstanding cases, some of which have been outstanding for quite some time. The crucial thing for the members of the Committee was that it could not be implemented without the full agreement of the resident and non-resident parent. It is essentially designed to try to bring to a speedy conclusion some of the cases that are outstanding and will likely remain outstanding for a number of years unless there is a resolution. The regulation provides the means to do that. On that basis, the Committee supports the rule being made.

**Mr McCausland:** I thank the Chair and his colleagues on the Social Development Committee for their consideration of the regulations. I can reassure members that the regulations do not in any way undermine the determination of the child maintenance service to pursue parents who refuse to live up to their responsibilities. However, I am certain that we will all welcome the regulations, which will help to ensure that uncollectible historical debt is not taken on to the new scheme and will mark the start of a realistic approach to the collection of arrears. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That the Child Support (Management of Payments and Arrears) (Amendment) Regulations (Northern Ireland) 2012 be approved.*

## Private Members' Business

### Child Poverty Targets

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

**Mr Eastwood:** I beg to move

*That this Assembly notes the Office of the First Minister and deputy First Minister's report 'Improving Children's Life Chances - The Second Year', which details that 93,000 children are currently living in poverty, and the report by the Joseph Rowntree Foundation 'Monitoring Poverty and Social Exclusion in Northern Ireland 2012', which details that 120,000 children are currently living in poverty; acknowledges that further welfare cuts will only act to exacerbate this situation; and calls on the Office of the First Minister and deputy First Minister to bring forward legislation to ensure that we have our own child poverty targets separate from those of the Westminster Parliament.*

Thank you very much, Mr Speaker, for giving me the opportunity to speak on the motion.

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

For us, it is a fairly simple one. I will have to remember to say "Mr Deputy Speaker" now that there has been a change at the top Table. We are awash with different reports into child poverty in Northern Ireland, but none of them make for very good reading. We are aware that there is an international crisis in the economy and that nowhere has escaped the issues of poverty, particularly child poverty. However, all the reports show that Northern Ireland in particular is very badly hit by child poverty.

The reports by the Joseph Rowntree Foundation, which talked last year of around 120,000 children living in child poverty in the North, Save the Children and Barnardo's and the recent work that was carried out by the Institute for Fiscal Studies make for fairly depressing reading. Whether you come from a constituency such as Derry, as I do, or whether you represent West Belfast or other places, those figures are very stark indeed.

#### 4.00 pm

Our attempt to bring this issue to a head is not about political point scoring or anything else but about trying to ensure that this Assembly and this Executive begin to take responsibility for the things that go on in this part of the world. Our view is very strongly held: we need independent, statutory child poverty targets for Northern Ireland. We think that the only way that we can really begin to tackle the very real difficulties that child poverty presents to us and our children is by beginning with targets that are specific to Northern Ireland, because we recognise that Northern Ireland has specific problems and specific challenges. The only way to deal with those is to have specific targets.

Whether you call it child poverty, poverty or fuel poverty, the issues are the same. Educational achievement is affected. Entrepreneurial aspiration is affected. Even

societal cohesion is affected. They are all fundamentally stifled by the gripping nature of poverty. Poverty becomes one of the greatest impediments to equal opportunities and social mobility for our people, and that should tell us that we are in the middle of a crisis and one that demands our urgent attention. Minister Bell will tell us that the Executive are doing all that they can to address the issues of child poverty, and I have no doubt that the Executive are attempting to address the issues of child poverty. I have no doubt whatsoever that every one of the 108 Members in the Assembly is committed to dealing with the issues of poverty. We all come from constituencies, and we all understand the issues facing our constituents.

The very sad fact is that we have failed to address the issues of child poverty. I accept that figures differ, but the recent figures from the Institute for Fiscal Studies are that 26.3% of children in Northern Ireland are living in relative poverty compared with 20.5% in the UK. In Northern Ireland, 28.5% of children live in absolute poverty compared with 23.1% in the UK. That study also said very clearly that we face a sharp increase in child poverty in Northern Ireland. We need to be very concerned about that. The Institute for Fiscal Studies also said that it seems impossible that the targets set out in the UK Child Poverty Act 2010 could be met. Recently, one of the Department's own reports talked about remaining realistic about meeting the target. That strikes me as not a very optimistic outlook to tackle and reach the goals that are set out in the Child Poverty Act.

Our position is that, unless we take responsibility for the issues that are relevant to us and which the Assembly has been elected to tackle and unless we decide for ourselves that we have to tackle the issues of child poverty and that we should be held to account if we do not tackle those issues, we will never get to where we need to be. That is why we believe very strongly in the need for independent child poverty targets. We do not underestimate the challenge that lies ahead to eradicate child poverty. We know how difficult it is, and we know that there is a world economic crisis. We know also, as some of my colleagues will talk about, that we are facing the real, scary prospect of some of the welfare reform proposals and the impact that those will have. However, we should sit up and listen when the Institute for Fiscal Studies says that rather than eradicating child poverty by 2020, we will be faced with relative poverty of 29.7% or absolute poverty of 32.9% by then. We are going in the wrong direction. We are not reducing child poverty; in fact, we are looking at a very sharp increase in Northern Ireland. We need to be very concerned about that. It is a crisis and demands urgent action. We can all talk — maybe this is not the day for it — about what exactly we can do to get there. The fundamental point is that, unless you decide to set targets for something, you will never do it. Unless you decide to hold yourselves responsible and to account, you will never get the desired outcome. We believe very strongly that we need to get there.

The Institute for Fiscal Studies says that, even if there were unprecedented changes in the labour market, welfare policy and the amount of redistribution attempted by the state, we still would not be able to eradicate child poverty. That is a very scary statement. Given that Derry and Belfast are numbers four and five in statistics showing the top 20 local authorities for child poverty, this issue is of



particular concern to the House. Therefore, we should be prepared to address it.

I do not think that the Assembly is here just to nod to what Westminster says or go along with everything that it does. Of course, we should be held responsible for UK targets, but why not sit down and create targets for ourselves and take responsibility for the things that go on in this jurisdiction? I do not see what the problem is. Let us ensure that, if we are not to meet the targets set out in the UK Act, we get together and try to figure out realistic targets for Northern Ireland and hold ourselves to them.

There is no greater indictment on society and government than the fact that child poverty is increasing and will increase even further by 2020. It is incumbent on all of us to decide now that we really want to tackle this issue and that we will not simply rely on the UK targets, even when we are told that we will not meet them. Let us put ourselves under pressure. In every single constituency in the North of Ireland, people are under immense pressure to decide whether to heat their home or feed their children. We must not shirk our responsibilities. We need to do all that we can to change the pattern of poverty and underinvestment in our communities. I hope that the Assembly will support the motion.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

First, I will make a few comments in my capacity as Chair of the Committee, which has taken a keen interest in this issue since devolution in 2007. Indeed, the Committee undertook a substantial inquiry, the report of which included 47 recommendations for the Executive to take forward. The purpose of the inquiry was to establish consensus on child poverty in Northern Ireland and to ensure that eliminating it was a priority for all Departments. The main thrust of the report was that failure to tackle child poverty would limit the aspirations and expectations of our children and, therefore, the growth and development of our economy.

In the report, the Committee highlighted the importance of a joined-up approach across Departments. In relation to the motion before us and the specific call for legislation with Northern Ireland-specific targets, I inform the House that the Committee's 'Report on the Executive's draft Programme for Government 2011-2015 and draft Investment Strategy for Northern Ireland 2011-2021' stated:

*"the Committee would like consideration given to producing Northern Ireland specific targets, which would allow monitoring of progress here and contribution towards meeting the targets in the UK Child Poverty Act. These targets could then be incorporated into the PfG."*

There was considerable discussion about the issue, and members expressed concern that although the UK as a whole might reach its target by 2020, this could happen without the level of child poverty here being reduced at all, simply because of the relative size of Northern Ireland compared with GB. For that reason, the Committee was keen to see Northern Ireland-specific targets, which could be placed in the Programme for Government and monitored accordingly.

On 24 April 2013, the Committee was briefed on the latest child poverty annual report; I will return to that in

a moment. It was alarming to hear that the latest figures show that 93,000 children in Northern Ireland are living in relative poverty. The figures for Foyle and West Belfast are as high as 43%, which equates to almost half of all children living in those areas. The briefing also highlighted that the numbers and the percentage of children in poverty are, in fairness, at their lowest; in 2010-11, they were the lowest they had ever been. However, as Mr Eastwood pointed out, the measure is attached to the UK median wage, which has gone down in the past number of years. Mr Eastwood posed this question: are people less poor, or are we measuring against a dropping indicator?

In the Committee's recent response to 'Towards a Childcare Strategy', it highlighted the need for the strategy to address the needs of the most vulnerable families and children with disabilities, and reinforced the need for cross-departmental co-operation. From memory, 40% of the £12 million allocated for a childcare strategy has already been allocated and earmarked, which would suggest that as that comes ahead of the publication of the strategy, it is not a strategic allocation of funds.

The Committee also welcomes the work being done on a child poverty outcomes model. We recently heard from the National Children's Bureau about its work to develop an outcomes model, aiming to use the data that Departments are collecting to measure the actual impact of departmental actions on reducing child poverty as opposed to measuring the actions taken. The Committee looks forward to hearing how that work progresses over the coming months.

I will now say a few words as an individual MLA and as the leader of the Ulster Unionist Party. We will support the motion. We were somewhat disappointed by the late delivery of the annual report last year. I would not be so concerned if it was a one-off, but there seems to be a consistent pattern between the Department and the Committee for the Office of the First Minister and deputy First Minister of late delivery of papers and late cancellations of briefings by officials.

I acknowledge the cross-cutting nature of the issue and how challenging it is. The annex to the report has some puzzling claims; for example, on the first page, with regard to preschool nursery places, it states:

*"At the conclusion of the 2012/13 admissions process 99.8% of children whose parents engaged fully with the two stage process received the offer of a funded pre-school place".*

Unfortunately, that happens only if you engage fully, and you could end up with a place somewhere else.

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

**Mr Nesbitt:** Bizarrely, much is made of the fact — not once but twice — that, technically, child poverty can be reduced through the provision of concessionary angling licences for children and young people up to the age of 19. Perhaps the Minister could address that in his response and show its correlation to a reduction in child poverty.

**Mr Moutray:** This debate certainly resembles the one that was brought to the House in November. I imagine that the outcome and the discussion may be very much in the same vein. I question the need for the debate, given that

work is being done at all levels of government to tackle child poverty. However, it is important that we continue to keep child poverty to the forefront of our minds, and to that end, I welcome the opportunity to highlight what is being done and what is being planned for the future.

It is no surprise that the issue is before the House again, given the concerted attempt by our colleagues in the SDLP to scaremonger and attack on the welfare reform element. Everyone in the House knows exactly what is happening with welfare reform. Furthermore, they know exactly the attempts that Minister McCausland is making to try to have different rules and regulations on matters that will affect the most vulnerable in our society. Minister McCausland continues with that battle, and I have faith that he will negotiate the best deal for Northern Ireland. It is time that all in the House realised that and put their shoulder to the wheel to ensure that we get the best deal for the most vulnerable.

#### 4.15 pm

Additionally, Members are very well aware that work is going on to develop a household income administrative database, which will allow more accurate assessments on the impact on specific groups. Unfortunately for us all, however, we do not have to look too far in our constituencies before we find a child who is suffering as a result of poverty. Indeed, it is a known fact that child poverty is often linked to family poverty. I know that every Member of the House is endeavouring to tackle that day and daily in their constituency.

I made this point in my previous contribution, but I believe that it must be made again: when poverty is involved, children's expectations of their own life are greatly reduced. That can lead to a cycle in which poverty is repeated from generation to generation. Barnardo's has raised, and continues to raise, that point when discussing child poverty issues. Moreover, when children move from childhood to adulthood, they are more likely to find it difficult to obtain employment, and they may suffer ill health, possibly face homelessness or become involved in offending, drug and alcohol abuse and abusive relationships. Therefore, it is vital that local and national efforts are made to tackle child poverty and eradicate it from our society.

We all know that we are bound by the Child Poverty Act 2010, which undoubtedly has very ambitious targets, and the main targets require eradication of child poverty in the UK by 2020. However, it is important to note that that is an Executive target. When we say "Executive", it is something that every Department must contribute to collectively. I believe that the Office of the First Minister and deputy First Minister (OFMDFM) has shown leadership in that regard. The most recent report, brought forward by OFMDFM in March 2013, is visionary. It looks at doing things differently, and undoubtedly that is needed. It is also important to note that the report clearly highlights that relative child poverty has fallen, and that is a testament to the work that the House and the Department are leading on. However, it is important that we continue to measure that consistently and not take a scattergun approach when looking at the figures. Indeed, we must take heart from the figures provided, because, after housing costs, Northern Ireland has the lowest poverty levels in the UK. Part of the reason why before-housing costs show us to

be at higher levels is due to the fact that the UK median was used. We all know that the UK median is London and the south-east, which is considerably higher than that in Northern Ireland. However, if we used a Northern Ireland median, child poverty levels would drop significantly, as they are measured relative to the median. To that end, I believe that it is important to note that, under the Delivering Social Change framework, there is a clearly sustained effort to reduce poverty and associated issues across all ages, as well as improving health, well-being and lifelong opportunities for young people and children. That, coupled with the work of the National Children's Bureau to develop a child poverty outcomes model, which will inform and empower the Departments of the key objective of the child poverty strategy —

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

**Mr Moutray:** — will all aid the process of tackling and eradicating child poverty. Our party would not support legislation to separate child poverty targets from Westminster. Consequently, we intend to oppose the motion.

**Ms McGahan:** Go raibh maith agat. Our party will not support the motion. We are not convinced that bringing forward another child poverty Bill will make a difference. As most people in the House know, the children and young people's sector wants action on the issue, and that has been stated in various consultations that have been carried out. However, bringing forward legislation to have our own child poverty targets, separate from those at Westminster, is not something that we will rule out in the future. I recognise and welcome the work done to date on the development of a child poverty strategy for the North of Ireland. In March 2010, the issue of child poverty was placed on statute under the Child Poverty Act, and that requires the Executive to develop a strategy to achieve their overall goal to eradicate child poverty by 2020.

I have to say that, in the scheme of things, that is quite a radical goal. The first strategy by the Executive was published in 2011, and OFMDFM is in its second year of reporting on that strategy. There are four statutory measures: relative poverty; absolute poverty; persistent poverty; and relative poverty and material deprivation combined. These legal obligations are being carried out by the Executive. It is recognised that we in the North are at a disadvantage due to our mean income being lower than the UK mean income.

International research shows that there is no one model of best practice to eradicate persistent poverty. Although a lot of good work goes on, it is still a very difficult nut to crack.

The Delivering Social Change framework is a new approach endorsed by the Executive. It involves an integrated approach, which is critical to a child poverty strategy. Organisations often operate in isolation when resources could be maximised through a joined-up approach. This framework recognises a holistic approach in which early intervention in one area could reduce costs in another; for example, early intervention and child development and longer term issues such as antisocial behaviour and crime prevention. The legal obligation for reducing child poverty falls on all Ministers, and it is OFMDFM's duty to report progress of the child poverty strategy. There was an announcement of the six signature projects, in addition to funding coming from the social

investment fund, which is integrated into the Delivering Social Change framework and will assist communities in meeting their priorities to tackle disadvantage.

It is critical that the child poverty strategy ensures that funding is focused and targeted at the most vulnerable groups, with targets, outputs and outcomes, and that it should be a real driver for the allocation of what is an already limited resource.

Although west of the Bann and rural areas such as Dungannon, which is in my constituency, remain high in relation to child poverty, there remains a focus on the main urban areas and cities when responding to statistics or delivering pilot initiatives. That perception needs to be altered.

We need to ensure that what is being done is having a positive effect. Child poverty is a result of many problems; for example, the need for adequate provision of social housing stock. The Welfare Reform Bill, and changes to child benefit payments, will leave many parents with no choice but to cut back on vital necessities. We need to ensure that children are protected as much as possible within that.

There is the need for affordable childcare and adequate, accessible preschool provision in areas of disadvantage. Fuel poverty is another major issue. We need good education for all and the targeting of funding to the disadvantaged. We need economic development, good training opportunities for our young people to break the cycle of unemployment, and the transition of children with disabilities from special education to further mainstream provision.

As you can see, it requires the co-ordination of key actions by all the Departments to tackle child poverty. In all that, we face challenges, including the Welfare Reform Bill and the economic downturn.

Finally, I believe that there is a genuine attempt to make an impact through the Delivering Social Change framework, which is designed to tackle deprivation and exclusion, but it is important that funding is spent effectively and efficiently. Go raibh maith agat.

**Mr Lyttle:** I rise on behalf of the Alliance Party to support the motion and to reaffirm our commitment to tackling poverty and social exclusion and protect the most vulnerable in our community. Child poverty and the situation where the location in which a child is born influences his or her life expectancy must be completely unacceptable to the Assembly and to our community. Alliance recognises that a shared and integrated society can only be achieved if those economic and social inequalities are addressed.

Despite the work of OFMDFM to tackle these issues, around 90,000 children in Northern Ireland live in relative poverty, and a significant number of households do not have adequate basic necessities such as food and clothing. Indeed, food banks are now required in many of our constituencies.

Poverty has a wide impact on the life of a child. Without a proper diet, a warm home or access to computers and the internet, the education of a child can also suffer, and the chances of breaking the cycle of poverty become increasingly more difficult. We also know that there is a correlation between disadvantage, disengagement and

conflict, which has to make addressing child poverty one of the most important challenges to building a shared society in Northern Ireland.

I agree with the proposers of the motion that there needs to be a more transparent and comprehensible approach to the measurement of child poverty and the outcome of government interventions in Northern Ireland. Northern Ireland-specific targets could assist in that process. I also agree that the work to protect the most vulnerable is now an even greater task, given the potential impact of welfare reform initiated by the UK Government. The Executive must ensure that any changes in welfare structures are matched by targeted support for individuals and families in Northern Ireland.

Welfare reform in Great Britain has taken place in the context of a resourced childcare strategy, including a statutory duty on local authorities to ensure that adequate childcare provision is in place. A transformation fund was established in England to invest in high-quality, sustainable and affordable childcare. In contrast, in Northern Ireland there is no agreement on a lead Department, no statutory duty, and limited resources. As a result, there is a woefully inadequate level of childcare provision. Addressing the desperately overdue delivery of an effective childcare strategy and adequate childcare provision has to be one of the most important priorities for OFMDFM in any fight against child poverty.

The Department for Employment and Learning (DEL) must continue to work with OFMDFM to address the barriers to employment and examine the support required to enable parents to make the transition to employment, which could include consideration of an earnings disregard. Creating jobs and tackling low wages are also central to addressing child poverty, given that one third of children in severe poverty are in households where at least one adult works.

Alliance believes that investment in early intervention and prevention initiatives will be central to tackling poverty and exclusion, as all evidence suggests that intervening early achieves better outcomes and, ultimately, costs less. The Executive must address the underfunding of children and young people's services, relative to the rest of the United Kingdom, and support the incorporation of the United Nations Convention on the Rights of the Child.

Most importantly, perhaps, a cross-party and cross-departmental joined-up approach must be at the heart of any response to the complex challenges facing children and families. The Assembly has to scrutinise the work of the Northern Ireland Executive's Delivering Social Change framework and the child poverty outcomes model — a task that I take very seriously in my role as Deputy Chair of the OFMDFM Committee and deputy chair of the all-party group on children and young people.

The OFMDFM social investment fund and the six signature programmes outlined by the Delivering Social Change programme board must be robustly monitored and must lead to Departments actually reducing child poverty. The Assembly must work together to hold the Executive to account on the implementation of the child poverty strategy if we are to achieve what has to be the joint aim of the Assembly to provide equal opportunity and hope to all children and young people in Northern Ireland.

**Mr G Robinson:** First, I want to point out that welfare reform is the result of legislation not from this House but

from Westminster. My party opposed it because it was aware that one of its consequences was that child poverty levels could creep up here. It must also be noted that Westminster cut our Budget, limiting the approaches that we have available to address the fallout of welfare reform on the most vulnerable. We cannot spend what we do not have, which could mean a direct impact on child poverty in Northern Ireland. However, it would be a great support to the Social Development Minister, who has to oversee welfare reform, if other Ministers donated some of their budget to help to mitigate the impact on child poverty.

I am sure that every Member could tell of instances of child poverty in their constituency. Poverty and social exclusion coincide. It does not matter where it occurs. Sadly, it does happen. How the Assembly goes about measuring those indicators can be argued all day. Different strands of research use different indicators. Look at the difference in the total numbers of 120,000 from the Joseph Rowntree Foundation and 93,000 from OFMDFM's figures. I am not convinced that beginning to establish a set of targets that are unique to Northern Ireland is the best way to go forward. As long as the Assembly knows what the problems are and can try to address them, that is to me much more important and cost-effective.

#### 4.30 pm

The most important thing is how we deal with the problems that pertain to child poverty, which are, at present, critical. Although welfare reform may have side effects on child poverty levels, it is worthwhile noting that all parties are working along with the Minister to ensure that any impact will be lessened. That is a more sensible use of time and money than trying to develop new indicators, which may well not be operational for up to 18 months.

We should all continue to support the Minister of Enterprise, Trade and Investment in her job of trying to create employment opportunities, attracting inward investment and supporting firms to expand or secure current jobs, as well as rebalancing the economy, which will all have a greater impact on child poverty targets than the politically motivated call for Northern Ireland targets. I urge all Members to concentrate on dealing with the real problems that surround child poverty. I do not support the motion.

**Ms Fearon:** Go raibh maith agat, a LeasCheann Comhairle. I want to start by apologising for missing the beginning of the debate. I welcome the opportunity to talk about child poverty. It is an issue of huge importance to the Assembly. The stark reality is that one in four children live in poverty. Some of the most deprived areas in Europe are right here in the North. I know that the growing issue of poverty is keenly felt across the island. I represent a constituency where it is a reality for too many people. It is unacceptable that in 2013, so many children and families live in poverty. Child poverty cannot be separated from overall deprivation. Over half of the children who live in poverty in the North are from working households.

I welcome the motion's reference to the fact that welfare cuts will only make it even more difficult to tackle child poverty in the North. The working poor will be harshly attacked under the banner of welfare reform. The false narrative that child poverty is a result of the dependency culture is completely absurd. That is not about reducing the deficit or tackling poverty: the clear dogma behind all of this is to tackle the poor. We have the bizarre situation

in the Assembly where one Department is rolling out the child poverty strategy and the Child Poverty Act 2010 while another Department holds responsibility for implementing legislation which will only make the situation worse for families who hover above the breadline and those who are already below it.

The 2010 Act places a statutory duty on each and every Department to describe the progress that it is making in contributing to meeting the target to eradicate child poverty by 2020. Recently, I wrote to all Departments asking what actions they had taken in working towards meeting that target. I received responses from almost all Departments. However, it was, for the most part, signposted back to OFMDFM projects. I know that it holds policy in relation to children and young people. However, it is time that all Departments took their responsibility seriously to tackle child poverty. What is important is that we work with a targeted approach that is based on objective evidence and need. That is what Delivering Social Change is all about; a cross-cutting framework that is designed to tackle deprivation, poverty and social exclusion. A hugely important factor in delivering social change is the working together of Departments and a joined-up approach to tackling child poverty and the issues that I raised previously.

I welcome the commitment of £26 million that was made available to support education, health, training, employment and other issues, to which my colleague Bronwyn McGahan already referred. All of them have the potential to impact positively to address child poverty. There is also the commitment of an additional £80 million of ring-fenced funding to support the most disadvantaged communities. The only target that we should be working towards is the total eradication of child poverty. The current target is just that.

One child living in poverty is too many. The job of work now is to focus on the child poverty strategy and its implementation along with the 2010 Act. Given that there are two further strategies to come from OFMDFM, which is a legal requirement from the 2010 Act, I am not convinced that bringing forward a piece of legislation at this time is what is needed. That will only add another layer of bureaucracy. What we need is to press ahead with the tools that are already at our disposal and make sure that they are working in tandem and are delivering something that has been made clear to us by many organisations that work in that sector.

We all have responsibility to work collectively to eradicate child poverty and to break the poverty trap that generations of families get caught up in, and to ensure a better and brighter future for the most vulnerable in society. I cannot support the motion.

**Mr Spratt:** I am pleased to be able to speak on this motion. As has been said a number of times, poverty and child poverty affect all constituencies right across the board. I have to say that I am somewhat disappointed that the proposer of the motion has not recognised the many excellent initiatives, led by the First Minister and deputy First Minister, to tackle child poverty.

**Mrs D Kelly:** I thank the Member for giving way. A number of contributors mentioned the initiatives by OFMDFM. Perhaps Mr Spratt is intending to illustrate some of those in his contribution. If not, perhaps he would do so.

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

**Mr Spratt:** Yes indeed, because I know that the opposition from your side of the House will not.

I have to say that a number of programmes have benefited disadvantaged families. For example, the freezing of water rates, free prescriptions, the warm homes scheme and the free school meals scheme. The Department for Social Development has also invested heavily in neighbourhood renewal areas, and the Department of Culture, Arts and Leisure (DCAL) continues to invest in sports facilities. All that helps to tackle the systemic issues that lead to child poverty, and the list goes on. It is a shame that all that excellent work has not been recognised in the motion before the House.

It is a well-known fact that poverty is linked to income and employment. I also want to highlight the excellent efforts of the First Minister and deputy First Minister, and the Minister of Enterprise, Trade and Investment in securing jobs and investment for Northern Ireland. Those achievements are often downplayed by the media, but we should never underestimate the huge benefits to a family of obtaining employment.

Although I acknowledge that welfare reform will have an impact, it is not a stand-alone issue. I know that my colleague Nelson McCausland is doing all in his power to minimise the impact of welfare reform issues, and it must be said that a number of key initiatives will run alongside welfare reform to enable people to return work, thereby reducing or eliminating the impact on disadvantaged families.

As Members are aware, OFMDFM has recently launched two initiatives, the first of which brings all the Departments in the Executive together. Delivering Social Change places a responsibility on all Departments to tackle child poverty and, for the first time, offers a joined-up approach. That is chaired by the junior Ministers.

The second initiative is the social investment fund, which is targeted at deprived areas to eradicate child poverty in the long term. It is necessary to provide assistance programmes for issues such as educational underachievement; family support; health and well-being; dereliction; employability; youth services; and social enterprise. A total of £80 million has been allocated to nine investment zones, four of which are in the Belfast area. Clearly, it is the First Minister and deputy First Minister's intention that that will make a significant difference to the lives of people living in those areas. So, it is clear that much work has already been done to tackle child poverty and that OFMDFM has recognised that it is a high priority.

In my constituency office in South Belfast, I see, on a daily basis, the difficulties faced by families living in poverty. I, therefore, look forward to seeing the results of the initiatives that I outlined today. I sincerely hope that they lead to fewer and fewer children growing up in disadvantage and that poverty will eventually be totally eradicated.

I suppose that some of the parties and Members opposite who continually bring this up simply to have a go at the Office of the First Minister and deputy First Minister see themselves as the opposition.

I oppose the motion.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. Like my two colleagues who spoke, I want to say that Sinn Féin will not support the motion. In saying that, it is obviously important that we continue to debate the issue of child poverty, including in the Chamber, notwithstanding the fact that we have a child poverty strategy and have been working towards an Act for a number of years.

It is very unfortunate that the Member Dolores Kelly comes into the Chamber and asks a question, having not had the courtesy of being here for the debate. That gives you an indication of where the Member is coming from.

The Member who moved the motion made it very clear that child poverty is an issue that all of us are committed to eradicating. Megan Fearon made very clear our party's point of view. Our target, and, I would say, that of every Member of this House, is the total eradication of child poverty. In moving the motion, Colum Eastwood made the point that child poverty cannot be separated from fuel poverty, overall poverty and disadvantage. Therefore, it is incumbent on all of us and all Departments to do our utmost to create employment, to break the cycle of unemployment and to make sure that we target it through intervention and other Government initiatives throughout the Programme for Government. It is important that we target the communities and areas that are most disadvantaged. When we lift communities out of disadvantage, we lift more children out of child poverty.

I think that the tenor of the debate has been very constructive and positive so far, with the exception, as I said, of one attempt to score political points in a very childish manner, no pun intended. We are still listening to cackling from the side here.

I believe that all the parties are committed to eradicating child poverty. We are not just trying to meet a target. The target is the total eradication of child poverty. The SDLP's Colum Eastwood is a member of the OFMDFM Committee. He routinely listens to the Department and challenges the Department, and rightly so. We have the benefit of listening to a wide range of stakeholder organisations that repeatedly tell the Committee that they do not want to hear about any more consultations or strategies. They want to see action plans, implementation dates and the delivery plans for all these objectives, which would include, clearly, totally eradicating child poverty. Therefore, we should continue in all our collective works, and OFMDFM should continue on behalf of the entire Assembly, to target child poverty.

**Mrs D Kelly:** You will know that I was in for most of the debate, despite the comment made by Mr Maskey. Unfortunately, I had some urgent business to attend to. I note that in Mr Maskey's contribution he did not actually attempt to address my question, which was this: what has OFMDFM done?

**Mr Maskey:** You were not here for all of it.

**Mr Deputy Speaker:** Order.

**Mrs D Kelly:** Is that cackling I hear, or just cack?

If he really wants us to have a go at OFMDFM, let us have it. OFMDFM is the one Department that is shutting down any debate around freedom of information. Now, it does not want us to ask questions. I thought that the role of the Assembly was to hold the Executive to account, not to be

cheerleaders for colleagues. I thought that Members were here to represent their constituents, not to uphold a lack of vision by OFMDFM. All the research points out, as did all the contributors to this debate on tackling child poverty, the glaring omission of this Executive to agree a childcare strategy. That is a fact. We are now into the third year of the second term of the OFMDFM, DUP/Sinn Féin-led Executive, and we still do not have agreement around a childcare strategy.

One point often glossed over in the debate about child poverty is that it is not just about people who find themselves out of a job. It is also about the working poor. Mr Spratt made some attempt to highlight some of the initiatives, as he said, that OFMDFM has achieved. However, some of those were already standard practice, such as free school meals, and some of the other measures that people are looking for have not been addressed. We are looking for greater flexibility across all Departments. For example, in the Department of Enterprise, Trade and Investment (DETI) and the Department for Employment and Learning, there are opportunities for policy initiatives that do not penalise people wanting to be reskilled, to retrain or to enter into employment.

There is no provision of childcare for parents who want to enter the labour market. Furthermore, it is a well proven statistic that some working families pay up to 44% of their joint income on childcare — their joint income, Mr Deputy Speaker, because one wage is now no longer enough, given the low-wage economy in which we now live in the North of Ireland. So 44% is spent on childcare.

#### 4.45 pm

As other Members have recognised, there is also work to be done by other Departments. The Department of Education (DE), for example, could widen its extended schools programme and its sustainable schools policy to assist with the childcare strategy, and DETI could work alongside DEL to meet the needs of working parents for greater flexibility. I understand that the Scottish Administration have a working families fund. The Minister for Social Development may well want to examine that to see whether there could be some greater flexibility with the social protection fund, which might help people living in poverty.

Poor housing is also a major contributor to poor health outcomes for families across all age groups. Yet we have a Minister for Social Development who has handed back £15 million in the past few monitoring rounds —

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

**Mrs D Kelly:** I will, indeed.

**Mr McGlone:** The Member referred to £15 million being handed back. Does she accept that that £15 million could have been invested in construction, which could have kept people in work? She referred to the major issues being faced by people who are out of work, but those in work also face them. Above all, we have to get meaningful employment for people, and construction was a ready-made opportunity for them. It is pitiful that we handed back that £15 million.

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

**Mrs D Kelly:** Thank you, Mr Deputy Speaker. I understand that the figure has now gone up to closer to £18 million, but I take the Member's point. My constituency relies heavily on the construction industry, and that money would have had wider ramifications than directly providing labour in the construction industry.

There are also measures to support families and voluntary and community groups.

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

**Mrs D Kelly:** I will give way.

**Mr Spratt:** I note that the Member has mentioned most Departments. She has not yet mentioned the Department of the Environment (DOE). Is there anything that it could do?

**Mrs D Kelly:** I would be happy to hear some further suggestions on that. Given that the DOE has responsibility for local government, we may want to look at its reorganisation and reform. Currently, it is not a statutory function of local councils to provide, for example, childcare or play facilities, but help could be given to councils by the Executive to assist with that function.

I believe that further support across the community and voluntary sector is required, as is, in particular, support for parents.

What we want is a very wide remit of measures, initiatives and suggestions, which, in some areas, already form part of good practice. There is a wealth of information: good research papers from the Joseph Rowntree Foundation and Save the Children and other suggestions. Our plea to the Executive, and particularly to OFMDFM, is to look at those and start to implement some of them.

We are somewhat suspicious —

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

**Mrs D Kelly:** — that OFMDFM does not want to set its own targets because it does not want to set itself up for failure.

**Mr Cree:** I commend the SDLP on tabling a motion on child poverty, a topic that I believe must be kept on the agenda of the House.

I believe that the annual child poverty report should be presented by way of an oral statement by the First Minister and the deputy First Minister to allow Members the opportunity to pose questions on the Department's performance. This is not the case and, on the previous two occasions, the annual report was submitted to the Assembly in written form. Although the Child Poverty Act is not prescriptive about this, given the importance of this topic, the Ministers should have taken questions from the Assembly.

There is certainly a feeling that OFMDFM is abdicating its responsibility, given that the child poverty figures have generally worsened year on year. I am pleased that the motion gives us a chance for debate, and I ask the First Minister and the deputy First Minister to give some thought to how they present this important work to the Assembly in the future.

I remind the House — a Member referred to it — that the Ulster Unionist Party tabled a motion on child poverty on 19 November 2012. During that debate, we expressed our disappointment that the first annual report on child poverty

showed that OFMDFM was falling far short of its statutory targets for tackling the problem. My party also called for an action plan to stem from the child poverty strategy, and I repeat those sentiments.

The second annual report was published on 29 March 2013, and I am pleased that it was delivered on time this year, given the delays that were evident until June of last year. As the motion points out, the report highlights that 93,000 children currently live in poverty in Northern Ireland. That figure is, of course, too high. Indeed, research by the Joseph Rowntree Foundation puts it even higher, at 120,000. We must, therefore, look carefully at what is being done to combat those concerning statistics.

Much has been made of the £26 million six signature projects that were announced by OFMDFM in October last year. I am sceptical of how quickly those projects are getting under way. Take, for example, the improving numeracy and literacy signature project: we are yet to see any newly qualified teachers providing extra support for children in primary or post-primary schools to help those struggling to attain grades in English and mathematics. I am also unaware of any additional health workers being engaged in the two signature projects for which the Department of Health has lead responsibility.

Another signature project entails the Department for Social Development (DSD) and DETI collaborating to create 10 social enterprise incubation hubs. The deputy First Minister was able to confirm at Question Time on 7 May that:

*“no jobs or businesses have yet been created”, — [Official Report, Bound Volume, p275, col 1].*

because no hubs have actually opened.

The social investment fund and childcare strategy also remain vastly behind schedule in the Office of the First Minister and deputy First Minister, with combined funding in the region of £90 million tied up as a result. Therefore, it should come as no surprise that the DUP and Sinn Féin want this mandate to run for an extra year, perhaps in order to try to deliver on some of those commitments. If we are serious about tackling child poverty, we must get those types of projects up and running and making a difference.

The motion specifically mentions welfare reform and the effect that it will have on child poverty. The current delay by the Social Development Minister in bringing the Welfare Reform Bill's Consideration Stage, as well as the inability so far to in any way alter the Bill to be Northern Ireland-specific, does not fill me with confidence that the needs of children in poverty are being adequately taken into account. I think specifically of single parents working longer hours on low pay, who will be substantially worse off under universal credit. I have heard the Minister claim that the introduction of universal credit will lift up to 10,000 out of poverty —

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

**Mr Cree:** I will conclude by addressing the final part of the motion, and that deals with the question of legislation. I am glad to see Mr Bell here, and I see that, on 24 April 2012, he said about child poverty:

*“The Northern Ireland-specific target would come if we were to look at the figure” —*

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

**Mr Cree:** —

*“of the Northern Ireland median income, through which we can show a significant reduction.” — [Official Report, Bound Volume 74, p125, col 1].*

**Mr Agnew:** My compliments to the proposer of the motion for tabling it. I was viewing from upstairs, so I have heard most of the debate even if I was not in the Chamber for it all.

It is fair to say, and the tone of the debate clearly states, that we will all say that we are, rightly, against child poverty. Nobody will deviate from that. However, we differ on how we tackle it. If we in the Chamber are going to be really mature, there has to be broad acceptance that the Executive have been ineffective to date in tackling child poverty and that devolution has not yet delivered for children in Northern Ireland. If we start from that point, we may have a productive discussion. We could get defensive and say, “But we are doing this, that and the other”, which is fine, and I have no problem with people giving reasons in context as to why we might have failed. However, to start an effective debate, we must acknowledge that we have not sufficiently tackled child poverty. The key question is this: are the measures that we are taking effective?

Mr Spratt outlined the things that the Executive are doing and have done, but a number of the things that he outlined are, and have been independently judged to be, regressive measures — ie, measures that have taken money away from the most vulnerable in society. We — the Assembly and Executive — have taken decisions that have seen cuts to public services and cuts to provisions across the board, which will impact most on the most vulnerable in our society, and, indeed, will have a significant impact on child poverty. That has been the direction of travel. Probably the best example I can give of that is the cap on rates, whereby we ensure that those in million-pound mansions do not pay more than those in reasonably sized homes, something that I still find incredible today. What we have are the rates from people in working class housing estates going to subsidise those in million-pound mansions. When we take decisions like that as an Assembly, I think we are right to be critical of some of the decisions that have been taken to date.

We can also be critical of the things that are not being done. Some have made reference to things that are being done, but what has not been done? The childcare strategy has been mentioned. I do not think there is anybody saying that they do not want the childcare strategy. I do not think it is being held up in the Government because there is somebody in there who does not want it. I think it is like a lot of things that go into OFMDFM — they go in and do not come out. Nobody here is going to say that they do not care about child poverty or it is not something that we should tackle, but I do not think we are giving it ample priority. There is an argument that cuts through government that, if we seek to boost the economy, child poverty will take care of itself. I think that attitude is one of the reasons why we are failing.

We have seen things go into OFMDFM that do not come back out. We saw the SOS call on a shared future — by SOS I mean Secretary of State, but it could have been save our soul, because it looked like we were never going to get a shared future strategy. However, as soon as

there was an economic threat as opposed to a societal threat, all of a sudden we see a knee-jerk policy coming out of OFMDFM, so it can act fast when it has to, but unfortunately, it sometimes needs that kick, which is one of the reasons why I support the motion and putting those targets into legislation to give that kick that we need to drive the issue forward.

Welfare reform is mentioned in the motion and has been mentioned in the debate. Again, it is an example of us heading in the wrong direction. It is right that we use the global economic context, the UK economic context and whatever else, but welfare reform is something on which we have power, and I think we are refusing to do what we can.

Finally, another strategy that we are yet to see — it does not lie with OFMDFM, but I think it is a fundamental example of the heart of the problems that we have in government and with silo mentalities — is an early years strategy. When we originally had an early years strategy, early years being from age 0 to six, it sat in the Department of Education, which intervenes in children's lives at age three. So we almost had an early years strategy 0 to six —

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

**Mr Agnew:** — that started at age three, which is why I am working on a private Member's Bill to ensure that we have better joint working across government and so that I do not just criticise but play my part in trying to tackle some of those problems.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** I am grateful for the opportunity to respond and speak on this issue on behalf of the Executive. Addressing child poverty is something that is crucially important to this Administration and to which we have given a significant priority. The Executive are committed to making people's lives better. We know that there are families who are struggling to make ends meet. We see them in Newtownards, in Moneyreagh, in Portavogie and in the constituency office. All of the evidence demonstrates that poverty has a negative impact on outcomes, educational achievement, health and life opportunities. We want to tackle poverty and improve outcomes for everyone in Northern Ireland. We measure poverty levels here and across the UK in relation to family income. Child poverty is directly linked to and is a result of family poverty. We cannot tackle one and not the other.

#### 5.00 pm

Family income is influenced by two key issues: how much is coming into the family, and the household costs to the family. We are committed to addressing both issues, particularly through our new Delivering Social Change agenda. The Executive have sought to support families on both of those issues by supporting economic growth and educational achievement. We want to ensure that there are jobs and that the barriers to getting those jobs are removed. In addition, we have made sure that we have kept household costs down.

Northern Ireland has the lowest poverty levels across the UK, after housing costs. Are we clear on that? We will continue to focus on these issues.

I turn to our current requirements. Our obligations are set out in the Child Poverty Act 2010, and they apply to all Departments. I heard Mr Lyttle, who is not in his place, make a silly point that this is to do with OFMDFM. No; the Child Poverty Act and its obligations apply to all Departments and require us all, individually and collectively, to work towards reducing child poverty in all its guises and, just as importantly, to tackle the issues that give rise to child poverty. Those issues are many and they have an impact on our work right across the board.

In the second annual report on delivering the child poverty strategy, to which the honourable Member refers in his motion, the Executive set out a wide range of actions that Departments are taking to address the factors that give rise to the problem. However, I should point out that this year's report builds on the success of other work that has been led by OFMDFM to develop a child poverty outcomes model.

Let me be clear: we are fit to set whatever targets we want here, and we can do that without legislation. We are happy to discuss and take the views of Members on Northern Ireland-specific targets. However, we do not believe that separate legislation is a necessary or desirable step at this stage.

The motion acknowledges that the number of children who are living in poverty in Northern Ireland differ depending on the yardstick that is used. Is it 93,000 or 120,000? I have to point out that the honourable Member has compared two reports that use the same official source but which use data from two different years. The current and most recent official measure confirms that child poverty in the Province sat at 93,000 in 2010-11, which was a reduction from 120,000 in 2009-2010. The figure of 120,000 to which the honourable Member refers was taken from the Rowntree report on child poverty here, which is one year out of date — hence the difference in the figures. The yardstick, however, is the same in that both reports use the official headline measurement of child poverty that is outlined in the Child Poverty Act.

There was a silly contribution from Mr Agnew. He was the one who asked me — Hansard will reflect it — not to change the legislation and the target measure that we use, only to talk six months later about kicking people with a completely different strategy.

The honourable Member who proposed the motion does not appear to have picked up that the two reports relate to different years. The evidence shows that relative child poverty in Northern Ireland is falling and that lower wage levels in London and the south-east of England have reduced the UK median income. Therefore, relative child poverty has fallen. However, we very much understand how difficult it can be for those who are living in poverty.

I can assure the House that the targets contained in the Child Poverty Act are very challenging and have the aim of achieving the elimination of child poverty. Let us be clear that, although the target is for the United Kingdom as a whole, our aim will be to eliminate child poverty in Northern Ireland. The target is made even more difficult by what any objective observer will note and can see, namely the global economic downturn. Addressing the problem of poverty will, therefore, require a concerted effort over a period of time. Changing the measurement or moving the goalposts is not the answer.



The motion before the House is also silent on whether local targets should be set against local norms. Should we measure local poverty rates against local mean incomes? Should we measure relative poverty or absolute poverty? Should we measure income, or should we measure against the real cost of living? Should we measure against the levels of poverty across the United Kingdom or across Europe? Should we compare poverty in Larne with that in Omagh? As I have already mentioned, our poverty rates are set against the UK median income, which is significantly impacted by the higher wages in London and the south-east of England. As I outlined to the House on a previous occasion, if we used a Northern Ireland median income, our poverty levels would fall dramatically. Those are intriguing options, but the real question remains this: what are we doing tangibly to address the causes and consequences of this social scourge in Northern Ireland?

The Executive have agreed the Programme for Government. That is our road map towards building prosperity and tackling disadvantage. The latter heading encompasses a range of initiatives, including the child poverty strategy. Over the past year, working with all Ministers in the Executive, junior Minister McCann and I have led the development of a range of interventions under the banner of Delivering Social Change. We have held bilateral discussions with virtually all our ministerial colleagues to press them on the areas in which their Departments could intervene meaningfully to address and reduce child poverty. Those meetings have been constructive and encouraging. As a result, and as set out in the Executive's child poverty strategy, we have identified a range of areas that we believe will identify the actions that will work most effectively.

Our approach is two-pronged. In the short term, we aim to improve interventions that will improve children's education, those that will improve children's health and those that will support families as they face up to the problems of low pay, unemployment, a legacy of low educational achievement, poor health and significantly higher levels of disability, especially mental disability. To make a start on achieving that, in October, the First Minister and deputy First Minister announced a range of signature programmes under Delivering Social Change: those are worth £26 million.

Through those programmes, we will address the historical issue of poor literacy and numeracy, generate new family support hubs and stimulate local enterprise to give families more meaningful and better-paid jobs. To date, the Executive childcare fund has allocated significant funds to additional childcare projects addressing a range of needs including after-school clubs, children with disabilities and the childcare requirements of vulnerable families. We will make further announcements about those before the summer recess.

Secondly, we aim to develop a range of measures that will point the way to delivering a difference in the long term. Our efforts to support communities as they build resilience, develop entrepreneurship and reap the benefits of the economic development strategy, will offer dividends that can, and will, be counted in the scale of the reduction of child poverty, such as improved services for children and better environments with more play and leisure facilities.

I notice that the Chair of the Committee raised the issue — apparently in ridicule, although I hope not — of the angling

licences. You should acknowledge that play and leisure is a critical part of a child's development. Many children miss out on those things because of a limited number of life opportunities.

**Mr Nesbitt:** I thank the Minister for giving way. The point that I wanted to make is that it is not a concessionary rate for children who are suffering from poverty.

**Mr Bell:** We are saying that many children do not have the access to play and leisure facilities that other children have. Mr Nesbitt, you may have a party that has members who live in castles and pay for their children to be privately educated elsewhere, but you should acknowledge that there are many children who do not get the opportunity to have the likes of angling licences. You should not ridicule that, and you should not take that away from them.

The work that the Office of the First Minister and deputy First Minister has been leading to develop a child poverty outcomes model illustrates how the Departments have been given a new focus and improved tools, allowing them to recognise the role that each of them can play and giving them the means to measure the extent to which their interventions are having an impact. Much work has already begun. We expect to see more results pronounced as Departments begin to use the model on a more consistent basis. Minister McCann and I will continue to hold the Departments to account through the Delivering Social Change programme board for the actions that they take.

We now have a clear strategy endorsed by all Ministers. We have clear arrangements in place to develop measures of departmental impact, and we are delivering specific programmes that will make a meaningful difference to the immediate and to the longer-term needs of children and young people.

I am grateful for the opportunity to put on record the catalogue of focused interventions that has been put in place by this Government. I am happy, in conclusion, to dismiss the suggestion that changing how we measure child poverty will make any real difference to the lives of the children and families living in those conditions. What this Executive are about, what every Minister has endorsed and what we will continue to lead and drive forward in OFMDFM is a strategy that delivers real and meaningful change for our young people who are living in poverty. Improving their lives, not changing statistics, is what we are focused on. I, therefore, urge Members on all sides of the House to oppose the motion.

**Mr Durkan:** Today's debate has brought up several issues. While there may be disagreement on some issues, it is fair to say that all Members who spoke and all parties here want to see a reduction in, and ultimately, the eradication of, child poverty. Why then, the SDLP is asking, do we, as an Assembly, and OFMDFM, as the Department responsible for tackling this scourge, not do more?

We are calling on OFMDFM and the Executive to take responsibility and set Northern Ireland-specific targets for tackling child poverty rather than continue to abdicate responsibility to Westminster and use the 2010 Child Poverty Act as an excuse rather than an aid. The reasons why we should do so have been outlined well today. This is an epidemic that has been widespread and is more severe here than in other parts of these islands. Therefore, its treatment here should be more concentrated and more sustained.

The statistics that evidence the extent of child poverty are no secret, and a few reports from the Joseph Rowntree Foundation, Save the Children and our universities have been cited today. Mr Eastwood, who proposed the motion, referred to such statistics and the fact that the constituency that we share features regularly at the top of tables of deprivation and poverty. He said:

*"we have failed to address the issues of child poverty."*

He then verified that with statistics. I do not think that anyone here can, hand on heart, say that he is wrong. For the Assembly to best be able to tackle child poverty, we need to make it accountable for doing so. Colum outlined external factors beyond our control — the global economic situation for one — that contribute to child poverty and quoted a chilling opinion from the Institute for Fiscal Studies that even a radical change in the labour market will lead to little improvement in the situation here.

### 5.15 pm

Mr Nesbitt quoted a report and said that failure to tackle child poverty will ultimately limit the growth of our economy. He then gave us a highlights reel from the Committee for the Office of the First Minister and deputy First Minister, of which he is Chair. All I can say after hearing that is that I am glad that I am on the Committee for Social Development. Like Mr Eastwood, Mr Nesbitt questioned the methodology or the yardstick being used to measure poverty, and I questioned that previously when the Minister for Social Development was heralding a reduction in pensioner poverty in the face of unprecedented costs for heating and eating.

Mr Moutray referred to a previous recent debate similar to this one and questioned, therefore, the need to revisit it. I would have thought that the need is fairly obvious. We need to act together — I agree with Mr Moutray — to tackle this ever-growing problem. He spoke about a recent OFMDFM report that looks at doing things differently. We are saying that we must stop looking and start doing. He also referred to scaremongering and accused us of doing so around welfare reform. We are aware of the work being done by the Minister for Social Development on welfare reform, but it is a pity that he did not start it earlier when we asked him to.

Ms McGahan spoke, and it is unfortunate that Sinn Féin is unable to support the motion. She proceeded to extol the vision and strategies of the Executive to tackle poverty, and that made me think of the quote:

*"fine words alone will not put food in the stomachs of our most vulnerable children."*

That was from Mary Lou McDonald, vice president of Sinn Féin, in September.

Chris Lyttle outlined the role of poverty and division in our society. He spoke of the correlation between poverty and conflict and agreed that the Executive's attempts to tackle child poverty should be more measurable. Mr Lyttle spoke of inadequate childcare provision and the continued absence of a childcare strategy, which are both barriers to successfully addressing child poverty. Like many other Members, he referred to the need for a more joined-up approach. We often hear about that in this place but, unfortunately, rarely see it.

Mr Robinson spoke. His party told us that it opposed welfare reform in Westminster, and that makes us wonder about the vigour with which it attacked parties here for opposing the same.

Ms Fearon outlined the stark realities of child poverty and displayed a good understanding of the problem.

Mr Spratt outlined some of the initiatives of OFMDFM and then spoke about initiatives from various Departments on tackling poverty. He referred to the social investment fund and the £80 million allocated. Unfortunately, we have not seen much of that rolled out yet, but we look forward to doing so. We also need to look at how successful or otherwise the schemes are at tackling poverty and to see whether we are targeting money as well as we should be.

Mr Maskey was the next contributor. He said that we cannot separate one form of poverty from another. That is true, but we cannot allow this poverty of performance to continue.

Mrs Kelly joined the debate long enough to make some valid points on the working poor and, again, called for more cross-departmental work. There was a very good intervention from Mr McGlone stating how the Executive could work to create employment and tackle poverty in that old-fashioned style.

I welcome the support for the motion from Mr Cree and Mr Agnew, who called for maturity and honesty. The Executive have failed in tackling child poverty.

The junior Minister responded, and I was glad to hear about the importance of the issue to this Administration. I may have picked this up wrongly, but I think that he said that we have the lowest poverty rates in the UK. I mentioned a few reports, and there are a lot of reports and statistics, but I must have missed that one. He then started splitting hairs over statistics in various reports, and, to me, that is, unfortunately, typical of the DUP tactic of attack being the best form of defence. Sorry, but, for us, the failure to tackle poverty and the lack of ambition to do so are indefensible.

Given the impact of the recession and the cuts that are expected to come with welfare reform, if the Bill passes, there will be an increase in child poverty. There does not seem to be the same urgency on the opposite Benches to get the Welfare Reform Bill through as there was a few months ago. At that time, when we were proposing the establishment of an Ad Hoc Committee to look at the Bill and ensure protections for vulnerable groups such as children, the Members opposite were warning of huge financial penalties and, indeed, 1,600 job losses, including a few hundred in my constituency. I recall taking an intervention from the junior Minister on that exact issue in that debate. We were accused of scaremongering, but there is little doubt about who was doing the scaremongering then. We have been accused again today of scaremongering, but there is little doubt in my mind that welfare reform will push more families and, therefore, more children into poverty. This is a view shared by just about every organisation and individual who responded to the call for evidence by the Committee for Social Development on the Welfare Reform Bill. That is why, regardless of the passage of the Bill, more must be done by OFMDFM to meet its obligations under the Child Poverty Act 2010 and, indeed, to match the pledges in our Programme for Government. In that document,

however, the initial commitment to eradicate child poverty, which had appeared in the draft, was watered down to reducing or alleviating it, as flagged up by the SDLP when voting against it. We said that this commitment was not good enough, and we are now witnessing the reality of an Executive driving policy based on modest targets. In fairness, it seems that we are incapable of meeting even those.

We must also look at what can be done to mitigate the negative impact of welfare reform on children. Last week, during Question Time, I was heartened when junior Minister McCann, in response to my supplementary, indicated that she supported making the payment of universal credit to the primary carer in a household. I was already aware that that was Ms McCann's party's position, but I would like clarification on whether that is OFMDFM's position as well.

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

**Mr Durkan:** On that issue, it is vital that we ensure a mother's access to benefits so that she can feed and protect her children.

In conclusion, we call on OFMDFM to accept its responsibility to protect the children of this region. We need it to introduce legislation —

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

**Mr Durkan:** — to allow us to set our own child poverty targets. Our children cannot afford to wait for another failed strategy.

*Question put.*

*The Assembly divided:*

*Ayes 28; Noes 56.*

## AYES

*Mr Agnew, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Mr Gardiner, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGlone, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Ayes: Mr A Maginness and Mr McGlone.*

## NOES

*Mr Allister, Mr Anderson, Mr Bell, Mr Boylan, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Irwin, Mr G Kelly, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Ms Ní Chuilín, Mr Ó hOisín, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wilson.*

*Tellers for the Noes: Ms Fearon and Mr G Robinson.*

*Question accordingly negatived.*

## Assembly Business

### Extension of Sitting

**Mr Deputy Speaker:** Before we move to the next item on the Order Paper, I wish to advise the House that the Speaker has been given notice by members of the Business Committee of a motion to extend today's sitting past 7.00 pm under Standing Order 10(3A). The Question on the motion will be put without debate.

**Mr Weir:** Mr Deputy Speaker, I make myself the most popular Member of the House by begging to move

*That, in accordance with Standing Order 10(3A), the sitting on Monday 13 May 2013 be extended to no later than 7.30 pm.*

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 10(3A), the sitting on Monday 13 May 2013 be extended to no later than 7.30 pm.*

## Private Members' Business

### Energy Costs

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

**Mr Frew:** I beg to move

*That this Assembly recognises that energy costs are of concern to businesses and consumers; congratulates the Minister of Enterprise, Trade and Investment and the Minister of Finance and Personnel for successfully negotiating a derogation from the carbon price floor for Northern Ireland; notes that this negotiation prevented an increase in local energy bills of between 10 and 15%, which would have had a detrimental impact on households and businesses; and calls on the Minister of Enterprise, Trade and Investment to continue to work with industry to keep energy affordable.*

The first line of the motion recognises that energy costs are of concern to business and consumers. That is certainly the drive behind the motion before us today.

First of all, I commend the Minister and her colleague the Minister of Finance and Personnel for delivering on a result on the carbon price floor. It will not have been lost to this House that both those Ministers are DUP Ministers, but credit should be given where credit is due. The carbon price floor and the decision that has been taken that we will not be liable to this tax is one of the most important decisions for the future of electricity supply and pricing in Northern Ireland.

The Minister has been in detailed discussions with Treasury for about two years on this very matter, setting out the consequences for consumers, our generators, our industry, our business, the economy, our manufacturers and our large employers if this tax were applied in Northern Ireland. This tax measure would have undermined the competitiveness of energy generators in the all-island market. Not only would that have put jobs in that sector at risk, but it would have produced higher bills for energy consumers in Northern Ireland, which would have left large employers with hard decisions to make, and it would have meant that there could well have been job losses. So the Minister has delivered for our generators, the Ministers have delivered for householders, and the Minister has delivered for small businesses and large employers and for this economy, in a sphere where we do not have a direct influence, and that is the cost of energy.

Members of this House will recognise that this is a DUP MLA speaking, but do not take my word for it or the DUP's word for it. Nigel Smyth, who is the Northern Ireland director of the Confederation of British Industry (CBI), commented on 20 March that:

*"Today's budget statement has gone some way to building business and consumer confidence with a number of measures being of key note.*

*The agreement to exempt Northern Ireland electricity generators from the Carbon Floor Price effective from*

*1 April is something CBI has lobbied hard for. This tax would have cost Northern Ireland £175 million over the next 5 years which would have had a detrimental impact on commercial and domestic energy prices."*

The CBI is the UK's leading business organisation, speaking for some 240,000 businesses around the UK. It communicates the British business voice around the globe. Those are not our words but the words of the CBI.

**Mr Flanagan:** I thank the Member for giving way. When he labours the fact that the CBI speaks for industry, he will also note that the CBI speaks for those who generate the electricity, who would have been hit by this tax, so there is a bit of conflict of interest there that needs to be noted.

**Mr Frew:** OK. I thank the Member for his intervention. The fact still remains that the generators in Northern Ireland could not have competed in the all-island single market, so this had to happen. I am glad to be able to say that our Ministers delivered on that commitment. This is something that had not affected our people. It had not come in. It is something that we were able to stave off. They do not know the impact that it would have had on business and employers.

No doubt, corporation tax powers are the biggest and best tool that we could possibly have in order to attract new overseas business, but I believe that after that, energy costs are the next big factor that business and, in particular, manufacturing have to consider when deciding where to place their plant and their site. It is a big factor that needs to be considered.

I must express my gratitude to the Minister. Any time that I have asked her down to north Antrim, she has come down. She has listened and spoken to and met large employers of manufacturing plants in north Antrim, she has taken away their concerns, and she acts on it. She does something.

#### 5.45 pm

Why do our businesses pay so much for electricity? Why is it so complicated? How best can the Government influence prices and cost? Those are some of the questions put to me and the Minister by large employers in north Antrim who punch well above their weight in manufacturing. North Antrim, and Ballymena in particular, has a great track record of manufacturing, and that is something that we want to retain in north Antrim.

I realise that responsibility for this issue lies with the Utility Regulator, but we as a Government must influence where we can to make it easier for businesses to grow. We and our businesses face a complicated scenario. An electricity bill is made up of several factors. The charge for the electricity consumed is only one small part, and is, depending on where you go, about 50% of the bill. The other factors are the capacity charge, which includes the generator's operating costs; infrastructure costs, including the public service organisation (PSO) levy, market operator's and distribution use of system (DUOS) and transmission use of system (TUOS) charges. The next thing is supplier costs and margins, and, to top it all off, we have taxes.

It is true to say that Northern Ireland seems to be paying the most when it comes to electricity, and, if not the most, we are right up there. That is a threat to our manufacturing

plants if it is a global company and we are top of that league. Global companies are competing with not only rival manufacturers but with other plants within their own brand, structures and make-ups. That is of major concern, and should be of major concern to all of us.

We can talk all we want about fuel poverty and try to do all we can to reduce the numbers in fuel poverty, but if a large employer was to leave the Northern Ireland scene, that would throw thousands of people into fuel poverty overnight. It would be devastating if any town or area, not least north Antrim, Ballymena or Ballymoney, were to lose a large employer, because some of those manufacturing plants have 700, 900 and 1,000 employees, which would mean thousands of families being thrown into fuel poverty. That is vital, and the House should focus on that.

There are some things that we need to focus on and push through to help us even though some are not our direct responsibility. There is no doubt that we need to get the North/South interconnector up and going as quickly as possible. I do not understand sometimes: I live in the east, of course, in north Antrim, and we have lived with pylons all our lives. I do not have two heads; we live with them OK. However, we have to be realistic that we need power lines and pylons to generate and distribute power.

Not having the North/South interconnector is costing consumers — householders, families, businesses and large employers — £25 million per year. The scheme is stuck in planning and legal processes when we should be getting on with the job of interconnection, which is as vital a piece of the jigsaw as generation. The Moyle interconnector is running at 50% volume at the minute. I know that the companies involved are going through insurance difficulties, but we need to get another cable laid to get back up to full speed. Another neutral cable would, I believe, resolve the issue quicker, and they should be doing that as quickly as possible to get us back up to full speed.

What we desperately need, especially for the companies in the west of the Province, to give them a choice, is gas extension. Those towns in the west deserve gas as much as the towns that I represent. I would like to see the gas extension going forward as quickly as possible.

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

**Mr Frew:** I could talk on about this for a lot longer, but I will leave it open now. I plead with the House to focus its mind on this major issue for businesses and unite ourselves to the task of trying to make energy costs much more affordable.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank Mr Frew for bringing the motion to the House and proposing it. He spent a good part of his 10 minutes paying tribute to Minister Foster and Minister Wilson. I will take the opportunity to pay tribute to Mr Frew for all his efforts in this regard and to all those who are involved in the negotiations. I encourage the Minister, as part of her 15-minute response, to pay tribute equally to Mr Frew. *[Laughter.]* You give a little, you get a little. That is the way the world works.

Before I start into my contribution to the debate, it is only right that I pay tribute to the chief executive of the Utility Regulator, who, today, announced his decision to step

down from his post in October. In all my dealings with him, I have found that he has made his best efforts to protect consumers. In the absence of any form of effective competition here, he seems to have done what he can to protect consumers. I wish him all the best and thank him for his efforts over the past few years.

I welcome the motion's being tabled today. It is disappointing that, once again, when we talk about such an important issue, there is a fairly poor turnout among MLAs. However, that is the quality of the debate that we are going to have. We will proceed with it.

It is a timely debate. It is right to note the recent successes that the Executive have had with the derogation from the carbon price floor. That is very welcome. There was unanimous cross-party support backing Ministers on that. We are all very glad to see that it was successful.

By the way, we support the motion and will not be voting against it. However, the bit at the end of the motion says, "to keep energy affordable". Energy is not exactly affordable at present, although we realise that things could have been a whole lot worse. At present, we are in a situation where more than 40% of households are still in fuel poverty. Much more could be done through the Executive. Even more needs to be done that cannot be done because it is outside the Executive's control.

As a representative of a rural constituency, I know that one of the big issues that faces every household is the weather. At this time of the year, anybody who is thinking of bringing turf home would have had it turned and footed. With the bad weather, there has been no turf cut in the country at all. Later in the year, that will be problematic, particularly for rural dwellers who rely on turf to heat all or part of their house for some of the year. If the Minister has any influence on the weather, I encourage her to bring that pressure to bear where it matters. Not only will that impact on people who live in rural areas and rely on turf, but it may impact on coal prices as the demand for it may well rise — I was going to say when the winter comes, but last winter has not left yet.

With regard to the carbon price floor, if the tax had actually been applied, it would have completely undermined local electricity generators in the single electricity market. One ongoing issue that is currently being dealt with by the Minister and the Utility Regulator is security of supply. Mr Frew spoke eloquently about the lack of interconnection. That needs to be resolved. How that will be resolved is a different matter. I, for one, am confident that a resolution will be sought with the power plants that are there. I do not think that either the Minister or the Utility Regulator will simply allow it to happen that we will face blackouts in two, three or four years' time. I am hopeful that that situation will be resolved.

As regards how we can actually get cheaper electricity for people, I asked the Minister about that during Question Time. I think that she may have picked me up wrongly, so I will use this opportunity to reiterate my point. We need to see much more emphasis on community generation of electricity, whereby an anaerobic digester or combined heat and power plant of some other sort is put into a small town or village. It would then generate enough energy to heat and power all the homes in the area. Of course, it would be much easier if there were a single large user or multiple large users in that area to make it more

sustainable. That is one option that we need to look at in future.

Obviously, it would not be the only source that we would get energy from. However, I think that it would be attractive to do that in some places. Not only would it, hopefully, reduce the price of energy in those areas, but it could have local spin-offs, with people supplying woodchip or biomass or using waste to generate energy. That is one alternative.

I am keen to hear the Minister's response on such initiatives and encourage her to use the energy policy unit —

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

**Mr Flanagan:** — in the Department to bring some of those schemes forward and to look at some of the good work that has been done by Community Energy Scotland.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas le moltóirí an rúin seo. I thank the proposer of the motion. I was going to start by referring to a recent report on fuel prices commissioned by the Utility Regulator, but my colleague on the Enterprise, Trade and Investment Committee Mr Flanagan referred to the breaking news that he will leave us come October, so I would like to wish him well. I always found that the regulator was well apprised of his brief and particularly interested in drilling down into the details, some of which I will refer to today. I wish him well in whichever course he chooses to take in his life and occupation.

That recent report is titled 'Orphans in the Energy Storm', and for good reason, as many of our most vulnerable householders have been left out on their own. The problems are exacerbated here in the North because of our dependence on home heating oil and the supply restrictions in getting fossil fuels here. The recent Housing Executive house condition survey estimates that up to 42% of households are in fuel poverty. The current weather conditions are creating more and more difficulties, not just for people on income-based benefits but — this is an important point — for many on lower incomes who have to make the choice between heating and eating. So we are in a very difficult situation. To that end, the derogation from the carbon price floor tax, forthcoming as part of the London Budget 2013, is welcome. Although today's motion is somewhat sycophantic in its praise for the Minister, the SDLP will support it.

Although the derogation is welcome, it is but a small part of the jigsaw, some of which Mr Frew and Mr Flanagan referred to. It is essential that this routine piece of ministerial business be viewed as one step in the process to reduce energy costs. It is essential that the Executive up their game in the important fight to lower fuel costs to the consumer. The derogation is akin to the one-off fuel payments so trumpeted by the First Minister and deputy First Minister in December 2011. Yes, it is very welcome, but it masks the fact that, in the long term, our householders will still be "orphans in the storm".

It is vital that we in the North continue apace the development of green energy solutions. Recently, I met NIE to discuss the issues that it faces in the connection to and enhancement of the grid. It is clear that quite a bit of work is required, particularly on enhancing the grid and upgrading substations. Some work with the regulator will be required to ensure that any investment is not only in the

interest of big companies but protects and regulates fuel costs for consumers.

In the long term, we do not want to be the sole European region dependent on environmentally damaging fossil fuels. As the Minister for Communications, Energy and Natural Resources, Pat Rabbitte TD, states at the beginning of the Irish Government's strategy for renewable energy:

*"The development of renewable energy is central to overall energy policy in Ireland. Renewable energy reduces dependence on fossil fuels, improves security of supply, and reduces greenhouse gas emissions creating environmental benefits while delivering green jobs to the economy, thus contributing to national competitiveness and the jobs and growth agenda."*

As we all know, the jobs that renewables could create are sorely needed as the Executive continue to oversee rising unemployment. With an unemployment rate higher than at any time in the past 15 years, it is important that we recognise that the one way to lift families out of fuel poverty is to ensure that they are able to earn a living wage. For many families, particularly those with young children, it is back to that clear choice between heating and eating.

The House has just finished discussing child poverty. According to Save the Children, fuel poverty rates in the homes of children and young people in the North are among the highest in the developing world. When my colleague Alex Attwood was Minister for Social Development, the SDLP pushed to tackle fuel poverty. In March 2011, we published a new fuel poverty strategy for Northern Ireland, Warmer Healthier Homes, but, since the Assembly election, the Northern Ireland Executive have failed to push that agenda.

The derogation has bought us time.

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

**Mr McGlone:** It is now essential that the Northern Ireland Executive use that borrowed time to redouble their efforts in order to ensure a sustainable energy future.

**6.00 pm**

**Mr Deputy Speaker:** I remind Members to make sure that their mobile phones are not interfering with the sound system.

**Mrs Overend:** We all know that energy costs are one of the major concerns that businesses, families and individual consumers across Northern Ireland have. I am sure that I am not the only Member who hears that on a weekly or even daily basis from constituents. For that reason, I welcome the motion tabled today by the DUP, even though I suspect that its main purpose is to broadcast the carbon price floor exemption and the achievements of the DUP Ministers in that regard. However, I note that it also calls on the Minister of Enterprise, Trade and Investment to:

*"work with industry to keep energy affordable."*

That is perhaps the most important aspect of the motion.

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

Simply put, the carbon price floor is a tax on fossil fuels used in the generation of electricity. It, therefore, affects UK generators of fossil fuels, including combined heat

and power operators and auto-generators, the suppliers of those generators and electricity utilities. It was first announced during the 2011 Westminster Budget. The idea is that it will provide an incentive to invest in low-carbon power generation by providing greater support and certainty to the carbon price in the UK's electricity generation sector. Although it came into effect for the rest of the UK on 1 April, it had already been outlined in the Chancellor's autumn statement in December 2012 that Northern Ireland would be exempt. According to HMRC, Northern Ireland is exempt because of concerns about the impact on energy security due to the different market conditions as a result of the single electricity market. The outcome is that generators in Northern Ireland will not be at a competitive disadvantage to those in the Republic of Ireland. That is obviously desirable. A further positive is that individuals and households will be better off, as the indirect costs of the carbon price floor will not be passed on to them through increases in electricity prices. This is not an insignificant move on behalf of the Treasury, as it must be remembered that it comes at a cost to the Treasury of approximately £150 million between now and 2018. I commend the Treasury for the sensible position that it has adopted. Credit where it is also due to the Finance and Enterprise Ministers for their involvement.

However, although we should recognise success, we should not dwell on it. It is important that we put into context the cost of energy in Northern Ireland. A recent report published by the Utility Regulator concluded that the largest 30% of industrial and commercial consumers face some of the highest electricity prices in Europe. That is one of many issues that I have discussed with the Utility Regulator. At this stage, I would like to add my good wishes to those expressed for Shane Lynch as he moves on in October following today's announcement. Those high prices are regardless of any carbon price floor changes that have been secured; they are crippling for our economy and hardly act as an incentive for overseas investment. The Utility Regulator suggested that market size, economy of scale issues, fuel mix at the wholesale level, energy policy, including taxation, and regulation may be drivers of regional price variations. Although a number of those issues are beyond our control in this devolved Administration, I would welcome clarification from the Minister on the action that she has taken as a result of this alarming report.

**Mr Flanagan:** I thank the Member for giving way. She raised the report from the Utility Regulator that shows that large users here pay more than in most other European countries, apart from Italy. Does the Member think that the solution to that problem is for consumers to pay more or for NIE to take less of a profit from large users?

**Mrs Overend:** I was going to get onto that. Further research needs to be done on how the electricity price is set in Northern Ireland and comparisons made before we can answer that question.

Individuals and households are struggling on a weekly and monthly basis with the rising costs of living, and high energy costs are a huge part of that. One example came to the fore recently as the Consumer Council stated that the cost of home heating oil in Northern Ireland has risen by 60% in the past three years, with 68% of homes reliant on it. That is pressure that, unfortunately, disproportionately weighs on the most vulnerable. The uncertainty created

by the ongoing disputes between the Utility Regulator and various utility companies damaged confidence amongst consumers, although I accept that there is a limited role that the Minister can undertake in solving that. The motion ends with a call to the Minister to work with industry to keep energy costs affordable, and we would of course support that call. The current status of the North/South interconnector is a particular concern to the security of electricity supply, and we must continue to engage with industry on that. Likewise, the Moyle interconnector is another concern that needs to be resolved. During her contribution, the Minister will no doubt outline what action she is taking. I also ask her to update the House on the discussions that she has had with the Utility Regulator about the ongoing disputes that I mentioned.

Finally, it is also the case that more research is needed to inform fully the debate on how energy prices are negatively affecting business. I ask the Minister to outline whether she has plans to commission further work in that area.

**Mr Lunn:** I support the motion. Like others, I begin by congratulating the Minister in obtaining the derogation to which the motion refers. I also congratulate the Minister of Finance and Personnel.

The last thing that we need in Northern Ireland at the moment is any action that would cause an increase in energy costs to business or domestic customers. I have heard the discussion about the price differential for large users, and I really do not understand why large users would have to pay a much higher rate than small users. It is usually the other way around. It is supply and demand, but that is by the way.

The reality of the single electricity market — something that my former colleague Sean Neeson advocated very staunchly — is that Northern Ireland power generators will have to compete with generators in the Republic of Ireland as well as those in GB. That will be even more the case if the much-talked-about interconnector ever comes about. I agree with Mr Frew that we should have got used to pylons by now, and I think that the argument about underground or overground has gone on for far too long. It would make it quite easy for Republic of Ireland generators to make inroads into our market for no reason other than geographical location. I repeat that the derogation is sensible and that the two Ministers deserve credit. However, a bit like Mrs Overend, I doubt that it was the most difficult negotiation that the Minister has ever had to conduct.

The aim of the carbon tax is to promote low carbon generation and limit reliance on fossil fuels. It is often stated that its purpose is to meet the UK's carbon emission targets, which it is. However, the truth is that climate change has almost been forgotten about during the economic depression that we are in. Indeed, the recession has inadvertently diverted us from that discussion. Nevertheless, the Members who tabled the motion should be in no doubt about climate change and its impact. If they do not want to hear about it from me, they can always talk to their colleague Jim Wells, who, if he were here, would be nodding his head. Study after study has shown that climate change is having a material effect on people's standard of living across the globe. Therefore, we should do all that we reasonably can to slow it down. That is the case, targets or no targets. There was no point in seeking

to amend the motion to make it relate to climate change, as that would have moved it away from its core point.

Although the derogation was correctly negotiated for the reasons that we have agreed on, we need to hear from the Minister now and in future — I know that we have heard in the past — what her plans are for how Northern Ireland will help the UK to meet its carbon emission targets and, more importantly, help to alleviate its worst effects worldwide. We will of course support the motion.

**Mr Moutray:** As a member of the Committee for Enterprise, Trade and Investment, I support the motion that stands in the name of my three colleagues. The motion goes to the heart of one of the most important and challenging issues that confronts modern society. The energy debate will continue for many years to come, and many views will be expressed. However, a pressing, immediate and alarming reality is that the cost of our energy has risen to unprecedented levels.

I think that the whole House would agree that energy costs are a major concern to us all: to businesses and to domestic consumers. There really is no debate about that. Businesses have faced many pressures in recent years, and high energy bills have inevitably taken their toll. Such soaring costs have an adverse impact on profitability and, even more starkly, on the viability of businesses. Of course, with high energy costs, there is a knock-on effect on the rate of inflation, and we then get caught up in a vicious circle. We must do all in our power to peg back these increases in prices.

I stress that I am completely committed to all efforts to promote alternative sources of energy. Doing that is crucial. My Committee has done considerable work on the further growth of the sustainable energy sector, and I spoke on that in the House in February. I know that my colleague the Minister takes a similarly positive view of the need to develop alternative energy resources. However, to put it mildly, I have doubts about some of the arguments that are put forward by the green lobby. We must be careful about getting too carried away with scare tactics about the continued use of fossil fuels and global warming. The whole issue is not as simple as some would make out.

The DUP has held the Enterprise, Trade and Investment portfolio since devolution was restored in May 2007. In those six years, we have developed a clear strategy and given energy issues a high priority. Above all, we must continue to follow an energy strategy that is right for Northern Ireland. We have unique economic pressures and energy needs, and we need to proceed with all due care and consideration. That is why I commend my colleagues Arlene Foster and Sammy Wilson for standing firm against the Treasury and ensuring that we are exempted from the carbon price floor that came into effect in Great Britain last month.

To some extent at least, I understand the rationale behind the carbon price floor initiative. It is an environmental levy designed to stimulate investment to replace ageing generating plant in the GB electricity market. It is an important element of the UK's climate change policy. However, we in Northern Ireland are part of a single electricity market, which means that our generators compete for the market share with those in the Irish Republic. If our three power stations — Ballylumford, Kilroot and Coolkeeragh — had to include carbon tax,

they would be at a major competitive disadvantage with generators in the Republic of Ireland that are not subject to the tax. In that context, we would be hard-pressed to survive. We have to buy from the cheapest provider on the island of Ireland, so we would end up buying from suppliers in the Irish Republic first.

As the motion spells out, the new levy could have added up to 15% to our electricity bills, which would amount to some £25 million a year, a figure that would have risen sharply in the following years. Further, and worryingly, it could also have compromised our energy security. The impact on our already hard-pressed households and businesses could have been severe; indeed, it does not bear thinking about.

In conclusion, I encourage the Enterprise, Trade and Investment Minister to look at all options available to us to keep our energy affordable. However, in encouraging her along those lines, I know that I am preaching to the converted. I support the motion.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. The Minister will be delighted to know that I also support the motion. I think that Paul, in moving the motion, has probably successfully moved up the ranks of the DUP by now. It may be that you are in line for a ministerial position. I just hope that this does not mean that Minister Foster could be moving on anytime soon.

All joking aside, it is important to give credit where it is due. For a lot of the time in this Chamber, we are quick to criticise, and rightly so. However, we are not very quick to give credit, and we should recognise where that is due as well. I want to thank the people in the Research and Information Service for the work that they have put in for this debate. They also provide us with a lot of information.

In moving the motion, Mr Frew talked about fuel poverty. A number of other Members have mentioned fuel poverty, and I think that they were right to do so. It is an issue that people, not only in business but in their homes, are struggling with the cost of energy. Some Members touched on the cost, and evidence suggests that energy is one of the biggest costs in households and businesses. Paul touched on that. So, we need to move the whole argument around dependence on fossil fuels to a place where we look at the issue of renewable sources.

#### 6.15 pm

I do not know whether this is an issue, but I want to mention that the Department for Social Development (DSD) has responsibility for alleviating domestic fuel poverty. I think that its current target is to assist around 9,000 homes a year. An additional scheme was to deliver 40% of the measure to vulnerable people in rural properties. Poor Nelson did not even get a mention in the opening address. He will be glad that I mentioned him. If the Minister has time in her contribution, will she let us know what officials at the Department of Enterprise, Trade and Investment (DETI) and DSD have done so far to look at the issue of fuel poverty? The topic of energy prices is being debated right across this island. We are talking about targeting a number of issues, and we have the opportunity with the DSD scheme to target fuel poverty.

The Muldoon report stated that the balance of risk and reward between electricity generators and customers needs to be reviewed. There has been a multitude of



reports over the past number of years, and we need to look at them. When you take on board that the Executive's strategic aim is for a more sustainable energy system where much more of our energy is from renewable sources and energy efficiency is maximised, moving away from the dependence on fossil fuels must be a key priority. I am not trying to be negative about this, but I think that, when we are talking about the good work that has been done to date by the Enterprise Minister and her officials and the Finance Minister and his officials, we need to work out how DSD fits into this. We debated a motion earlier on child poverty. The impact of fuel poverty plays a big part in child poverty. There is also the impact that prices can have on businesses, as the Member who moved the motion mentioned. We are dependent on small to medium-sized enterprises, so we need to look at how it all fits together so that, on the one hand, we are doing all of that good work but, on the other, we ensure that other Departments play their part.

**Mr Frew:** I thank the Member for giving way. I must agree with her: we think Arlene is a brilliant Minister, too. It is right that we move in the direction of renewable energy, but that comes at a cost, which could be very hard for our businesses to take if we go too far in one direction too quickly. It has to be a balancing act. Does the Member recognise that?

**Ms S Ramsey:** Yes, I do. Anything that we do needs to be done properly. I said that a lot of good work has been done — I did not say that the Minister is brilliant. Give us a break, will you? He said it.

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Flattery gets you nowhere.

**Ms S Ramsey:** That is what I like to hear. The Minister is embarrassed now.

On a serious note, I agree with Paul, but the point I am making is that the Executive have priorities. We accept that two Ministers working together has moved us along. There is another Minister who can play his part, and it is about how we take that Department into the process and look at strategies right across Europe and, indeed, Britain. It is not about lifting what is there and putting it in place here. We should just lift what we think is good and design it to suit our needs, so I agree with a lot of the comments that were made. We should focus on the issue. DSD can play a key part of all of this. What are we doing at that level so that we can have more involvement in what DSD can do? I am not in any way being negative; I am just trying to move it on a wee bit further. I support the motion.

**Mr A Maginness:** I agree with Mr Moutray's analysis of the carbon floor tax and its application to Britain. It is an appropriate tax for Britain, given its size, scale, and so forth, and the fact that they want to replace ageing generators. That is a perfectly sensible approach to take, but to apply that tax here would be nothing short of disastrous, because it would certainly increase the price of electricity here. It would have undermined the single electricity market, of which we should be very proud. It would have led to a competitive disadvantage for generators in Northern Ireland and an advantage for those in the South, and it would have caused a serious disruption of the single electricity market. Therefore, it is appropriate that the Chancellor of the Exchequer and the Westminster

Government have decided to exempt Northern Ireland from that tax.

That is a very sensible decision, and I want to pay tribute to the Minister. I do not want to embarrass her with more praise; the poor Minister of Finance and Personnel has not received as much praise as she has. In fact, judging by his remarks in Parliament, he seemed to take it as a great victory for himself. *[Laughter.]* I am sure that he did not mean it that way, because he is so modest a gentleman that he would want to share that with his ministerial colleague.

In any event, it is a sensible decision. Of course, having the single electricity market is something that we should be proud of. It will lead to a greater electricity market in northern Europe, including Britain and other countries throughout the European Union. That is something that, I believe, will ultimately stabilise prices and allow them to be decreased.

The Utility Regulator's report on pricing here indicated that prices for bigger businesses are on the high side. I presume that the answer to our colleague from the Alliance Party about why prices are higher is that, at that level, they are not regulated. If that is the case, there may be other measures that could be taken to assist bigger businesses.

Certainly, as the Minister will probably acknowledge, it does not help us to attract big business here, which we need to attract, if energy prices are so high in relation to our European competitors. We have to look at that. Prices for domestic consumers and for smaller businesses are on a par with other European countries and are akin to the average throughout the European Union, so that is good news.

There are many issues that we could look at in relation to energy prices. The outstanding issue is that we are losing between £18 million and £25 million a year because we do not have the North/South interconnector. We have to remedy that, and consumers have to know that they are losing out because of the delay in having the interconnector and that they will continue to lose out as long as the delay continues. As far as I know, that is the yearly amount that we are losing out on.

We have to educate the public on that matter. I know that there are local difficulties, and I sympathise with people. There is a process to be gone through, but it must be gone through efficiently. Local people's concerns must be taken into consideration.

**Mr Deputy Speaker:** The Member's time has expired.

**Mr A Maginness:** Nonetheless we have to solve this problem in order to get an efficient and effective supply of energy throughout Ireland.

**Mr Allister:** Of course it is right to acknowledge and commend the derogation on the carbon floor issue, which is beneficial. However, this superficial and largely self-congratulatory motion speaks only to a very small part of the energy story in Northern Ireland.

The truth, which the motion does not address, is that the cornerstone of the Minister's policy, namely the single electricity market, is failing. It was introduced on the premise and with the promise that, through competition, it was going to level and reduce prices and create an altogether better consumer situation in Northern Ireland.

Indeed, before the single electricity market was introduced, the trajectory of electricity prices in Northern Ireland was towards coalescence with the lower prices in GB. Since it has been introduced, the trajectory is towards coalescence with the higher prices in the Republic of Ireland and away from the lower prices in GB. That speaks failure not success. In my opinion, it is down, in large measure, to the fact that, under the single electricity market, we have seen wholesale electricity prices not fall but rise to far too high a level. That has happened because of a mix of two things. First, competition is not working; it is not even there effectively. Secondly, there has been a lack of investment in new, efficient power stations for Northern Ireland.

The House would do well to remind itself of some of the monopolies that were created under the single electricity market. There was a time when NIE, before it was owned by the ESB, was forced to sell Systems Operator Northern Ireland to prevent NIE having a potentially dominant position in the Northern Ireland market. Who did it sell it to? It sold it to EirGrid, the state-owned system in the Republic of Ireland. Who then bought NIE? It was the Republic of Ireland state-owned ESB. So, we end up with precisely the monopoly situation that was meant to be stripped put of Northern Ireland, and yet we are surprised that from monopoly does not flow competition or a lowering of prices. The single electricity market has proved to be a monopolist's charter controlled from the Irish Republic.

Things are set to get worse. At the end of 2015, Ballylumford B has to go out of production. In 2016, Kilroot has to drop its production by 50%. There is no sign of any indigenous replacement of generation capacity in Northern Ireland, only more dependence on the ESB generation of the Republic, where, of course, focus and attention is on building the generation capacity of the South. What is the Minister's response? It is to help them by putting all our eggs in the North/South interconnector so that they can better sell their electricity to us. Let us happily ignore the fact that the other interconnector, the Moyle interconnector, is largely redundant at times. It breaks down and is not being replaced or renewed. The consumer will most likely have to pay the repair costs because of the insurance problems that have emerged.

Where is the Minister's vision and focus on getting us properly interconnected to GB? The Moyle interconnector is not doing the job adequately. I say respectfully to the Minister that, if she put half the focus on improving the Moyle interconnector that she puts on the North/South interconnector, she would begin to bring an opportunity of balance to the market and begin to tackle and attack the monopoly that exists under the single electricity market. I remind the House —

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

**Mr Allister:** — that Lord Whitty's report recognised that we are not getting a fair deal under the single electricity market. It is time that the Minister recognised that and acted on it.

**Mrs Foster:** I thank the Members for the bouquets and, latterly, the brickbats that have been fired towards me. I will deal with all those issues in due course in my response.

There is no doubt that energy prices present a real challenge for homes — we have heard a lot about fuel

poverty today — and indeed for businesses in Northern Ireland. As Minister for the economy, I have engaged with businesses right across Northern Ireland and heard how uncertainty in energy prices impacts on their competitiveness. It is important to recognise that we are not the only ones facing rising energy prices: it is obviously a global issue, although some people do not recognise that. Our position is complicated by the relative size of our market and our position at the end of the supply line. Retail energy prices are influenced by a number of factors, but primarily by wholesale energy prices on the world energy market.

### 6.30 pm

So, in summary, drivers for prices are largely outside the remit of the Department and the Assembly. However, the carbon price floor measure is an example of a policy measure that we were in a position to challenge and reshape to our advantage. That is a very good example of the complexity of the whole energy policy environment. I recognise fully the merits of establishing a floor price for carbon, which Mr Maginness mentioned. The measure was designed to drive investment in cleaner generating plants. Of course, that is admirable, and it has been necessary in Great Britain. However, as I said, it was designed principally for the British electricity trading and transmission arrangements (BETTA), and the single electricity market that operates in Northern Ireland and the Republic of Ireland is legally, structurally and operationally different.

Analysis commissioned by the Department showed that there would be adverse, albeit unintended, consequences of a floor price. It is important to say that the floor price was not intended to be a tax that made our generators uncompetitive, but that is exactly what would have happened if it had been introduced here. Consumers and the economy in Northern Ireland would have suffered if it had been implemented here. So, we worked hard to make that case and secure the derogation. Critically, that was done at no cost to the Northern Ireland block — that was part of the negotiation. It would have led to increased costs to our consumers, businesses and domestic users totalling £25 million a year.

Our analysis has shown that Northern Ireland-based generators would have become increasingly uncompetitive in the single electricity market and that, by 2020, would have been displaced fully. That raised issues around security of supply and loss of jobs. I have taken the opportunity to meet the members of Ballylumford B in connection with the other issue that we have talked a lot about today, including at Question Time. If Mr Allister had been here for Question Time, he would have heard me talking about the Moyle interconnector. I was asked about interconnectiveness, and that is exactly what I talked about.

I talked about the North/South interconnector, the Moyle interconnector and the connection between Wales and the Republic of Ireland. We are moving in the direction of a market, not just on this island but on the two islands. Of course that is good news, because it is going to bring more people into the market. So, of course I am talking about the Moyle interconnector: there is little point in having connectivity between Northern Ireland and the Republic of Ireland if we cannot share that connectivity with the rest of the United Kingdom. So, really and truly, I wish that he

would read Hansard, even if he has not got time to come to the Chamber and listen to what I have to say.

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

**Mrs Foster:** I will certainly give way.

**Mr Allister:** The Minister might like to start by acknowledging that I was here during Question Time. I sought to be called during those very questions about electricity, so the Minister might be more careful with her facts.

As for the Moyle interconnector, can she tell us when her policy is going to deliver a real, working, durable interconnector to GB?

**Mrs Foster:** I said, "If the Member was not here" not, "He wasn't here." He was here, and he was not listening to what I had to say in relation to the Moyle interconnector, the GB and Republic of Ireland interconnector or the North/South interconnector. So, it is for the rest of the House to know what I said.

I have been delighted with the success of our work with Treasury. Unfortunately, Treasury is likely to keep the decision under review, so we need to be ever alert to all of that. That is an example of local energy policy delivering in the interests of our consumers. I believe that it will support the continued operation of our power stations in Northern Ireland and send out clear investment signals to the market. Of course, this is a market issue, and if there is to be new generation in Northern Ireland, that is a market issue as well.

If there is a security of supply issue that is not being dealt with by the market, I have the power, through DETI, to say that we need more generation.

If there is a need to use that power, I will, but I hope that the ongoing negotiations between the Utility Regulator, the Department and the generators will find a solution without the need for me to intervene in that way.

The debate also raises important issues about energy costs, and the regulator's recent information paper shows that electricity prices paid by our industrial and commercial sector are among the highest in Europe.

At this juncture, I want to pay tribute to the Utility Regulator, Shane Lynch, who has said that he will leave his post in October. We worked closely with Shane during his time, first, in the electricity sector and then as the regulator, and we wish him well in whatever he intends to do after October.

I welcome the publication of the paper in the interest of creating transparency in pricing. Of course, I am extremely concerned about the initial findings, and, because of that, I have written to the regulator asking for further analysis to be given priority status and saying that I would very much welcome the formation of a working group, including representation from the Department, to carry forward a next steps analysis. It will be important for that analysis to examine regulatory practices and policy positions in other jurisdictions to identify whether options such as cross-subsidisation deliver a better outcome for particular groups of consumers. There have already been calls for action to be taken in the interests of our manufacturing sectors, but, as I said, there are complex issues, and, in the first instance, government measures in support of business inevitably mean that there are state aid considerations to be addressed.

A number of Members around the Chamber raised the issue that 42% of our population are recognised as being in fuel poverty. Any action to skew costs in a manner that alleviates pressure experienced by businesses has a significant potential to drive more domestic customers into fuel poverty, so it is a balancing act. If we are to look at all of this, we have to realise that consumers, whether domestic or business, will pay at the end of the day. That is part of the difficulty. As Mrs Overend said, it is very important that the regulator undertakes further analysis of the underlying drivers of prices, the cost of transmission, distribution and the single electricity market, and then examines the extent to which pricing is cost reflective for all consumers.

The best way to ensure fair and affordable energy pricing is to create the appropriate market conditions, and the single electricity market, despite what Mr Allister said, has brought more competition. He may not like it, but the facts speak for themselves. More companies have been coming in and providing electricity to the single electricity market (SEM). It has also provided greater transparency and resulted, as I said, in newer and more efficient generators, as well as new suppliers entering the market.

The regulator reports that we have now have five active domestic electricity suppliers and eight active suppliers of industrial and commercial consumers. Two of those suppliers entered the market as recently as 2012, which suggests that it continues to evolve and mature. As I said, Europe is driving us towards further integration, and work is under way to adapt the SEM to meet the requirements of the new European-wide target market. My position, which I have made very clear to the regulatory authorities in Northern Ireland and the Republic of Ireland tasked with driving this forward, is that any change required to deliver compliance with the target market must be subject to a robust cost-benefit analysis.

I want to mention briefly other ongoing issues in energy policy, such as our work to develop the gas market. Until recently, the price of oil has steadily increased. Although oil prices have fallen in recent weeks, gas remains a cheaper option. The price of natural gas will, of course, fluctuate like any other fuel, but even after the Airtricity tariff increase earlier this year, gas prices remain lower in Northern Ireland than in Great Britain and around 4% lower than retail prices in the Republic of Ireland.

Gas supply competition is now well established in greater Belfast and commenced in October 2012 for the large energy users in the gas market just outside Belfast. My Department, along with the regulator, will continue to create the appropriate market conditions and encourage new gas suppliers to enter the market, but it is up to consumers to make the choice to switch fuel or, indeed, suppliers. We will continue to work with energy companies and the regulator to keep energy costs as low as possible by encouraging competition and appropriate market conditions.

The extension of the natural gas network in Northern Ireland can contribute to the improved management of energy costs and forms part of a diverse energy mix, and that is why the Executive are fully supportive of extending the gas network to the west and north-west of Northern Ireland. That will provide a fuel choice for businesses and households, help with fuel poverty, create short and long-term employment opportunities and support

the competitiveness of existing businesses, especially the large energy users, as well, of course, as reducing greenhouse gases. It is vital that the impact of gas network extensions on tariffs for all gas and electricity consumers is minimised, hence our support for this initiative comes with financial backing, and that is welcomed by people right across Northern Ireland.

On renewables, we have ambitious targets for both electricity and heat, and we are ahead of schedule in delivery against those: on electricity, against a 2012 target of 12%, we are sitting close to 14%. Although we do not yet have a substantive figure to hand, I am confident that, given the introduction of the renewable heat premium and the recent launch of the renewable heat incentive, there is potential for significant progress to be made in that regard.

Briefly, I will say something about the grid. There is no doubt that grid upgrading will be required to facilitate the increased renewable generation, particularly in the west, where some of the better wind energy resources are found. Once again, we see elements of the complexity of the operations of energy markets, and we must be mindful to balance necessary investment in infrastructure against the cost to consumers.

I was a little amused by Mr Flanagan's reference to cutting turf in Fermanagh. Of course, if he were across the border, he would not be allowed to cut turf at all. I thought that that was quite amusing. I was also a little worried about his carbon footprint from cutting turf, but that is a matter for him. We need to be careful to consider the impact that restrictions have —

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

**Mrs Foster:** Yes, I will give way. Why not?

**Mr Flanagan:** I am not allowed to burn turf at home because of the mess that it leaves from ashes not because of carbon emissions.

**Mrs Foster:** That is a great clarification, and I thank him for it.

Interconnection is a vital piece of the jigsaw for a modern energy infrastructure. As we heard at the beginning of my response, we have limited interconnection at present as a consequence of faults on the Moyle interconnector. We continually meet Mutual Energy to push it in that direction, but, ultimately, as Members know, it is a matter for the regulator to ensure that we have that in place. It is important also to have the North/South interconnector in place, as interconnection will become increasingly important, both from a security of supply perspective and also in addressing prices. We have heard that the delay in the North/South interconnector adds £7 million a year to consumer bills in Northern Ireland alone and adds considerably more in the Republic of Ireland. There is a pressing need to deal with that issue.

The second issue is, of course, consequences for pricing, and we have to ensure that we have critical infrastructure in the most cost-effective, reliable and technically achievable manner. I could address the issues that Ms Ramsey brought up in relation to the Department for Social Development. We are working very closely with DSD in a number of areas, and I was very pleased when we recently announced the innovation that the Quantum heater will bring.

**Mr Deputy Speaker:** The Minister's time has expired.

**Mrs Foster:** I am, of course, happy to give that information to the Member after the debate, as my time is now up. It is a challenge, but one that we are addressing.

#### 6.45 pm

**Mr Dunne:** There is no doubt that energy costs are consistently cited as one of the main challenges for businesses in Northern Ireland. They are also a challenge for many domestic customers. It is vital that the Assembly and Executive do all that they can to minimise energy costs.

I thank all the contributors to the debate — those who have stayed to the end. We all recognise that this has been a useful debate, and I am glad that everyone in the House recognises the importance of reducing energy costs for businesses and consumers.

I also commend the Minister of Enterprise, Trade and Investment, Arlene Foster, for her work to date on energy. That the derogation comes at no cost to the Northern Ireland block grant is very significant and something that needs to be recognised fully. I also recognise the work of our Finance Minister, who is not here but who obviously had a significant input into it. I know that the Minister of Enterprise, Trade and Investment will continue to do all in her power to work with industry and others on keeping energy affordable.

Affordable energy is vital for economic growth, and that is something that we must continually work on. The carbon price floor would also have had an adverse impact on the cost of electricity generation, and it would have made local generation totally uncompetitive with electricity generation in the Republic of Ireland. Alternative sources of energy, such as renewable energy, also have a role to play in the future of our energy sector. Not only is a strong, indigenous, sustainable energy sector vital to the creation of jobs and security of supply, it is also in the best interests of the consumer. Supporting further growth in the sustainable energy sector will mean that Northern Ireland is much less reliant on the importation of fossil fuels and thus much less exposed to volatile international fuel prices.

We must also continue to work on the extension of the gas network. Gas continues to be a more cost-effective source of heating and energy supply for householders and businesses. There is clear evidence that our leisure centres and hospitals and major consumers in industry such as Bombardier all use gas as their main energy source. The uptake of gas should be encouraged, particularly in the greater Belfast area, where the network exists. The uptake at present varies considerably, with some areas running from 27% up to 50%. There is room for improvement.

I will now consider the contribution of other Members to the debate. My colleague Paul Frew, in proposing the motion, recognised that, with the significant impact of the proposed carbon price floor increase, the cost of electricity generation would have been excessive. His major concern as usual was the cost to major manufacturers in north Antrim. The impact on major employers — Mr Frew often cites Michelin — could have been very significant. It would have left them competing under very difficult circumstances, and that would have been a risk to future business.

Stephen Moutray mentioned that our three local power stations would have been at a significant competitive disadvantage had they been included in the carbon tax. He made the point about renewable energy that balance is important. Renewable energy is good as an alternative, but it comes at a cost that can often be excessive, so the balance must be right.

Patsy McGlone obviously had green energy solutions. That would not surprise me at all. He mentioned the high level of dependency on home heating oil, and he reckoned that 40% of people are in fuel poverty. That is very significant and something that we must all be aware of. Again, however, we have almost 70% of people depending on home heating oil, so we must be mindful of that and do everything that we can to try to encourage the use of alternatives.

Phil Flanagan mentioned the cost of turf. The fact that no turf had been cut yet is something that I fully recognise, and I trust that Phil will get the turf cut long before the G8 summit, because we do not want our visitors to be in a cold house in Fermanagh. *[Interruption.]* I know that it is not a cold house, but I do not want that to be the case for all the visitors who are coming to the G8 conference.

He also mentioned his pet project of community generation of cheaper electricity. He reckons that local communities can generate electricity much more cheaply under renewables and that doing so will be more cost-effective. We must wait and see.

Sandra Overend recognised the efforts of the Enterprise, Trade and Investment Minister and registered her concerns about the increase in the carbon floor price, which she reckoned would cost the Treasury some £150 million. She also mentioned the Utility Regulator's report on the ongoing costs of energy and the importance of our being competitive with the rest of Europe.

Sue Ramsey, as usual, had concerns about fuel poverty. She mentioned the Muldoon report and the cost of generation in relation to the cost to consumers.

Alban Maginness mentioned the North/South interconnector and rightly reckoned that the lack of progress was a cost to consumers. He also pointed out that had the carbon tax initiative gone through, it would have been disastrous for businesses and consumers in Northern Ireland.

Jim Allister did not congratulate the Minister. He had concerns about the risk of competition not working and the lack of investment in power stations and so on. However, the Minister addressed all those issues, and Mr Allister has gone home satisfied — obviously. *[Laughter.]* It has been a very useful debate. A lot of issues have been covered, from turf to all sorts of power and energy. The contribution from Members has been good and genuine. We put on record our thanks to our two Ministers for their efforts. It is significant that these savings will be transferred to businesses and consumers, who are hard-pressed on energy issues.

*Question put and agreed to.*

*Resolved:*

*That this Assembly recognises that energy costs are of concern to businesses and consumers; congratulates the Minister of Enterprise, Trade and Investment and the Minister of Finance and Personnel for successfully negotiating a derogation from the carbon price floor for Northern Ireland; notes that this negotiation prevented an increase in local energy bills of between 10 and 15%, which would have had a detrimental impact on households and businesses; and calls on the Minister of Enterprise, Trade and Investment to continue to work with industry to keep energy affordable.*

*Adjourned at 6.52 pm.*



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# Northern Ireland Assembly

Tuesday 14 May 2013

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

*Members observed two minutes' silence.*

## Assembly Business

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

## Ministerial Statements

### **Together: Building a United Community**

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

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

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

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

It would be idealistic to think that any initiative, no matter how significant, can heal all of society's divisions and problems, but I believe that it is a significant step forward that demonstrates our confidence that the people of Northern Ireland are determined to live, work and socialise together as a single united community. Our announcement marks the beginning of a new agenda for change.

Together: Building a United Community is about actions rather than just plans and strategy. Actions will not only improve community relations but deliver real improvements and outcomes. Perhaps that is best demonstrated by shared education, which is a subject on which I have spoken before. Shared education is the right thing to do in

terms of healing divisions. It is fundamentally wrong that we segregate our young people on the basis of religion at such a young age. I believe that sharing in education, development and work will provide all of us with improved opportunities to become a society that is open to ideas and innovation, open to all points of view and all perspectives. It will break down divisions and build a united community bond.

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

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

The creation of 10,000 one-year placements in our new United Youth programme will offer young people aged between 16 and 24 who are not in education, employment or training (NEET) structured employment, work experience, volunteering and leisure opportunities, along with a dedicated programme designed to foster good relations and a shared future. There will be three elements to the programme: first, employment and work experience; secondly, an opportunity to spend part of the week in a community or charity setting through volunteering; and, thirdly, a structured programme for leisure, sport and learning, all within an environment designed to foster friendships across traditional community divides.

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

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

summer will be supported throughout the year by a range of activities.

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

All these initiatives are vital. They will bring people of all ages together and ensure that they have a common stake in our society. However, we can and must go further. It is not enough to learn and play together. If we are to achieve a transformation in our minds, neighbourhoods and society it will happen only through meaningful, positive contact day to day, week to week and year to year. Again, this cannot be addressed in isolation from problems of multigenerational poverty. The four urban village regeneration projects will allow us to deal with the full range of problems that determine and are associated with multigenerational poverty. These include educational attainment, access to employment, access to services and a safe, healthy environment.

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

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

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

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

We intend to publish the Together: Building a United Community strategy, which will set out our thinking and the principles on which we will operate. It cannot and does not claim to be the answer to every question. There are still,



of course, issues on which the deputy First Minister and I differ, but there is one area on which there is no difference at all: our determination to resolve all our problems, even the most challenging ones associated with flags and emblems, parades and protests, and learning from and dealing with the past.

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

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

10.45 am

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

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

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

**Mr P Robinson:** First, we will, of course, be pleased to hear what the Committee's views are on the paper. I know that the junior Ministers will be happy to answer questions, unlike the Member's ministerial colleague, who went along to the Committee for Regional Development and refused to answer questions. The junior Ministers will, of course, answer questions. Indeed, the deputy First Minister and I would be happy if we can arrange a date to go along and speak to the Committee about the issue, about which we feel passionately.

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

Secondly, I have to say that, sadly, there is an inevitability — we say this from experience — that anything that we

say in confidence in Executive meetings and other places ends up being leaked to the press. Indeed, on the issue of a shared future —

**Mr McDevitt:** By you.

**Mr Speaker:** Order.

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

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

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

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

Thirdly, it is worth pointing out that there have been years of consultation. We have already had agreement from various party leaders on the setting-up of an all-party group. In truth, I have to say that I am fed up to the back teeth with the foot-dragging; the whingeing; the stalling; sometimes, one might even say the attempt to posture politically on critical issues such as this; the begrudging; the bellyaching that one hears; and the conditioning before statements can go out from colleagues. I am depressed listening to the tribe of Jeremiahs that infests the political process and whose first thought is to attack any genuine attempt that is made to bring forward positive proposals. Of course, those people have nothing to contribute themselves.

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

**Some Members:** Hear, hear.

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

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

Assembly colleagues further detail and information on the schemes as they are developed and designed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

the leadership to move forward to try to change the atmosphere in our society, and I hope that there will be support from other Members in this Assembly.

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

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

#### 11.00 am

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

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

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

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

**Mr McDevitt:** Hear, hear.

**Mr Speaker:** Order.

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

**Mr Speaker:** Order.

**Mr P Robinson:** The deputy First Minister and I were still on our feet making the announcement when the tweets were coming from the SDLP attacking what we had not yet said about the project. Please step back from the party politicking, look at the issues involved, look at how important it is for the future of Northern Ireland and make

that your primary interest and aim as we move forward, rather than trying to score some cheap points along the way.

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

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

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

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

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

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

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

**Mr P Robinson:** I would never attempt to frame the Member's question or to tell him how he might ask it. He

should not attempt to tell me the narrow range of choices that I have in answering it.

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

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

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

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

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

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

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

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

Let us take, for instance, the massive 10,000 placements that we are talking about. The cost of that will depend largely on the stipend that is given to each person who takes part. We need to have a stipend to encourage young people to get out into a meaningful role in society. That role will take them into business for the first time in their life and give them some work experience. It will also be a good citizenship role, in which they will have the opportunity to work with voluntary and charitable organisations, and a good relations role, in which they will work across the community and meet and play with other people. We want people to take part in that. We want to encourage people out of the "no hope for the future" environment that some feel they live in. That costs money and not just in terms of the stipend. If you were to give £1,000 as a stipend, you would be talking about £10 million of cost as soon as the scheme is fully rolled out. Were he not talking on the Back Benches, I would say to the Member for South Belfast that it depends largely on how fast a lot of the schemes roll out. I do not expect to

have 10,000 people employed in businesses or involved in charitable and voluntary organisations on the first day; we will build up to that overall figure of 10,000. However, for every stipend of £1,000, there will be a £10 million cost. You can do the multiplication yourselves, depending on what you feel is an appropriate stipend. You will then need to put in place all the necessary organisational support. As each of those schemes is determined in detail, you will get to the final figure.

Of course, we are then into the business of how fast you roll out some of the capital bill; how much of it you can put into existing capital budgets; how much there will be for reallocation because of schemes that do not go ahead at a certain time, from which funding can be redeployed; how much we will be able to get by way of Barnett consequentials; and how much we will be able to encourage the Government to give us when we look at the next CSR period, because this flows into that. We had a commitment from the Government on the £18 billion that was promised in capital spend, which we believed had been severely reduced. They have indicated that they will realise that figure during the period of the promise for that £18 billion. Therefore, more money has to be coming in capital bill projects. For all those reasons, let us see the design and detail, and let us look at the figures and at a projected way forward that is based on the money that is available and might become available to us.

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

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

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

**Mr Rogers:** I thank the First Minister for his statement. I, too, welcome the announcement of the 10 shared campuses, but, considering the segregated nature of the area planning process, how will shared education be advanced in that framework?

**11.15 am**

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

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

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

The second element, of course, is the volunteering one. Being involved in charitable or community organisations is something that, we hope, will start within the programme but will continue after people leave the programme, because they will make friendships and will see the benefit of the work that they do within it. There is also, of course, the good relations and cross-community element of it — the ability to meet people from a different background and to enjoy play or to have shared experiences with them. All of that is a valuable way forward for a significant portion of people in our community, many of whom have given up hope for the future.

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

**Mr Weir:** I thank the First Minister for the statement, which I think will bring positive benefits to the community as a

whole in Northern Ireland. Although indications have been given that the overall exact cost of the financial package required to fund this cannot be completely quantified at this stage, what does the First Minister think the impact will be on discussions around the next comprehensive spending review and any implications in terms of reprioritisation within that Budget?

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

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

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

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

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

This is a major scheme that will require a sizeable infrastructure. It will require the work being undertaken in Departments and the support of voluntary and charitable organisations in finding placements for young people. It will require a partnership with the business community. It will require us to ensure that the design of the scheme is

such that no one in the business community will use the placements as a replacement for people who are already working in a business. All those issues have to be worked through, and regulations and details have to be set down.

**Mr Givan:** I commend the First Minister for this statement. Having achieved political stability and accountable institutions, he continues to lead the Province in ensuring that our community moves forward. Will he assure the House that, although the Ulster Unionists and Alliance Party walked away and boycotted — albeit that it was John McCallister who led the Ulster Unionists out — *[Interruption.]*

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

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

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

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

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

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

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

**Mr McDevitt:** *[Interruption.]*

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

**Mr Speaker:** Order.

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

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

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

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

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

### 11.30 am

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

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

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

In October 2010, the First Minister called for an end to our children being educated separately. Today, we just have

shared education. Will the First Minister support the 17 recommendations in the 'Advancing Shared Education' document and actually push for a single shared education system?

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

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

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

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

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

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

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

There are always difficulties when a projected date is given as to when things might happen. It is something that is not within our control. It is in the control of the people in the local communities. However, it is right that we set ourselves a goal, no matter whether people think

it is too ambitious a goal. I would rather see us stretching to try to achieve something than being limp and lame in our ambition to get there. So, I give him the absolute assurance that he seeks on the matter. We will want to talk to those local communities to see how we can help them get away from the shadow of the walls.

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

**Mr Speaker:** Order, order.

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

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

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

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

We do not want to wait forever for something positive to come from the committee. I do not mind if we get interim reports, if levels of agreement are reached on some of these issues so that we can put them into the overall strategy and take them forward, but Northern Ireland is in too precarious a position, with the divisions that exist and the divisions on the issues that will be before the all-party group, for us to take this as some academic exercise

that can be done over a prolonged period. So, let us see some degree of desire on the part of the participants to expeditiously deal with those issues and to try to enter those discussions with a new and more positive spirit.

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

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

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

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

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

**Mr Speaker:** Order.

**Mr P Robinson:** We are in the business of trying to bring people together to try to resolve age-old problems. We have attempted, to our own frustration on many occasions, to try to get agreements from all the parties around this Chamber. It was not possible. Parties walked away in the huff and boycotted the meetings, and others could not even agree on a press statement to go out to take it to a further stage. That is why we have decided to give some leadership on the matter. Instead of attempting to score a political point here, there or yonder, let us roll up our sleeves and try to resolve the issues that our community is begging us to deal with. They elected us here to try to give them a new way forward in Northern Ireland. Let us not disappoint.

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

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

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

We have indicated our targets for the shared campuses and shared housing, what we hope to do with the combination of sport and community relations, and what we intend to do with the schemes that we have set out in the seven programmes, as well as, of course, the

overarching strategy that will be published at the end of next week. Our targets, hopes and expectations are all there.

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

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

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

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



11.45 am

## North/South Ministerial Council: Environment

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

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

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

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

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

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

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

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

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

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

On cross-border movements of waste, Ministers also noted that work on the two sites, Seskinore and Eskragh, at Clogher, County Tyrone, which were planned for the 2012-13 programme, is complete. In total, more than 15,000 tons of waste was removed from both sites — I visited one of them — and a programme of work for 2013-14 has been agreed. Since 2010, six sites have been addressed and the waste repatriated. Over 63,000 cubic metres of waste has been repatriated. The sites completed in 2012-13 had a total of just over 10,000 cubic metres, and there remain 11 sites to be repatriated. The Council noted that joint enforcement action to deal with illegal operators is a priority for both Environment Ministers, and Departments continue to target resources at that.

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

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

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

held in November 2012 involving representatives from both jurisdictions.

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

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

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

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

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

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

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

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

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

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

#### 12.00 noon

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

The figures from the all-island used tyre survey taken forward by the South suggest that 72% of used tyres are recycled, 0.2% are retreaded, 6% are used for landfill engineering, 5% are used for agricultural purposes, 7.3% are sold as part worn, and 9.5% are sent to unknown destinations. That is very different from what we had in 2000, when 32% were sent for retreading, 22% were sent for recycling, 16% were used for agricultural purposes and 30% went to unknown destinations.

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

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

opt out. Producer responsibility may yet be one of those opportunities.

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

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

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

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

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

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

to the benefit of the environment of the whole island, will take the issue.

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

**Mr Attwood:** Not specifically. Road safety is relevant to all roads on the island of Ireland, whether they are dual carriageway, single carriageway, rural roads or motorways. Therefore, when we discussed road safety issues, which was more at the transport sectoral meeting rather than the environment sectoral meeting, they applied equally to all roads, whatever their designation.

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

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

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

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

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

How do we deal with that? The penalties have to be maximised. There is evidence that, when waste repatriation penalties were severe at those sites, it helped to stop the problem. Therefore, I am looking to my

environmental crime unit, the PSNI and others to have maximum penalties around criminal prosecution and the proceeds of crime.

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

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

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

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

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

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

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

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

## 12.15 pm

**Mr Weir:** I thank the Minister for his statement. I appreciate that, as stated in paragraph 14, a symposium on the Clean Coast and Coastcare schemes was held in November. Will he outline what outcomes and practical benefits have

arisen from that symposium? Obviously, the state of our beaches and coast is dear to us all.

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

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

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

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

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

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

does not suggest that the problem is on the same scale as before.

As I said in an earlier answer, the issue of illegal waste in the North, which might have some cross-border element to it, and the management of that waste in the North is a serious, growing issue. There may even be multiple cases of the illegal waste that we discovered had come from the South to the North and is now being repatriated. However, the fact that we keep this on the radar by discussing and processing it every time that we meet on a North/South basis means that there is a higher level of vigilance, be it on the environmental side or the enforcement and policing side, than has been the case heretofore.

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

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

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

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

The more that we build our capacity to draw down funds, be they European or other R&D funds, the better we will be. In my view, part of that will be what Science Foundation Ireland is taking forward. It will be a new funding source for science and research in biotechnology, ICT and energy matters. What does SFI do? It invests in the academic researchers and research teams who are most likely to generate new knowledge, leading-edge technologies and competitive enterprises in science and engineering. What does that mean? It means that, if the higher education institutes and FE institutes in the North build up projects and apply for funding or build up shared projects with institutions in the Republic of Ireland, they can, on the one hand, draw down from SFI and, on the other hand, potentially draw down from European funding mechanisms.

What is the message being sent out from Dublin? It is that, in a time of recession and restricted moneys, they

still see opportunities in creating a scale of opportunity for research and development on the island of Ireland by changing their primary legislation to capture opportunities for the Six Counties through a funding stream in the Twenty-six Counties. That sends out a big message about where the future should be.

## Private Members' Business

### Vehicle Fuel Duty

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

**Mr McKay:** I beg to move

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

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

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

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

A report from the Consumer Council published in 2011 showed that consumers in the North faced the highest cost for petrol when compared with Britain and the South

every month in the year 2011. Fuel costs are a challenge to individuals, families and businesses in the North, and the high rates that we endure here need to end. The motion lets us explore whether a single agreed fuel duty could allow us to increase revenues, which could allow us the negotiating room to reduce our rate and address the fact that we are subject to some of the highest fuel prices in Europe. Businesses, families and everyday people bear the brunt of the volatile fuel prices in the North.

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

### 12.30 pm

Some of the more recent figures — if I can get my hands on them — show that, from 2009-2010 to 2010-11, there was a difference of £50 million in the mid-range estimate. That was due to a fluctuation in fuel prices. It shows that, when the differential between North and South reduces, the loss in revenues reduces as well. If we were to use £17.5 million to reduce fuel by 1p, that would have an impact on cross-border shopping and the amount of revenues that are going to the London Treasury. There is clearly room for discussion on these issues, and we should be going to the British Treasury.

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

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

Fuel duty raises approximately £1 billion a year in the North, which goes directly to the British Treasury. Transferring fuel duty powers to the Executive would bring the ability to vary the levy rather than having it imposed on us from Whitehall. Some estimates, as I said, put the initial cost of this at £17.5 million. That makes it clear that,

if the Executive had powers to set fuel levies, we could set the level at a competitive rate with that in the South and thereby eliminate the differential along the border and increase revenue. It would tackle fuel smuggling and laundering; it would lower transport costs, which would also have a knock-on effect on retail prices for goods and services, and it would help thousands of commuters and their families across the North.

We cannot afford to do nothing about fuel duty rates. We cannot leave them unchanged. It is a huge problem, and we need a local solution to that problem. The Mayor of London, during his visit in recent days, said to the BBC that you have to demonstrate to the British Treasury that you will save it money. I am not interested in saving the British Treasury money, but, in this case, it is clear that, if you change the rate to bring it more in line with the South, you will have less cross-border fuel shopping and less fuel crime across the border. You can then start to tackle that loss in revenue, which ranges up to £210 million. Given that changing the rate in the North by 1p would cost only £17.5 million, I think that this is clearly worth exploring. It would reduce costs for policing, for Revenue and Customs and for environmental clean-ups. Very importantly, it would also reduce costs for businesses and increase economic activity.

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

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

*The debate stood suspended.*

*The sitting was suspended at 12.35 pm.*

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

2.00 pm

## Oral Answers to Questions

### Environment

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

#### Planning: Uncompleted Developments

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

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

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

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

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

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

**Mr Attwood:** First, we are identifying the unfinished or partially developed sites in the North. Secondly, we will deploy the mechanism of completion notices, which allows us to take action when a site has been partially developed and then abandoned. I trust that other sites will follow in

Portstewart's wake. Thirdly, road bonds exist in respect of many unfinished sites, and they should be deployed in order to complete the site to a satisfactory level. Fourthly, action was taken in respect of a humanitarian issue in Newtownabbey, where a bridge collapsed. There is an argument that there are humanitarian issues in respect of other undeveloped or unfinished sites in the North, where people live in a situation that, by any stretch of the imagination, cannot be called humane and where there is a health and safety risk. It may be that there is a model that could be deployed, in very selective cases such as Newtownabbey, to find government funding to help in humanitarian circumstances.

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

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

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

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

has gone to court, the court has found in the council's favour. That model can be applied by every council in the North. Use your pollution control legislation and your improvement legislation, and, on the far side of that, you will get results for local people.

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

**Mr Kinahan:** I thank the Minister, particularly for his work on the bridge in Newtownabbey, and I welcome all the other initiatives that come with this. Does he plan to bring in legislation that would put pressure on the administrators to make sure that developments are finished off to a human living standard?

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

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

## Road Safety: North/South Co-operation

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

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

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

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



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

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

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

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

It is not easy law, and it is not easy to implement even if we have the law, because there are different regimes between North and South. For example, in one jurisdiction, penalty points may be dealt with by way of court fine or court procedure and, in others, by way of administrative remedy. You have to co-ordinate all that, develop the IT and have a mutual standard for the relevant penalty points. It is not easy work. Technically, legally, operationally and administratively it is very challenging, but Leo Varadkar and I have given a very strong green light to our officials to take it forward. They are working hard at it.

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

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

**Mr Attwood:** There has also been a challenging conversation going on with the Association of British Insurers, which can be — I want to put this very gently —

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

2.15 pm

**Mr Speaker:** Question 3 has been withdrawn.

## DOE: Decentralisation

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

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

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

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

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

truth of the matter is that they do not exist. Many other Departments have a lot of agencies.

Yes, I would like to decentralise whatever I have. That is why, although it was a bit of a battle, when I was in the Department for Social Development (DSD), we located the headquarters of the Charity Commission in Lurgan despite the resistance of one or two people in the commission. In my view, it was important to decentralise into an area of neighbourhood renewal. I think that I have shown some authority in doing what we can, and there is more that all Departments can do. However, the Member needs to go and check some facts about all these bodies that I control: I do not.

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

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

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

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

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

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

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

## Fuel Laundering

6. **Mr A Maginness** asked the Minister of the Environment to outline what action he and his Executive colleagues

can take, including on a North/South basis, to tackle the problem of illegal fuel laundering and dumping. (AQO 4032/11-15)

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

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

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

Having spoken to the Justice Minister and the roads Minister last week, I intend to meet others to discuss the matter, not least the Serious Organised Crime Agency (SOCA). However, given its conduct over the past three or four years, it would be better known as the "silent organised crime agency". It has no profile or impact, and people do not know what is happening with the threat of organised crime on this island. As I said this morning, the threat of organised crime on this island, including the North, is no smaller than it was in the days of terror. That is not a very good statement to make about where things are on this island.

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

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

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

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

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

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

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

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

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

**Mr Givan:** Cop out.

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

**Mr Speaker:** Order. Allow the Minister to answer.

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

**Mr Speaker:** Order. Allow the Minister to answer.

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

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

**Mr Attwood:** — organised crime.

## Marine Atlas

**Mr Hamilton:** Decidedly less exciting than the previous question.

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

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

2.30 pm

## Finance and Personnel

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

### Inflation

1. **Mrs D Kelly** asked the Minister of Finance and Personnel what impact the move from using the retail price index to the consumer price index has had locally. (AQO 4042/11-15)

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

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

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

As far as the different indices are concerned, the Government believe that the consumer price index (CPI) is a more suitable measure than the retail price index (RPI) when it comes to measuring inflation for pensions. The

first reason given for that is, first, that CPI tends to be less volatile. Secondly, it better accounts for changes in the behaviour of pensioners when it comes to a response to price changes and therefore more accurately reflects how benefits should be set in relation to the payments to that group of people whose preferences and spending patterns are better reflected in the CPI.

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

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

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a chuid freagraí. I thank the Minister for his answers so far. Is he aware that the Office for Budget Responsibility has estimated that RPI will run at twice the rate of CPI between now and 2016 and that, therefore, the switch in pension uprating from RPI to CPI can be seen as nothing more than a smash-and-grab raid on the pensions of many people in Northern Ireland, who have worked hard to build them up over the years?

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

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

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

**Mr Beggs:** Other than index-linking arrangements, one of the biggest factors that affects pensioners' incomes

is take-up of entitlements. What are the Minister and his colleagues doing collectively to ensure that pensioners are aware of their benefit entitlements and take them up?

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

## Non-domestic Rates

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

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

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

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

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

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

**Mr Wilson:** I wondered at what stage Sinn Féin would mention that. We will have a debate about this afterwards anyway. I have always made it very clear that where a good, strong case is made, as in the case of air passenger

duty or corporation tax, for devolving fiscal powers, I will be wholeheartedly behind it. However, I do not take the view that we should simply grab fiscal powers for this Assembly where there is no strong case for doing so.

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

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

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

### Rates: Welfare Reform

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

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

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

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

vulnerable people in society when the Executive finally decide to make a decision?

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

It is an important issue. One thing that I want to say is that I do not want to prejudge the outcome of the consultation. We will be undertaking another 12 weeks of consultation. We already have the results from the consultation on the general principles. Two things have come through from the consultation to date. First, none of the people who responded to the consultation believed that we should be putting more money into the scheme. There is an air of reality out there now that there are very many demands on the expenditure that the Executive undertake, and, therefore, it is important that we do not make rash commitments. No one suggested that we throw more money at it.

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

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

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

### 2.45 pm

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

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

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

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

### Marriage (Same Sex Couples) Bill

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

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

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

**Ms S Ramsey:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for outlining that for us. Minister, given that you and, indeed, a lot of your party members talk about parity, do you agree that there is a possibility that, by not ensuring that gay couples have similar rights to what is being proposed in England, your Department — not you — could be open to legal challenge on this policy?

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

Westminster so that they can support the legislation that they so love.

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

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

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

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

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

### Single-use Carrier Bag Levy

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

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

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

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

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. It is good to see that the Finance Minister is now a strong supporter of the operation of the carrier bag levy here. It clearly shows that the Executive can have tax powers —

even on a small scale — and operate them successfully. However, on the same theme, does he agree that the Department of Finance and Personnel and DETI need to get a move on with the air connectivity report and feed that into the debate about the devolution of air passenger duty?

**Mr Wilson:** How you get from plastic bags to planes I do not know, but the Member has done it. I repeat that we made the case to the Treasury on the basis that it was a levy and not a tax, and, on that basis, we were able to recoup some of the money. There is work to be done on the air connectivity report. However, I remind Members again that, if we want to devolve all air passenger duty to Northern Ireland and if the purpose of doing so is to do away with air passenger duty, the Assembly has to find between £60 million and £90 million a year. Sometimes, the money being used to encourage people to take short-term breaks outside Northern Ireland could be used to get them to add to the tourist industry and spend in Northern Ireland.

### Civil Service: Equal Pay

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

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

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

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

**Mr Wilson:** First of all, it is not a case of who is to blame. It is this: is there a legitimate claim or is there not? Responsibility for establishing that legitimate claim lies with the PSNI. The PSNI has to show that, within its organisation, there is a group of mostly female clerical staff who are paid and have been paid at different rates

from another group of mostly males who are doing a job that is similarly measured. If there is such an instance, they present a business case, and, if that business case stands up, payment will be made because there is an equal pay claim. However, the responsibility lies with the employer, and the employer is the PSNI. Until it does that, no pay claim can be put out. Indeed, NIPSA has now publicly stated that, when it was negotiating on the issue and taking a tribunal, it did not include PSNI staff because it recognised that no such claim had been established.

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

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

3.00 pm

## Private Members' Business

### Vehicle Fuel Duty

*Debate resumed on motion:*

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

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

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

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

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

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

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

be addressed and the issue that our amendment seeks to address.

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

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

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

We hear about the environmental damage. In fact, we recently heard from the Environment Minister, Alex Attwood, that plastic cubes of laundered sludge had been dumped in the same spot for the tenth time. Each of those cubes has to be sent to a toxic waste disposal facility abroad at a cost of £375 each. That cost has to be met by the ratepayer. That is still a poor measure of the evil that launderers do.

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

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

**Mr Girvan:** I oppose the motion and the amendment.



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

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

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

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

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

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

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

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

**Mr Girvan:** No, you are all right.

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

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

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

**Mr Mitchel McLaughlin:** Will the Member give way?

**Mr Girvan:** Yes.

**Mr Deputy Speaker:** Sorry; time is up.

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

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

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

### 3.15 pm

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

Let me be very clear on the solution that I propose and what I want to see. I want to see the criminals involved in this sinister and destructive behaviour locked up behind bars. I want to see their assets seized and their liberty taken from them. I want to see those thinking about getting involved in or continuing to be involved in this crime

sleeping uneasily on their beds in case the knock of justice comes at any time. I want to see proper legal justice. I want the criminals to be in fear. This motion would not have the criminals in fear. At best, it would have them punching numbers into their calculators to reassess what profits they could make. I want the criminal justice system to be the deterrent that it should be, with strong evidence gathering, determined investigations and aggressive prosecutions. Let us have a policy of zero tolerance, especially on the Mr Bigs and the shadowy figures.

If Sinn Féin is serious about tackling this issue, it should get behind Her Majesty's Revenue and Customs in investigating these crimes. If Sinn Féin and others are serious about tackling this issue, they should get behind the National Crime Agency. However, they will not. What conclusions should we draw from that? Many people believe and will continue to believe that Sinn Féin is not really serious about tackling fuel crime in any way whatsoever, so its challenge is to dispel those beliefs. This motion falls far short of that; it does not even get close. My constituents will continue to be disappointed by that attitude. They will be disappointed by the thrust of this motion and the apparent ambivalence to the real issues. The lives of my constituents are not going to be improved by this motion or its outworkings. Their lives will only improve when people stop dumping sludge on the roads near their homes and on their lands. If it takes a prison cell to stop criminals dumping sludge and stealing from the taxpayer, then so be it —

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

**Mr Kennedy:** Let us get on with it.

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

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

**Mrs Cochrane:** I will not at the moment.

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

Much of what I had planned to say has been covered by other Members, so I will keep my comments fairly brief. Fuel laundering and trading in illicit fuel represents a significant threat to the Exchequer and hurts legitimate businesses. It is a problem that is common to the UK and Ireland. Therefore, we must find better ways to combat that form of evasion. Illicit fuel sales in Northern Ireland account for an estimated 12% of all fuel sold at pumps. The fuel that has been tampered with can damage the vehicles of those who unsuspectingly use it. As has been

mentioned by others, the considerable environmental impact from fuel laundering places a burden on taxpayers, who end up having to foot the bill for cleaning up the toxic sludge. If that were left, there would be a real risk of contamination to the surrounding countryside.

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

Unfortunately, I cannot support the motion as currently worded.

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

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

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

We have to ask what the motivation is behind the motion. We do not want to get too bogged down, because we had the debate on the National Crime Agency. The bottom line is that somewhere in the region of £25 million of seized assets are being held by the serious organised crime branch of PSNI. If the National Crime Agency legislation is not introduced in the second week of October, the assets that are held under the existing legislation will have to go back to the people from whom they were seized,

most likely with interest. The question has to be asked: if Sinn Féin is serious about combating fuel fraud or fraud in general, why on earth is it not allowing a piece of legislation to go through that would prevent £25 million of seized assets being given back to the criminals? It makes no sense whatsoever. If Sinn Féin is serious about wanting to combat illegal operations and fuel fraud in Northern Ireland, it has the opportunity to put its point across and vote accordingly when it comes to bringing the National Crime Agency legislation in front of the House again.

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

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

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

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

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

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

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

A report by the Consumer Council in 2011 showed that consumers in the North faced the highest costs for petrol,

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

Per capita, levels of investment for public transport in the North have been much lower than in Britain and the South of Ireland. That means that we do not have the same standard or provision of public transport as other regions, leaving many people, particularly in rural areas, with no alternative but to use private cars and vehicles. In the North, it is businesses, families and everyday people who bear the brunt of volatile petrol and diesel prices. Three quarters of the people in the North travel by car at least three times a week, and the majority of our freight and commercial businesses make use of our road network. Fuel is also a major input cost for farmers, and the rising cost of fuel for agricultural vehicles and machinery is a major burden on local farmers.

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

### 3.30 pm

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

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

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

**Mr McKay:** I thank the Member for giving way. The only elected representative who I am aware of who has been

caught and was involved in fuel fraud was an Ulster Unionist councillor in north Antrim who got done for driving on red diesel.

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

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

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

The idea of having a single agreed rate to solve the problem seems to ignore the fact that, to change taxation policies in Northern Ireland, we need the agreement of the Treasury. There is an ongoing difficulty with us filling any gap that would be created. There is also an issue of laundered fuel going from Northern Ireland to England at present. Full tankers have been found abandoned at our docks when people have been trying to use that as a source, and to simply go for some all-island approach would not solve the problem. If Ireland wishes to harmonise its taxation rates with the rest of the United Kingdom, that may bring about some benefits.

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

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

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

**Mr Irwin:** The price of fuel in Northern Ireland is an issue that grows in importance with every fluctuation in pence per litre across every forecourt in Northern Ireland. Never before has there been such a keen interest in what

appears on our local garage forecourt sign. Indeed, across the major supermarkets, price wars and discount vouchers are cleverly used to shore up customer loyalty.

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

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

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

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

From an agricultural perspective, I know that the cost of fuel and energy in general is placing a severe strain on farm businesses, as much of the machinery associated with farming relies heavily on diesel fuel. Although farmers are allowed to avail themselves of marked diesel for

agricultural use at a lower rate, the rises in recent years have severely eroded the once-important saving that it represented for farming operations. In my opinion, that situation deserves to be reassessed by Her Majesty's Government. Indeed, a fuel duty relief scheme for all of Northern Ireland would be a welcome development.

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

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

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

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

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

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

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

### 3.45 pm

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

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

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

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

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

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

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

This is yet another tax that Sinn Féin wants devolved to Northern Ireland. It is a tax that it intends to reduce, and, as such, we would have to find the money for it. However,

even leaving that aside, let us make no mistake about it, under EU rules Westminster cannot set a rate of duty for Northern Ireland that is different from that in the rest of the United Kingdom. It has to be devolved if we wish the rate to be different; and if the rate is going to be different, we will have to pay the price.

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

To get the same revenue — not an increase in revenue — fuel consumption would have to go up by five times or, since the price of fuel would go down, households and everybody in Northern Ireland who buys fuel would have to spend about three and a half times more on fuel than they currently spend. Nobody could believe that that makes for sensible economics. I do not think that I need to do an assessment of this; it is not worth doing an assessment. Are people going to be able to spend three and a half times more on fuel than they do at present? Can we afford to fill the gap that would be left if they did not? We are certainly not going to get any increase in revenue, even with those dubious figures.

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

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

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

**Mr Mitchel McLaughlin:** Will the Minister give way?

**Mr Wilson:** I will, yes.

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

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

It does not make economic sense. It does not make environmental sense either. Members opposite lecture us about the need to reduce the consumption of fossil fuels, but in order to keep the revenue, we are going to have to spend so much more money on fuel.

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

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

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

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

Even if the proposal were to be introduced, there would be huge potential for fraud. I hope I am not going to demonstrate some criminal tendencies here, but if we were to have a fuel rebate of that amount, I could cut significantly my fuel bill by going to the guy down the road who has a lorry that has two tanks on it that hold about

1,000 litres and saying, "By the way, could I siphon my week's fuel out of your tank into my car, and then you can go and replace it because you can get a rebate? I can't get a rebate."

**Mr Kennedy:** You are very well informed.

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

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

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

#### 4.00 pm

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

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

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

contaminated. That is a serious problem. That level of illegality needs to be addressed urgently.

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

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

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

**Mr A Maginness:** Yes, go ahead.

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

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

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

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

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

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

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

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

**Mr Mitchel McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I speak in favour of the motion and against the amendment, and I will explain why in my remarks.

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

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

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

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

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

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

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

Today, the Assembly had an opportunity, which it has not taken, to study, examine and analyse ways to address the issue, including a significant challenge to the exchange

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

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

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

So they must be deriving revenues that are so significant that they can absorb the cost, the lost tax revenues, and the cost of enforcement and remedying the pollution to our environment. All that would add up to quite considerable counterbalancing revenues and incomes that could be set against the current failed investment and expenditure, and the consequences of that failure to this economy.

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

#### 4.15 pm

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

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

*Main Question put.*



*The Assembly divided:*

*Ayes 25; Noes 50.*

**AYES**

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

*Tellers for the Ayes: Ms Fearon and Mr McKay.*

**NOES**

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

*Tellers for the Noes: Mr D McIlveen and Mr McQuillan.*

*Main Question accordingly negatived.*

**Rural Schools**

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

**Mr Storey:** I beg to move

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

**4.30 pm**

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

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

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

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

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

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

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

I do not think that any Members in the House or the wider public will be surprised to know that the Department has a very strange view of what is a rural school. It is defined as any school that is outside the speed limit of the city of Belfast or the city of Londonderry and has fewer than 300 pupils. So, rural schools that currently have 50, 60 or 70 pupils are worried, as are those with 295 to 299 pupils because they also come under the definition of a rural school.

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

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

We believe that the current process is flawed. Let us look at the reorganisation and ask this question: does it save money? Many people believe that it is, yet again, about trying to rationalise the system solely to save money. Saying that the process is about saving money is, I think, one of the greatest myths that has been put around for a long time. Research published by the University of Ulster has shown that there are little savings to be gained from

the current process. In fact, in some cases, when you add in additional transport costs, you see, from the evidence, that some closures will actually cost money. We are still working in a vacuum because we do not have clear information on the overall cost of providing education in a rural context. There is a need to understand that funding follows pupils, not school buildings. So, when a school is closed, the key cost of staffing is often simply transferred to the new school, with the added burden of additional transport costs.

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

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

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

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

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

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

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

I support the motion and the amendment.

**Mr Kinahan:** I beg to move the following amendment: After “planning” insert

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

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

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

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

A total of 55% of Northern Ireland's primary schools and 20% of post-primary schools are situated in rural areas. The viability audits, however questionable, show that they are much more likely, when it comes to enrolment, to be under stress. That is a self-fulfilling prophecy. If you place rural primary schools under threat, add a viability audit such as Bain or Salisbury, and top that with vague directives and arbitrary guidelines from the Department, parents who would love to provide rural education for their children will start to second-guess the system and lose confidence in local provision because they cannot guarantee continuity. Those parents will cause schools to close for the wrong reasons. Maybe that is what the Minister wants. We ask the Minister and his Department not to make decisions exclusively on educational or financial considerations. Rather, they should make completely holistic judgements, to borrow a term from the DUP motion.

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

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

**Mr Kinahan:** Have I not got 10 minutes?

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

**4.45 pm**

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

As I mentioned, in Scotland, they are looking at making the future of their rural schools better and, with regard to the consultation process, their ideas are not far-fetched or unreasonable. They start with a clear, detailed proposal that includes the educational benefits and defines a clear time frame within which the process must be completed. They consult with parents, parents' councils, future parents, pupils, staff — all staff, that is — trade unions, the local community, community groups and any other groups that are suggested by the local education authority. Almost most important of all, they hold a public meeting. They also ask the inspectorate to prepare a report on the educational aspects, and then — the key element — the education authority is required to review the proposals with regard to the inspectorate report and, almost more importantly, take on board and answer all written and oral submissions. If closure seems the most likely outcome, all viable alternatives and factors are taken into consideration — those that affect the local community, the use of premises, travel and pastoral consequences. Does that not seem a fairer and more thorough system? It does not have to be slow, and it does not have to clog up the process. It is simply efficient and fair.

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

**Mr D Bradley:** Will the Member give way?

**Mr Kinahan:** I am happy to give way.

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

agree with me that this is a flawed approach that leads to flawed outcomes?

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

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

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

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

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

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

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

and investing our resources in the best possible way and in the right places.

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

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

**Mr Hazzard:** Sorry, I just want to finish.

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

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

The Minister has repeated to the House on several occasions that the central consideration in any and all proposals will be the educational benefit of the pupil of today and of tomorrow. It is in that light that I welcome recent assurances from the Minister that area plans will be reviewed regularly to ensure that they remain fit for purpose and will reflect local circumstances in years to come. If we all accept the need to raise standards and to tackle underachievement and inequality in our system, we must all consider the gaps in achievement to be unacceptable. Few could argue that at the heart of addressing such issues must be a focus on the provision of our education services and schools estate. We simply must address the fact that we have too many schools that do not have the capacity to give our children the broad and rich educational experience that they deserve; schools that, in some cases, have lost the confidence of the parents, pupils and the communities they were first built to serve.

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

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

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

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

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

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

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

**Mr Hazzard:** I support the motion.

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

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

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

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

As for St Patrick's Primary School, Burrenreagh:

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

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

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

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

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

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

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

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

**Mr Rogers:** Thanks for the Member's intervention.

It is totally unacceptable that, despite area plans being completed last year, it took CCMS until late February or March to bring its proposals to the schools. There is no consideration of school communities in rushing this through. I call on the Minister to allow rural schools the time and breathing space to come up with what he himself calls creative ideas.

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

**5.00 pm**

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

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

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

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

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

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

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

There has been a lot of talk about rural schools being the centre of the community, and that is absolutely valid. That could, in fact, be the main reason for keeping some of them open. A lot of fear has been expressed about the flawed process. I am not sure what process would not be flawed when we are talking about something as emotive as the potential closure of small schools to which people have such an attachment. Whatever process is used, there must come a point — probably the one we are at now — where schools have been named and a doubt set against them. Minor suggestions in the area plans go nowhere near far enough, in my opinion.

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

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

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

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

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

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

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

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

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

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

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

My colleague Mr Storey outlined the problems with the current process being based on fear of closure, its failure to tackle the one-school-per-parish policy in the maintained sector, and the lack of savings that would come from such a reorganisation.

The proposer of the motion referred to Scotland in his opening remarks. The independent Commission on the Delivery of Rural Education was established by the

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

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

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

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

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

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

**Mr Storey:** I thank the Member for giving way. As we understand it, the Minister will bring forward recommendations in a few weeks in relation to Sir Bob Salisbury's report that will possibly remove the small schools factor, and in the absence of a small schools

policy. Does she accept that this is the reason why the Minister should clarify today what will come first; the small schools policy or removing the funding?

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

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

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

I commend the motion to the House.

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

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

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

He goes on to say that:

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

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

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

As I said, the sustainable schools policy contains a section on rural issues. The particular needs of rural communities

are central to the policy and are reflected in the lower enrolment threshold for rural primary schools and in the accessibility criteria, which provide guidance on home-to-school travel times.

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

### 5.15 pm

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

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

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

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

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

*"a severely detrimental effect on rural primary schools."*

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

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

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

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

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

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

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



cuts right across schools in the controlled and maintained sectors.

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

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

I started my speech last week in the debate on primary schools in south Belfast by stating how agreeable the debate had been. I did not realise that the Chair of the Committee was about to lob a couple of grenades into the Chamber — metaphorically, of course. However, I will start today by saying that I am glad that there is at least some agreement: every Member so far has said that there is no way that we can defend all rural schools remaining open. That is a starting point.

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

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

**Mr Sheehan:** OK.

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

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

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

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

**Mr D Bradley:** Will the Member give way?

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

**Mr D Bradley:** I thank the Member for giving way. The Minister, to my knowledge, directed that three of the six criteria — standard of education, enrolment figures and financial situation — be used in the viability studies and in the reviews. Mr Sheehan, if you care to read the reports on some of the reviews, you will see very clearly that they are based mostly on finances and enrolment. Absolutely no consideration is given to the standard of education, even when there is an objective inspector's report stating that a school has reached a very high standard of education. Wake up to the fact, Mr Sheehan, that the sustainability policy has been set aside and that schools are being treated unfairly and disrespectfully.

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

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

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

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

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

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

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

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

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

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

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

I have a lot to say about secondary schools, but that is not the issue today. I commend the Members who tabled the motion and, indeed, the amendment. The issue is affecting many groups and stakeholders. I am delighted that the Ulster Farmers' Union, NIAPA and other rural community organisations are waking up to what is happening. The question I have to ask is this: is urbanisation the only policy ahead of us? That is what is being promoted: urbanisation on an ever bigger scale. That begs the question: is the game plan about urban social engineering? That is the fear. I come from a county in which the GAA is very strong. There are over 50 GAA clubs, and they are all centred around the parish structure and the rural primary schools. If there are no local primary schools, those clubs will have no future.

### 5.30 pm

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

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

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

**Mr Principal Deputy Speaker:** Order.

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

Cuirim an-fháilte roimh an deis labhairt libh faoin méid atá ar siúl agam le freastal ar riachtanais páistí i bpobail tuaithe. I very much welcome the opportunity to outline what I am doing to address the needs of children in rural communities. Since 2011, my focus has been on putting pupils first; in fairness, some Members recognised that. However, if Members review most of this evening's

contributions, they will see that very few people actually mentioned pupils. There was a lot of talk about pubs, shops and schools. Schools are neither a pub nor a shop. They are a public service, and their function is to deliver high-quality education to the young people whom they serve. That is their function. No other function: that is their function.

I make no apology for wanting to ensure that all children, whether they live in an urban or rural setting, have access to the same high-quality education. You will, therefore, not be surprised when I tell you that my focus is on the children in rural communities and not on the school buildings. Schools are there to serve the needs of the children who attend them. They cannot continue to be there simply because they have always been there. What was good in the past may — I emphasise "may" — not be what is needed in the future.

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

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

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

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

This provides guidance on home-to-school travel times. Many Members referred to the strong links with the community during their contribution today. I am born and reared a rural boy. That is my background. I was born and

reared in the rural community. I am not saying that I know and can define the rural community in every way, but I lived in it, I went to school in the rural community, and I know the links between a rural community, its school and its sporting or other organisations.

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

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

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

I commend the contributions that many of our small schools make to educational attainment and community cohesion. However, we must also recognise that a number of small schools encounter difficulties not only in delivering the curriculum but in operating within their budget. As Mr — the Chair of the Education Committee; how could I forget your name? — Storey pointed out or suggested, I have said that this is not budget driven. We could continue with the current budget. He used the example that perhaps I have deviated from that because he said that, in response to another Member, I said that in one school we can educate a child for £2,000 and in another school it takes £14,000. If that has to continue, that has to continue, but I have to use resources wisely. I suspect that the Department of Finance and Personnel and, indeed, the Minister, will expect me to use resources wisely in the future.

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

**Mr D Bradley:** Will the Minister give way now?

**Mr O'Dowd:** I will, yes.

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

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

The sustainable schools policy provides a consistent framework within which any review of a school's viability can be handled carefully and sensitively, taking account of local circumstances on a case-by-case basis. Indeed, when Mr Kinahan was reading out how the Scottish apply their policy, I, for a moment, thought that he was reading out our policy with regard to consultation. We involve all those measures that you read out in a consultation and a development proposal. No decision can be made about the future of any individual school through a development proposal without the consultation process you mentioned.

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

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

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

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

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

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

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

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

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

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

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

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

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

All children, whether they live in rural or urban areas, deserve the same high quality of education. No Member of this Assembly can dispute that. The key focus, therefore, must be on the provision of the best education for all our children. I assure Members and the public that I am fully committed to ensuring that that happens, and I am fully committed to consultation. No decision has been made in regard to any rural or urban primary school or post-primary school. The only way that a decision will be made will be through the development process. As part of that process, I commit to engaging with all key stakeholders, fully implementing all six recommendations in the sustainable

schools policy before making any decisions about the future of any school. Go raibh míle maith agat.

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

5.45 pm

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

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

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

Parental choice should be the cornerstone of our education system, but I am sure that I am not alone in the Chamber in having parents approach my office in recent days and weeks because that choice has been denied them — parents unable to secure a preschool or primary-school place for their son or daughter close to home. The schools affected include Orchard County Primary School, Donaghcloney Primary School and St Francis' Primary School, Loughbrickland, in my constituency. Parents of young children told me that they will categorically not allow their four-year-old to travel on the bus from Loughbrickland to Banbridge from September. These are the voices of real parents concerned that policies introduced by the Minister could put their children in danger.

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

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

more disappointing that, when given the opportunity, the Department refused to seek the assistance of Department of Agriculture officials to train its staff in rural proofing.

The motion calls on the Education Minister:

*“to work in partnership with his Executive colleagues to achieve a holistic solution”.*

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

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

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

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

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

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

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

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

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

From experience in Lagan Valley, which my constituency colleague Mr Lunn referred to, I can say that we have seen rural areas being totally denuded of primary school provision. At present, that is being carried out under the boards in the controlled sector. We have seen it time and time again. The only criteria that were taken onboard were

finance and enrolment — nothing else counted. Will we preside over a system that looks at two or three criteria, or will we look at this in a much more holistic way, by looking at the impact on a community and, more importantly, on pupils themselves?

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

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

**Mr Craig:** I will, yes.

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

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

I did not hear the Minister mention anything about the rural schools policy, which goes to the heart of why the motion was brought before the House today. We believe that we need to have a clear policy position on rural schools sitting in front of us. We need guidance on what criteria and other factors will be taken into account when looking at a rural school. I understand that the most difficult decision the Minister will probably ever have to make is whether to close a school or keep it open. I have been on the brunt of such a decision, so I understand.

**Mr O'Dowd:** Will the Member give way?

**Mr Craig:** Yes.

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

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

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

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

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

**Mr Craig:** I find nothing in that statement that I could disagree with. Whether the number is 85, 105 or whatever, it becomes a self-fulfilling prophecy, and the worst thing that we can do is highlight a number. I know that the Minister said that he is not responsible for this, and I agree with that. However, once a number is highlighted, it becomes a self-fulfilling prophecy, and that is very dangerous for those schools. I think that we all need an understanding of what will be included in this policy as regards focusing on the pupil first.

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

**Mr O'Dowd:** Will the Member give way?

**Mr Craig:** Yes.

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

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

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

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

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly calls on the Minister of Education to consider the issues associated with the future of rural schools in the context of area planning; introduce a legislative presumption against the closure of rural schools as well as an additional duty to consider the impact a closure would have on the community similar to the protections already in place in England and Scotland; and to work in partnership with his Executive colleagues to achieve a holistic solution for education in rural communities.*

## Assembly Business

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

*Adjourned at 6.00 pm.*

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# Northern Ireland Assembly

Monday 20 May 2013

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

*Members observed two minutes' silence.*

## Matter of the Day

### **Graeme McDowell: World Match Play Golf Success**

**Mr Speaker:** Mr Gregory Campbell has been given leave to make a statement on Graeme McDowell's World Match Play Championship golf success, which fulfils the criteria set out in Standing Order 24.

If other Members wish to be called, they should rise in their place and continue to do so. All Members will have up to three minutes to speak on the matter. As normal, I remind Members that I will not take any points of order on this or any other matter until the matter of the day has been dealt with.

**Mr Campbell:** I felt it fitting and appropriate, given the scale of Graeme McDowell's success in winning the World Match Play Championship, to ask for a matter of the day.

We cannot overestimate the scale of the success that Northern Ireland golfers have achieved in recent years. When we look at the illustrious list of previous winners of the World Match Play Championship, we read of people such as Jack Nicklaus, Gary Player, Seve Ballesteros, Greg Norman, Nick Faldo and Ernie Els. Those are golfing greats — many were legends in their own time — and Graeme McDowell has now joined that illustrious list.

The key factor here is simply that we now have three outstanding golfers. Golf is an internationally recognised sport that is followed by millions around the globe, and Northern Ireland — a very small country — has three of the most outstanding golfers in 2013. They are, of course, Graeme McDowell, or G-Mac as he is known in America; Rory McIlroy, the world number two; and Darren Clarke. The statistic that, I think, is the most important one, Mr Speaker — with this, I will close in marking this significant achievement by Graeme — is that, while golfers in the United States of America often believe it to be the home of golf — indeed, it has some of the finest golf courses in the world — the United States of America has a population of 315 million. Northern Ireland has a population of 1.8 million, yet we have three of the greatest golfers in the world. That tells you what you need to know about the golfing prowess of Northern Ireland. That is why it was so important to get the Irish Open. That is why we hope that the Open will come to Royal Portrush in the coming years, and that is why we should do all that we can to mark achievements such as Graeme McDowell's over the weekend.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Ar son mo pháirtí, ba mhaith liom ár gcomhghairdeas a ghabháil le Graeme as an bhua stairiúil seo. I congratulate Graeme on what was indeed a very historic victory in the Volvo World Match Play Championship. He came so close last year, as runner-up, and it is no mean achievement for him. He said so this morning on breakfast television, when he talked about seeing his name on the trophy along with the most illustrious in golf to have won it since this competition started in 1964. I hope that Graeme's achievement will be an inspiration to other young sportspeople to take up golf or other sports. I pass on my congratulations to Graeme McDowell and to his father, Kenny. If Graeme inspires a new generation of sportspeople, I will be very pleased.

In passing, I just mark another inspirational sportsman, James O'Kane, who was laid to rest yesterday.

**Mr Attwood:** Thank you, Mr Speaker, for facilitating and Mr Campbell for raising this matter. I join everybody in congratulating Graeme McDowell on his success over the weekend. That success had been coming for the past year. He came second in this tournament last year and was very close to winning the US Open last year. Therefore, his success in winning a tournament a few weeks back and another at the weekend had been coming for a time.

There is no doubt that this success is timely, because, in and around a year since the Irish Open was played at Royal Portrush, it brings the spotlight back to Irish golf, Irish tourism and to the opportunity of jobs around the tourism product. So, this win is very timely in Graeme McDowell's career and in bringing our minds back to the opportunity that we have around tourism and golf tourism, in particular.

Although Tiger Woods is currently world number one — not for long, I suspect — it is also now the case that, given his recent successes, Graeme McDowell is, with Tiger Woods, one of the two best players in the world of golf at this time. That is the significance of the achievement of Graeme McDowell in recent weeks. He has raced up the world rankings and is now number seven. He and Woods, in this period of golf, are clearly the two standout players in the world. Mindful of Rory McIlroy being number two, that is the measure of Graeme McDowell's achievements and the measure of golf's achievements in this part of the world.

**Mr McGimpsey:** I join in the congratulations to Graeme McDowell. On a personal level his is a stupendous achievement and reflection on Northern Ireland, where we have a golfer who is achieving at the heights of the world

game. A look at our roll of golfers — Graeme McDowell, McIlroy, Hoey, Maybin and Darren Clarke and others coming through — shows the huge range of talent in this country.

Around 12 years ago, when I was the Minister of Culture, Arts and Leisure, I opened a youth games in Belfast. As I was going around meeting contestants in a full range of games, a coach came over to me and said, “Look, I have a group of young golfers that I would like you to meet”. He wanted me to get my photograph taken with them. He said, “You will think I am exaggerating, but among this group of golfers there are future world champions and greats of the game”. He was not exaggerating, and the achievements of that group of golfers — there are more than the ones I have named coming through — have been huge. Graeme McDowell has done exactly what that coach said. He is a world champion, on top of winning the US Open, which is one of the key majors. That is a fabulous achievement for him, and it is a tremendous achievement for Northern Ireland.

**Mr Lunn:** I join others in congratulating Graeme McDowell on yet another fantastic win. That particular tournament is a hard one to win; it is a match play tournament with two rounds every day, as far as I could see, which is pretty hard. Graeme is, by now, a hardened professional, and he will take everything in his stride. It is nice to see a bit of emphasis on him rather than on Rory McIlroy all the time. We are very lucky to have both of them representing us, but Graeme has a track record that is second to none.

It always surprises me that Northern Ireland golfers do not win more match play events, because they grow up on match play. We can see how well they play in the Ryder Cup. It was only a few years ago that Darren Clarke beat Tiger Woods in the final of a match play world championship in America. Congratulations to all.

Mr Speaker, I know that, if David McClarty had been here, he would, as a friend of the family, have wanted to join in the congratulations. Perhaps we could send him our best wishes at the same time.

**Some Members:** Hear, hear.

**Mr Kinahan:** I will be very brief. I also want to add my congratulations to Graeme McDowell, who set a terrific example for all our golfers, particularly with such an incredibly difficult course as Thracian Cliffs. If we think about it, we will remember that that is where Alexander the Great started his world domination. Let us see it going further, and, perhaps, we can have “Graeme the Great” or “G-Mac the Great”.

## Private Members’ Business

### Civil Service (Special Advisers) Bill: Further Consideration Stage

**Mr Speaker:** I call Mr Jim Allister to move the Further Consideration Stage of the Civil Service (Special Advisers) Bill.

*Moved.* — [Mr Allister.]

**Mr Speaker:** Members have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list.

There is one group of amendments. The debate will be on amendment Nos 1 to 20, which deal with the removal of the disqualification of existing special advisers with a serious criminal conviction; the replacement of the Civil Service Commissioners with a review panel as the body to determine the eligibility of certain special advisers; changes to the matters to which the panel must have regard; and changes to the commencement provision.

Once the debate is completed, further amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. If that is clear, we shall proceed.

#### **Clause 2 (Special advisers: serious criminal convictions)**

**Mr Speaker:** We now come to the single group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 to 20. Members should note that amendment Nos 3 and 4 are consequential to amendment No 1. Amendment No 3 is also mutually exclusive with amendment No 2.

Amendment Nos 5, 6 and 7 are consequential to amendment No 2 and mutually exclusive with amendment No 4. Amendment Nos 13 to 17 are consequential to amendment No 4, and amendment Nos 18 and 20 are consequential to amendment no 2. I call Mr Allister to move amendment No 1 and address the other amendments in the group.

#### **12.15 pm**

**Mr Allister:** I beg to move amendment No 1:

In page 1, line 13, leave out “Commissioners” and insert “Department of Finance and Personnel”.

*The following amendments stood on the Marshalled List:*

No 2: In page 1, leave out subsections (4) and (5).—  
[Mr D Bradley.]

No 3: In page 1, line 22, leave out “Commissioners” and insert “Department”.— [Mr Allister.]

No 4: In clause 3, page 2, leave out lines 4 to 11 and insert

*“(1) This section applies where an appointment, or proposed appointment, of a person as a special adviser is referred to the Department under section 2(2) or (5).*

*(2) The Department must, within 14 days of the referral, establish a review panel and refer the matter to it.*



(3) *The review panel must determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.*

(4) *The person is only eligible if the review panel is*.”— [Mr Allister.]

No 5: In clause 3, page 2, line 6, leave out from “or” to end of line 7.— [Mr D Bradley.]

No 6: In clause 3, page 2, line 9, leave out

“, or to continue to hold appointment as,”.— [Mr D Bradley.]

No 7: In clause 3, page 2, line 11, leave out

“, or to continue to hold appointment as,”.— [Mr D Bradley.]

No 8: In clause 3, page 2, line 17, leave out from “contrition” to the end of line 18 and insert

“*regret for and acknowledgement of, and accepts the gravity and consequences of, the offence to which the serious criminal conviction relates,*”.— [Mr D Bradley.]

No 9: In clause 3, page 2, line 19, leave out paragraph (b) and insert

“(b) *whether the person has demonstrated, where applicable, a commitment to non-violence and exclusively peaceful and democratic means for political change,*”.— [Mr D Bradley.]

No 10: In clause 3, page 2, line 23, at end insert

“, *in consultation with the Commissioner for Victims and Survivors.*”.— [Mr D Bradley.]

No 11: In clause 3, page 2, line 23, at end insert

“(d) *any information which the proposed appointee wishes to submit in writing.*”.— [Mr D Bradley.]

No 12: In clause 3, page 2, line 24, leave out “Commissioners” and insert “Department”.— [Mr Allister.]

No 13: In clause 3, page 2, line 26, at end insert

“(5) *The Department must—*  
(a) *appoint independent persons to be members of the review panel,*  
(b) *pay those persons such fees, allowances or expenses as appear appropriate,*  
(c) *provide the review panel with staff, accommodation or other facilities as appear appropriate.*  
(6) *A review panel may regulate its own procedure.*  
(7) *A review panel only remains in existence for so long as is necessary for it to exercise its functions.*”.— [Mr Allister.]

No 14: In clause 4, page 2, line 28, leave out “the Commissioners” and insert “a review panel”.— [Mr Allister.]

No 15: In clause 4, page 2, line 32, leave out “Commissioners” and insert “review panel”.— [Mr Allister.]

No 16: In clause 4, page 2, line 34, leave out “Commissioners” and insert “review panel”.— [Mr Allister.]

No 17: In clause 10, page 4, leave out lines 28 and 29.— [Mr Allister.]

No 18: In clause 11, page 4, leave out clause 11.— [Mr D Bradley.]

No 19: In clause 12, page 5, line 2, leave out “Sections 2(5), 3, 7, 8” and insert

“*Sections 1, 2(5), 3, 4, 5, 7, 8, 9.*”.— [Mr Allister.]

No 20: In the schedule, page 6, leave out the schedule.— [Mr D Bradley.]

**Mr Allister:** I propose to speak to amendment No 1 and the further amendments in my name that flow from it. I will also speak on the amendments in this group tabled by others.

Members will recall that, when the Further Consideration Stage of the Bill was listed on an earlier occasion, I did not move it. An issue had arisen touching on the Secretary of State's consent by virtue of the fact that, at Consideration Stage, there had been inserted into the Bill a role for the Civil Service Commissioners, whose functions, of course, are a reserved matter. Therefore, to see through that function would have required the Secretary of State's consent at a stage before Final Stage. By virtue of issues about that being raised just in advance of the previous Further Consideration Stage, it was not moved on that occasion.

Since then, there has been considerable toing and froing on the issue. As sponsor of the Bill, I have arrived at the situation that, whereas my preference has been that the Civil Service Commissioners should be the body to perform the role anticipated in clause 3, in that it seems to be the natural home for that sort of function, because it has not been possible to get the degree of clarity that I would have wished to have at this stage on the issue of the Secretary of State's consent, I will be moving amendments — beginning at amendment No 1 — that substitute the role accorded to the Civil Service Commissioners with an independent panel appointed by the Department of Finance and Personnel (DFP). I am somewhat torn in this, in that a large part of me does not want to let either the Civil Service Commissioners or the Secretary of State off the hook on this matter. However, I am faced with a situation where, to move the Bill forward, decisions have to be made, and that is the decision that is being suggested to the House.

I might say that I was not impressed with the extent to which the Civil Service Commissioners thought that they could take it upon themselves to determine what functions they should have. I would have thought that that decision is a matter for legislatures and that it is not for a body having functions bestowed on it to say whether it thinks that it is right that it should or should not have those functions. Indeed, I think that, in taking that stand, they somewhat politicised their own role. It is also somewhat regrettable that there was not a definitive answer from the NIO on how it would handle that situation.

Faced with all that, one has moved on to the proposition of the amendments that appear in my name. The substance of those amendments is quite straightforward. It is that the role hitherto anticipated for the Civil Service Commissioners in clause 3 should now be performed by an independent panel appointed by DFP. That is to say that, if there is an applicant for the position of special adviser or a person holding the position of special adviser who has a serious criminal conviction — one that has carried for them a sentence in excess of five years — that person would have the right to make a special case to a panel, where the presumption, I respectfully suggest,

given how clause 3 is worded, would still be against appointment. However, if that person could show special circumstances, according to stipulated criteria, it would be for the panel to decide whether they could be appointed or, if already appointed, could continue to hold their position. That role, hitherto anticipated for the Civil Service Commissioners, will now fall to an independent panel appointed by the Department of Finance and Personnel, which seems to be the appropriate Department in that regard. Therefore, all my amendments are related to that proposition and the consequences that flow from it, because there are many places in the Bill where the word "Commissioners" has to be replaced with "Department".

Amendment No 1, however, is not just a paving amendment; it is crucial to all my amendments. Without it, all the rest would fall, apart from amendment Nos 12 and 19, because they come as a package. I make that plain to the House.

I will now deal with the other amendments, which have been tabled by the SDLP. I am disappointed by the SDLP amendments. They seek to hollow out key parts of the Bill and water down criteria to the point where they are largely meaningless for any appeal to the independent panel.

In amendment No 2, the SDLP seeks to exempt from the ambit of the Bill sitting SpAds. In other words, it seeks to make a distinction between a serious criminal, as defined by the Bill, who applies to be a SpAd and a serious criminal, as defined by the Bill, who already is a SpAd. It seeks to suggest that we should have a special dispensation for serious criminals who are already SpAds but not for those who are applying to be SpAds. That seems to be incongruous and wrong.

We must remember the genesis of the Bill. It was initiated in consequence of the gross appointment of Mary McArdle as a SpAd by the Culture, Arts and Leisure Minister and the furore that that rightly created from the victim's family. A courageous stand was taken, in particular by Ann Travers. It would surely be the ultimate irony to process and pass a Bill of that genesis that did not deal with that situation, so that, if Mary McArdle had stayed in post, the Bill would not even have applied to her. If, between now and the Bill obtaining Royal Assent and becoming operative, she were, by one means or another, to be reappointed, this Bill, if the SDLP had its way, would not apply to her. That is incongruous and wrong.

There is no justification for seeking to distinguish between the sitting SpAd and the incoming SpAd if both have the qualifying criminal conviction that makes them someone who is carrying a serious criminal conviction. That distinction is unwarranted. So, that first batch of SDLP amendments, which would rob the Bill of that key component, are not worthy of support.

I hear people saying, "This is to deal with the retrospective element of the Bill". There is no retrospective aspect to the legislation. It is prospective and says that, from a point in time, there are certain qualifications needed to be a special adviser. It then says that, if you presently hold that position and fail to meet those qualifications because you have a serious criminal conviction, there are compensatory provisions available to you through clause 11 and the schedule, whereby you are compensated for the loss of your post, if that is the outworking of the arrangements.

I remind the House that the posts come with no security of tenure. A special adviser is appointed at the whim and stays in office only at the whim of a Minister. The posts come with no security of tenure whatsoever, so such threat to their tenancy of that position as the Bill poses is in a context of constant threat to their very existence in that post. I am perfectly satisfied and, indeed, everyone, as I recall, who gave evidence to the Committee on this point was satisfied that the compensatory arrangements were sufficient to judge-proof the Bill in regard to what people loosely call its retrospective elements. Therefore, there is no good reason, I respectfully submit, to follow the SDLP amendments on that point and very good reason not to follow them in order to maintain the consistency, intent and continuity of the Bill. It should, I suggest, extend to anyone aspiring to hold or actually holding the position of special adviser. It would be better to resist the hollowing-out of the Bill that SDLP amendment Nos 2, 5, 6, 7, 18 and 20 would indisputably secure.

I will move to the other SDLP amendments. Amendment Nos 8 to 11 —

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

**Mr Allister:** Yes.

**Mr Attwood:** You said that no evidence was given to the Committee that did violence to the argument that you outlined on retrospectivity. Could you then advise the House why no less a person than the Attorney General (AG), in his evidence to the Committee on 19 September 2012 — whether you want to take his advice or otherwise — made it very clear that there were issues with retrospectivity and, in particular, article 7 of the convention? How do you reconcile, on the one hand, informing the House that no evidence was given to the Committee that did violence to your view on the retrospective nature or otherwise of your Bill and, on the other hand, the Attorney General's evidence to the Committee?

**Mr Allister:** The Attorney General was speaking to a very different matter: he was speaking to the compatibility of the Bill with article 7 of the European Convention on Human Rights. He was seeking to suggest that it might be the situation that, because a penalty was involved in consequence of the Bill, it could be interpreted as a criminal penalty that did not exist when the person was sentenced and that article 7 prohibits retrospective criminal penalties. In other words, if you are convicted of an offence today and the sentence today is five years but, when you committed the offence, the sentence was three years, the maximum to which you could be sentenced is three years because you cannot have a retrospective element to the sentence; it is about what pertains at the time. The Attorney General suggested that the penalty could be interpreted as a criminal penalty. I take issue with him over that. Professor Brice Dickson and others who gave evidence took issue with that, but the Attorney General went on to say that, if there were a provision that provided an appeal mechanism, it would considerably dissipate concerns.

**12.30 pm**

The Attorney General gave that evidence before clause 3 existed. Clause 3 was brought in to show some deference to the points that had made in that regard and as, in

shorthand, an appeal mechanism, which was not in the Bill originally. So, when the Attorney General raised his points about article 7 and couched them in the way that he did, it was a different Bill, so to speak. The Bill now has an appeal mechanism, which means that individuals who find themselves disadvantaged not only have compensation for the disadvantage but, before they get to compensation, have the right to plead their case on exceptional circumstances to, it is now suggested, a panel. That is a very different picture to the one that the Attorney General was dealing with. So, I make the point that I am not aware of anyone seriously saying that the application of the Bill to sitting SpAds in the circumstances now anticipated in the Bill should not be considered.

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

**Mr Allister:** Sure.

**Mr Attwood:** I thank the Member for his explanation. Hansard will show that the Member, in his opening remarks on the matter, said that nothing was said to the Committee in any evidence to it that would give rise to the issue of retrospectivity. The Member's explanation confirms that, whether you agree with the AG or not — I have had differences with the AG on advice that he may have given in some matters — it is quite clear that the evidence given to the Committee had more dimensions than indicated by the Member. The fact that he then had to reinterpret his opening remarks in light of the new clause 3 on the appeal process to reconcile the AG's evidence in Committee with what is now in the Bill demonstrates that the narrative initially outlined by the Member is not the full picture. The full picture is more accurately conveyed in the comments made in response to my intervention.

**Mr Allister:** The Member is dealing with a different issue. The Attorney General's focus was on article 7. The issue about appeal mechanisms probably touches more on article 6 and article 8 rights than on article 7. If I recall correctly, the Attorney General said that it would help to ameliorate his concerns if there were an appeal mechanism, as a tangential issue to the article 7 issue. The issue of objections based on article 7 seems to have faded away, and I think that that is right. So, we are left in a situation in which the Bill now affords an appeal mechanism to disappointed applicants or post holders, and it does so in circumstances in which, subject to listed criteria, they can seek to show the exceptional circumstances that are applicable to them. I am not sure how much more one needs to do, having done all of that, to get to the point at which the SDLP would say that it is happy for the Bill to apply to sitting SpAds. There does not seem to be anything that could be done in that regard, because the SDLP seems to have reached a view that sitting SpAds should be exempt from the Bill. I do not understand the logic of that or how it would be squared with a situation in which, for example, Mary McArdle was still sitting in position, as she might well have been, beyond the control of the SDLP or anyone else in the House other than Sinn Féin. I do not understand how it makes sense to put forward a Bill that would sidestep that issue and not deal with it at all. That is why I think that, in policy terms, it is foolish of the SDLP to try to restrict the ambit of the Bill to aspiring SpAds and not to include sitting SpAds.

I move on to deal with amendment Nos 8 to 11 on criteria, which come from the same quarter. Amendment Nos 8 and 9 in particular seem to be focused on weakening

the criteria on which the panel would decide whether exceptional circumstances existed, despite that person having a serious criminal conviction. My starting point is that, since it should be possible only, as the Bill says, in "exceptional circumstances" for someone to circumvent the requirement that they should not have a serious criminal conviction, it follows that the criteria need to be rigorous. If the circumstances are to be exceptional, the criteria need to be rigorous. The criteria in the Bill, on foot of Consideration Stage, are, in shorthand, contrition; having helped to advance the police investigation of the crime; and the view of the victim of that crime. Those three criteria hang together as the testing ground for whether an exception should be made to the presumption against the appointment of a serious criminal to a SpAd post. SDLP amendment Nos 8 and 9 would systematically take the first two of those and water them down. Amendment No 8 wants to replace "contrition" with mere "regret" — not even "remorse", just "regret". My concern is that that amendment, as worded, would be open to the abuse and usage of someone making a bland, meaningless declaration such as "I regret all deaths in the Troubles and acknowledge the grave consequences inflicted on many". That is such a meaningless affirmation that it robs the requirement for remorse, contrition and real regret of any substance.

Most of us in the House probably have children or grandchildren. How many times have we heard the errant child say, "Sorry, mummy"? Is that remorse or real regret, or does it just mean "Sorry I have been caught"? When we are appointing someone to a very highly paid, high-profile, publicly funded post whereby that person will have access to the very top, the very heart of government and to civil servants on a par virtually with Ministers — to the status of a senior civil servant — is it not right that we should have some regard to whether, if that person is a serious criminal by virtue of serious criminal conviction, they have any contrition or remorse for the fact that they put themselves in the position of being a serious criminal?

I remind the House that the Bill does not talk just about terrorist convictions; the Bill is blind to whether it is a terrorist or non-terrorist conviction. The Bill is premised on it being a criminal conviction of whatever sort. Whether it is a rapist, a fraudster or a terrorist who collects a serious criminal conviction, is it too much to say that, before such a person should have the privilege of occupying that high position in our land, they should at least have shown remorse and contrition for the offence that they committed? To go back to the Mary McArdle situation, that was part of the aggravation. There was arrogance in the appointment — deliberate, calculated arrogance to do it because it could be done. According to amendment No 8, all that such a person would have to do would be to say something like, "I regret all the deaths in the Troubles. Some terrible things were done and great anxiety and consequences inflicted on many". I just do not think that that is good enough. That is why I say that contrition, which imports real remorse and shows that someone is genuinely sorry for what they have done, is not too much to ask for the holding of such a position. Does anyone think that the person appointed who gave rise to the Bill has genuine remorse or contrition? Under the SDLP formula, that person, if she came up for reappointment, would have done enough by merely expressing regret. She would have ticked the box. I do not think that that is doing enough.

**Mr Attwood:** I thank the Member for giving way. I listened very closely to what he said. I think that, if you step back from some of the toing and froing around the Bill, the SDLP amendment captures everything that should be captured.

I will make these points by way of intervention. First, I hope that no SpAd thinks that they are on a par with a Minister. If there is a SpAd who thinks that they are on a par with or ahead of the Minister, I would be very worried for the authority of government. We can have some discussion around all of that.

Our view is that our amendment captures what should be captured. Why? Because it captures the word "regret", it captures the word "acknowledgement" and it captures the concept of the "gravity" and "consequences" of the offence. I put it to the Member that, taken together, those four terms are greater than the term "contrition". Why? Because "regret" in the English dictionary means a feeling of contrition, and you can check that. That is what is captured by "regret" — a feeling of contrition. It goes further than "contrition" in itself. I put it to the Member that, rather than missing the wood for the trees, he should acknowledge that the words in the SDLP amendment go further in standing with victims and survivors than the words in the Bill. Therefore, before a vote is taken today, the Member should acknowledge and embrace all of that, stand with the victims and survivors by going beyond "contrition" and using the words "regret", "acknowledgment", "gravity" and "consequences".

**Mr Allister:** I wish that it were so. I wish that a mere intonation of regret equated to contrition. It is clear — I return to this point — that the boxes of amendment No 8 could be readily ticked by someone saying, "I regret all the deaths of the Troubles. I accept the gravity and the consequences of all those deaths". That would be sufficient to tick the box for the SDLP.

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

**Mr Allister:** I will in a moment.

I respectfully suggest that those are the sort of weasel words that we have all heard time without number that, in truth and in essence, mean nothing. The generalisation and branding of the equality of criminality where you say, "I regret all the deaths of the Troubles and the consequences that they created" would tick the SDLP box.

However, that person has come nowhere close to showing contrition that is personal to them and personal to what they did. That comes nowhere close to showing genuine remorse that they ever picked up the weapon, planted the Semtex, pulled the trigger or did whatever they did. To simply brand it in a globalised way, as the SDLP amendment would permit, is falling far short and therefore it is not right to say that this amendment would do more for victims than clause 3 presently does. It patently does not. I think that the Member knows that victims who have been in touch with his party take that view and he knows that victims see what the SDLP is seeking to do as a watering down of contrition.

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

**Mr Allister:** Yes, I will give way.

**12.45 pm**

**Mr Attwood:** If the words on the page were what Mr Allister has just outlined, namely that the SDLP amendment is, to borrow his phrase, "a globalised way"; that it is a catch-all of regret in respect of any and all of the terror and state violence that was part of the history of this country for 40 years, then his point would be a valid one. However, the SDLP amendment borrows the words used in Mr Allister's Bill. Clause 3 (3)(a) in Mr Allister's Bill states:

*"whether the person has shown contrition for the offence to which the serious criminal conviction relates".*

The SDLP amendment to that clause repeats the words:

*"the offence to which the serious criminal conviction relates".*

It is not a globalised reference; it is very specific reference to the specific serious criminal offence of which the SpAd was previously convicted. Do not pretend to the House, Mr Allister, that our clause in any way diminishes and reduces the words of regret to something that is global. It is in the particular. I invite Mr Allister to correct his misunderstanding of that particular clause and to respond further as to why regret, acknowledgement, gravity and consequences move beyond the narrow terms of contrition and captures all that this House should try to capture in order to stand with those who suffered from terror and state violence.

**Mr Allister:** Let me return to the Member. If an aspiring SpAd were to say, in the context of the many terrible things that happened during the Troubles that were wrong, that in that context, they regret, acknowledge and accept the gravity and consequences of what they did, has that person ticked the SDLP box? It seems to me the person has done so by burying it in a generalised excusatory presentation that goes nowhere near touching the personal contrition that the Bill looks for.

**Mr Weir:** I thank the Member for giving way. Does he agree that one difference between regret and contrition is that contrition has to be something personal that is involved in one's own actions, and that regret can be generalised in the nature of the overall situation or it can be personal where it can be widely drawn? For example, I have never committed a murder, and I would say I regret all the murders of the Troubles — and I can legitimately say that — but I cannot say that I have contrition because I did not commit them. Therefore, if someone was to make a bland generalisation saying that they regretted all the deaths of the Troubles, that would by definition include the offence that is being referred to but shows no indication of personal remorse or contrition. That lies at the heart of the distinction between the two words.

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

**Mr Allister:** If I could deal with this point first. I agree with the Member, and I think he has put his finger on it. To simply say "regret" in the expedience of the moment that requires an expression of regret, means that the box can be ticked. Contrition is much deeper and much more personal. If someone is contrite, you would expect third parties to be able to say that, for years, that person has been in deep remorse, what that person did has been

burning them up, and they can testify to the fact that the person is contrite about the matter. That is very different from a situation in which someone applies for a job, and they tick a box that states "I regret" in the context that is being expounded.

**Mr Wells:** Does the Member accept that older Members of the House who lived through the entire period of the Troubles saw, night after night, Sinn Féin representatives on TV and radio saying that they regretted all deaths but then were apologists for further murders, bombings and acts of terrorism? They ticked the SDLP box: they had regret for everything, but it was utterly meaningless because they continued to support rampant terrorism for 40 years.

**Mr Allister:** The Member's point is well made. The issue is the sincerity that can be teased out of the remorse, regret and contrition of the aspiring or sitting SpAd. I think that contrition imports a necessity for remorse that is personalised and demonstrable. It is not a creation of the moment; it is something real and abiding.

The problem with the SDLP amendment is that it is a box-ticking exercise that can be carried out, personal to the offence, but in a context that all crime is wrong. That sanitising context robs it of its essence. The SDLP amendment would have been better had it used the word "remorse" rather than "regret". I think that it has gone to the bottom end to find the language of the situation, and it falls well short of what one would look for when appointing someone to such a position.

I will move on to amendment No 9, which seeks to replace the important and testing requirement that all reasonable steps should have been taken to assist or advance a police investigation. It seeks to substitute a mere commitment to non-violence. That is a box of easy believism. It is a box easily ticked that someone is committed to non-violence. Never mind that, 10 or 20 years ago, they committed a most vile, vicious, vindictive, murderous attack. Today, they are committed to non-violence, and we are expected to say, "That is all right, then. Come in and hold one of the highest offices in administration as a special adviser."

Remember that this Bill is about affording to victims something real, tangible and meaningful. It is about demonstrating to them that they matter in this society, and that what was done to them matters in this society. That is why, when we talk about someone being remorseful, regretful and contrite about what happened, you would expect that there would be the follow-through of having tangibly done something about it, instead of a situation where someone can pick up a gun after a murder, be convicted of that, and never help the police to solve who gave them the gun, what they knew about it in advance, or any of that.

Yet that person, be it Mary McArdle or someone else, could tick that second SDLP box and say, "I now abhor all violence". How is that helping the victim they left, who feels that it was the actions of that person that robbed them of their sister, father, brother or whoever? That is not helping at all. In fact, it is rubbing salt into the wound by making that so easy.

**Mr Wilson:** I thank the Member for giving way. He makes a powerful point on this.

Let us consider this amendment along with the previous amendment. We could accept the previous amendment and interpret "regret" in the generous way that Mr Attwood did in his intervention but we would then rob that regret of any specific action that might have proved it. The two amendments together indicate that almost anyone could pass the test. Whether it is the SDLP's intention or not, if the two amendments go through, that is how they will be interpreted. We saw the great wrong that was done when Mary McArdle was appointed. The Assembly is not really prepared to deal with that if the threshold for accepting someone into the role of special adviser is as low as those two amendments together present.

**Mr Allister:** The Minister is absolutely right: the criteria hang together. There is a natural flow to them: contrition, helping to advance the police prosecution and persuading the victims that it is appropriate that the person should be appointed. Inserting into the middle of that something as meaningless as an affirmation now of belief in non-violence neither informs the regret nor positions the victims where they can feel at ease with that appointment. So, amendment No 9 significantly hollows out that key issue and leaves the Bill meaningless in terms of the hurdles that have to be crossed by the aspiring SpAd.

It is interesting that amendment No 9 from the SDLP has no expectation of the non-terrorist criminal — the fraudster who may have been convicted and given five years for fraud. He does not have to do anything under the SDLP's proposed paragraph (b), nothing whatsoever. He just gets a bye ball in terms of having helped anyone with anything in the investigation or showing any adherence to non-criminality. The only thing that he has to declare under SDLP amendment No 9 — it would not be relevant to him — is an abhorrence of violence. So, the non-terrorist criminal is put in an enhanced and better position by the SDLP's amendment No 9.

Amendment Nos 8 and 9 in particular are not worthy of support. The House, after rational, reasonable and prolonged debate at Consideration Stage, accepted the three criteria. I respectfully suggest that now is not the time to water them down and interpose an easy believism into the hurdles. That, of itself, is so incompatible with the starting point of the requirement for exceptional circumstances. You cannot talk in the Bill at the beginning of clause 3 about "exceptional circumstances" and then make the hurdles utterly meaningless.

1.00 pm

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

**Mr Allister:** Yes.

**Mr Attwood:** May I first of all acknowledge that, in respect of the amendment to clause 3, page 2, line 17, the Member indicated that, to use his words, he accepted that our amendment touched on words that were personal to the offence? He had not indicated that previously. In all his other contributions, the Member said that those were globalised words. He has now accepted that the words that we use are personal to the offence. That is a positive development. That is why I think that, if he thinks further about our words instead of the word "contrition", he may think again that they actually move the Bill in a positive way.

The second point is that I am at a loss to understand why the Member believes that amendment No 9 is, to use his word, meaningless. Those are words that all of us have endorsed in political documents and to which, subject to correction, we subscribe when we stand for MLA elections. Subject to correction, we all stand in the middle of the Floor after an MLA election and sign a book in which we commit ourselves to those concepts. So, those words are not meaningless. Indeed, far from being meaningless, they are part of the law of this land and part of the practice in this land. They are words that are valued by everybody in the Chamber, because we suffered for 40 years when those words were not honoured.

My point, however, is that the use of "consequences" in amendment No 8 is a reference to, among other things, the consequences of the offence, namely that there is a legal investigation and that that legal investigation requires co-operation from those who may have information in relation to it. That is why the three paragraphs — (a), (b) and (c) — that we have proposed go further, have much deeper impact and stand more in solidarity with victims and survivors than those outlined in the Bill.

**Mr Allister:** May I deal with the Member's points? He says that, in fact, amendment No 8, which talks about "consequences", acknowledges that there are legal consequences to regretting your actions. I have to say this to the Member: I would be astounded if any judge interpreting these cold words as they would appear in the statute would for a moment believe that it imposes a duty on the person relying on them to have assisted the police in the solving of the crime. If that is what it means, why take out clause 3(3)(b)? The Member cannot have it both ways. He cannot say, "Paragraph (a) really means you have to help the police, but, not that you'd know it, in case you did, we'll take out paragraph (b)". That is the position that the Member has adopted. I suggest to him that that is beyond credibility.

The Member makes the point that, in amendment No 8, there is a personal relationship to the offence committed. That may be, but, in the globalised context, which he has not disputed, someone could say, "I regret all the deaths of the Troubles. All the criminality of the Troubles was wrong, and, in that context, I have regret for and acknowledgement of etc, etc, my crime". It can be sanitised by putting it in that context. If, however, the requirement is for contrition, there is no wriggle room whatsoever. The problem with the SDLP amendments is that the SDLP wants to maximise the wriggle room, for whatever reason, and, in doing that, it diminishes the respect and rights for the victim.

**Mr D Bradley:** I thank the Member for giving way. The Member argues that amendment No 8 is globalised, but, in fact, that is far from the case. It is directed purely and solely at the offence that the person has committed, as is the wording of the amendment: "regret for", "acknowledgement" and "accepts the gravity and consequences" of the offence that the person committed. So, rather than the amendment being globalised, our belief is that it is very clearly directed at the individual and the offence that the individual has committed.

**Mr Allister:** The problem with the Member's contention is this: all those fine words can be ditched and rendered meaningless by the applicant setting them in the globalised context and saying, "I regret all the deaths of

the Troubles etc, and, in that context, I have regret for, acknowledgement of and acceptance of the gravity and consequences of the offence of which I was convicted". The fact that it could be done in that way renders it meaningless.

**Mr D Bradley:** I thank the Member for giving way once again. He makes the point that the proposed appointee can globalise the offences and place his or her offence in that global situation, but it is the job of the adjudicating panel to judge whether a proposed appointee accepts the individuality of his or her offence or is globalising it. I suggest that any member of an adjudicating panel who is worth his or her salt would see through that and would adjudge on that basis.

**Mr Allister:** If the criterion was personal contrition, there would be no wriggle room whatsoever for an applicant or panel member to try to find a way through. They would require a context that was personalised contrition. Therefore, the opportunity to have regret in a globalised, sanitised context would be removed. Fundamental is this: no matter how much the SDLP might like to massage those words and say that they mean something that they do not, the reality is that, as drafted, they merely require regret. That can be regret couched in language that utterly undermines any suggestion of remorse, contrition or anything else.

**Mr D Bradley:** I thank the Member for giving way. He would have to admit that "contrition" has to be interpreted. I realise that "contrition" is a very Catholic word. Perhaps the panel would have to draw on the services of an eminent Catholic theologian to define contrition and decide whether an applicant is contrite. Obviously, the panel will not go to that extent, but the point that I am making is that, at the end of the day, the interpretation of someone's contrition is objective. One person may decide that, yes, that person is fully and totally contrite. Another person might think the total opposite. So, Mr Allister's argument is not as nailed down and firm as he might think. All these things are open to interpretation, and, at the end of the day, all these things are objective.

**Mr Allister:** I do not accept that Catholicism has a monopoly on contrition. I certainly think that contrition is something that we all can and, in appropriate circumstances, should experience and express. I do not think that it is sectarianised or anything else in its presentation.

The one thing about "contrition" is that it will not admit to a sanitising, globalised context; "regret" will. That is the real weakness in the SDLP amendment: it admits to that sanitising, globalised context of saying, "I am sorry, I regret, because all that happened was wrong". Contrition does not admit that; it admits that it is wrong. They personally know and feel that it is wrong, and they want to express that, no matter what else happened in the wider context, they are contrite for what they did. "Contrite" is an ordinary English word, and the panel will be able to grapple with it. It will know when it is being presented with contrition and when it is being presented with phoney regret. I think that it will know the difference all right.

I return to Mr Attwood's point about amendment No 9, which states:

*"whether the person has demonstrated, where applicable, a commitment to non-violence and exclusively peaceful and democratic means for political change".*

He said, "That is what we all ascribe to, so what is wrong with that"? I would be so bold as to suggest that there might be people who subscribe to that in the here and now but have no regret for what they did — none whatsoever. So where does that take us? It certainly does not take us into the realm to which we need to go to show that there is something to match the remorse, as there is in clause 3(3) (b) at the moment, which is delivery by assisting the police or advancing the case. At a stroke, it utterly removes all that expectation and simply says, "All you have to do is repeat the mantra about being committed to non-violence, never mind whether you do or do not regret or feel remorseful for what you did in the past". It is just so easy and so porous that it is useless as a criterion.

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

**Mr Allister:** Yes.

**Mr Attwood:** I repeat my earlier point. The Member referred to our clause in respect of a commitment to non-violence as meaningless, and my point was that those words are not meaningless. They have become an article of faith in politics in its most recent history in this part of the world. They are built into law, electoral practice and Assembly practice and, therefore, should not be portrayed as meaningless. If they were, do you know what would happen, Mr Allister? A message would be sent to the people who honour and have worked hard for those words that they did not add up to a puff of smoke. I dispute that and differ from the Member on it. Everybody in the House who holds those words dear should never, ever allow anybody to portray them as meaningless, because they would, therefore, be saying that the achievements on those concepts and practices, which have been struggled for and hard won over the past number of years, have all been somewhat meaningless. You have to dispute that.

**Mr Allister:** Perhaps what the Member is really trying to convey without saying it, since you go to the genesis of these words, is that, pre-1998, you apply some sort of intellectual amnesty to those who did anything, provided they can now say, "We are committed to non-violence. Whatever happened in the past is OK". That is the problem. Take the Travers case, involving the vicious, vile murder of a young schoolteacher. The expectation would be that all that someone who murdered her would have to say is "I am committed to non-violence. I do not have to help in any way to identify who else was involved or say where the gun came from and where it went. I just happened to be caught with the gun. I was bang to rights on that, but I am not going to help this family to find out who pulled the trigger to kill their sister. I will not do any of that". In SDLP terms, that is all right. You have an effective amnesty for that because, today, you can say that you are committed to non-violence. That cannot be right.

1.15 pm

**Mr Wilson:** I thank the Member for giving way. Does he accept that the form of words used here was used by people in the first Assembly who, at the same time, continued to support an organisation that ran guns from America, killed police officers, murdered drug dealers and

continued to engage in criminal activity? Although some people may have meant what they said, the words can be used by others and not mean a thing. The important point is that the amendment would remove a condition that goes beyond the words and measures whether those words mean anything in practical terms, namely whether the person was so remorseful and regretful and showed so much contrition for their crime that they helped the police. That is better than some form of words that may be genuine in many cases — in fact, in most cases, they may be said with total sincerity and acted on — but still leave room for people who want to say them just because it is convenient to do so.

**Mr Allister:** The Member is absolutely right. The person who is genuinely contrite will have no difficulty with these words, but, equally, they will have absolutely no difficulties with the words that they try to replace. The person who is not genuinely contrite and simply mouths words for words' sake will have no difficulty with the amendment's words. They will have difficulty with the words that they try to replace. That is the real litmus test of what the SDLP amendment means. It and amendment No 8 seek to find a way through the protective hedge that is built into the Bill for victims. In that regard, they diminish the rights and expectation of victims. They do the very thing that some victims fear, which is that a nonsense could be made of the Bill.

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

**Mr Allister:** Yes.

**Mr Attwood:** The Member says that some people will have greater difficulty using the words in the Bill than the words that we submitted. I do not think that even very recent evidence suggests that. It was only three weeks ago that the leader of a political party on this island appeared on an RTÉ TV programme and, for the first time, said that the killings carried out by the IRA were murder. For the first time ever, they crossed that Rubicon — I will come back to that — and said that the more than 1,500 killings conducted by the IRA in the history of our conflict, which is more than any other organisation was culpable for, were murder. If the leader of a political party that was said to be close to the IRA can now casually refer to all those killings as murder, you invest in people far too much when you say that it will be harder for them to use your words than those in our amendment. That most recent example very eloquently demonstrates that.

This party worked very hard to derail a previous legislative proposal because it did not live up to the standards of good process, true prosecution, truth and accountability. It was what is known as the on-the-run legislation, which was worked through by the Blair/Powell Government and the IRA. So do not pretend that, given that we worked so hard to derail legislation that was going to corrupt proper process and make it easy for those who were guilty of grave crimes to avoid full prosecution and punishment, that is what we are at in this case. Far, far from it. We have good authority and good form, whether through the abandonment of that process or through any other truth and accountability process that we think needs to be created, that, if there is evidence, people need to live with the consequences of that evidence, including prosecution.

**Lord Morrow:** Will Mr Allister give way?

**Mr Allister:** Yes.

**Lord Morrow:** I thank Mr Allister for giving way. Mr Attwood made a point about the revelation from the leader of Sinn Féin or the new position that he has taken, where he acknowledges now that the 1,500 deaths were a big mistake that should not have happened. Does Mr Attwood agree that the natural next step is to start talking to the security forces about those who committed those crimes? That would be a very positive way forward. I think that then, and I hope that Mr Attwood agrees, those of us on this side of the House will start to have more confidence when we hear words of condemnation for what happened in the past. Does he agree with that?

**Mr Allister:** I think that I will have to be the conduit for that intervention. I agree very strongly with Lord Morrow's point.

Mr Attwood says that my contention is that people would find my words in clause 3(3)(b) more difficult than his words, but that is not my contention at all. My clause 3(3)(b) is not words; my clause 3(3)(b) is action. That is the difference. It is a tangible test of the person's remorse, contrition, regret.

The SDLP's proposed new clause 3(3)(b) is mere words — you give an affirmation. As Lord Morrow points out, the real test of the affirmation of Mr Adams or anyone else that something was wrong is what they are going to do it. Are they going to help the police to solve that which was wrong? Or are they just playing with words to say that it was wrong? That is the real test. I am not attacking the SDLP's bona fides at all, but, sadly, its amendments take out of the Bill the tangible test of what the words, whether they are contrition, regret or anything else, might practically mean.

**Mr Attwood:** I thank the Member for giving way again. It is interesting that, in his last comments, earlier in his comments and previously in other comments, Mr Allister is interchanging the words "regret", "remorse" and "contrition". Indeed, his last contribution was, subject to Hansard, about "regret, contrition or whatever it might be". It seems to me that, in the course of the debate, Mr Allister has not only accepted that there is a personal culpability that falls both in his Bill and our amendment but is now moving to acknowledge that the words "contrition", "regret" and "remorse" are of a family of words, the meaning and ambition of which is always to be the same. In that context, the fact that we use the words "regret", "acknowledgement", "gravity" and "consequences" seems to me to move beyond the words "regret", "remorse" or "contrition".

The Member makes a point about action. After 40 years of denial, the leader of a political party can now refer to 1,500 deaths as murder. In my view, the same word applies to a lot of state killings and killings by other organisations over the past 40 years. If somebody can so casually now rewrite their history by referring to all those deaths as murder, how easy will it be for those people or for others in other organisation to say, "I do not know anything about any other persons connected with the commission of the offence for which I was convicted"? That is the reality. Our amendment captures all other requirements, including the consequences to the individual of their actions in assisting the state.

When you get down to it, all of this gets to the nub of the point. It is that, on the far side of the Bill, unless we have

a comprehensive and ethical way of dealing with past — including the prosecutions that, in my view, should arise in respect of offences in the past — this Bill or this House will be letting down the victims and survivors who look for an ethical and comprehensive truth and accountability process. That is where our tension should primarily be, whilst noting the importance of this piece of legislation.

**Mr Speaker:** Just before Mr Allister gets to his feet again, I want to make a few points. I know that the debate is flowing extremely well. Mr Allister has also been very generous with his time, and I think that I have counted about 15 interventions that he has taken. However, I am slightly worried that we are going slightly outside the amendments: we are talking about what a party leader might have said on a particular programme and how we should deal with the past.

I hope that Members will realise that I have been fairly fair in allowing the debate to flow extremely well in the Chamber, but I remind Members that they should not totally and absolutely go outside the amendments that we are trying to achieve in the House. However, that is not meant to stifle the flow of debate in any shape, form or fashion.

**Mr Allister:** Thank you. I want to make two points on Mr Attwood's intervention. He misunderstands clause 3(3)(b) if he thinks that it is just a matter of the applicant making an affirmation that they have helped. I anticipate that proposed new clause 3(3)(b) will impose an expectation on the panel to seek to investigate, through the authorities, how far that person has assisted. So, it is a tangible demonstration and not a subjective affirmation that one is looking for. Secondly, he sought to draw some comfort from the fact that, in the one sentence, I used the words "contrition", "regret" and "remorse". I am sorry to disappoint him. I was always taught that, when you are addressing a jury, you should use language that it understands. I was trying to be as flexible as I could in putting the argument in their terms, so to speak, and in the terms that the Members from the SDLP used. I still hold to the view that "contrition" is the right word for all the reasons that we have discussed. Mr Speaker, you will be glad to hear that I will not be tempted to revisit all of that.

I want to look for a moment at amendment No 10, which the SDLP has tabled. It seeks to add to clause 3(3)(c), which states:

*"the views of any victim of the offence, or where a victim has died, the views of any close family member of the victim."*

The SDLP wants to add the words:

*“, in consultation with the Commissioner for Victims and Survivors.”*

If that wording had been:

*“through the offices of the Commissioner for Victims and Survivors”,*

it would have conveyed to me that the commissioner was to be the conduit for taking the views of victims. However, as it is drafted — "in consultation with" — it is unclear to me whether this is an attempt to introduce a new and additional tier of consultation, whereby the commissioner herself is consulted with, or whether it is wording that



is meant to convey that the commissioner would simply be a conduit. If it is an additional tier that might have the capacity, in some way, of undermining what the victims think, I would not be content with it. However, I am interested to hear what SDLP Members will say about that amendment and why they have couched it as they have.

Likewise, amendment No 11 adds a fourth criterion, which is:

*“any information which the proposed appointee wishes to submit in writing.”*

### 1.30 pm

I have a couple of points to make about that. If the SDLP is unsuccessful in its attempts to exempt sitting SpAds, that addition:

*“any information which the proposed appointee wishes to submit in writing” —*

would patently not apply to a sitting SpAd, because they are not a “proposed appointee”. So the SDLP amendment would introduce into the Bill two levels of criteria: one for the sitting SpAd, who might have fewer rights, according to this SDLP amendment, in the context of other amendments not being successful; and another for the aspiring SpAd, who would have an additional right as a proposed appointee. That is my first point.

My second point is that this amendment would be much more palatable if it were couched as follows:

*“any information relevant to (a) to (c) above which the appointee wishes to submit.”*

By couching it as widely as “any information”, it introduces into three — now four — criteria, all of which have to be considered in their totality, a possible open-ended ground of appeal, so to speak. That generality is bad because it does not link itself to the three criteria that obviously hang together: (a), (b) and (c). It is simply a case of, “Well, whatever else you want to rely on, you can rely on it with the same thrust as if it were an (a), (b), (c) point”. That is unfortunate because it is unspecific.

On the other hand, if the amendment is simply directed at the ability to submit character references, for example, I do not see anything in clause 3 as presently drafted that would not permit the panel, of its own volition — it has to set its own rules — to determine that it is happy to accept character references. There is nothing in the Bill to prohibit that. To do that is one thing, but to put into the Bill something as open-ended as “any information”, without any specificity at all, is not, I think, the road to head down, particularly if it affords itself to only one category of applicant to the panel, namely those who have not yet been appointed. I will be interested to hear what the SDLP has to say about amendment Nos 10 and 11, but they seem questionable in that respect.

I apologise for having taken so long. I will plead that it was not entirely my fault, although I suppose that I did not have to give way. Overall, the SDLP amendments, sadly, would substantially weaken the Bill. They would diminish the protection for victims in direct proportion to the degree to which they make the appointment of a serious criminal easier. The easier you make the appointment of a serious criminal, the more you diminish the rights of the victims.

If the Bill passes, I want it to be seen as a landmark piece of legislation that is amongst the first to demonstrate that victims have a right to be heard, a right to have a say and a right to be heeded. I fear that the SDLP amendments, in diminishing those rights, do not do justice to the Bill and will, in fact, do it despite. Those are my remarks for now.

**Mr Girvan:** I support Mr Allister's amendments to include the setting up of a panel, albeit reluctantly, on the basis that I believe that the body that should have been looking at this — the Civil Service Commissioners — has basically decided that it does not want to dirty its hands by being involved in making any issue. Until such a body is devolved to this Assembly, so that we can instruct it to take that on, this is the only route that we can go down.

Mention was made in the last comment that the appointment of criminals will be easier if the SDLP's amendments are accepted. That harks back to what happened recently, when we debated the National Crime Agency. It seems to me that the SDLP wants to make it easier for those who have been involved in various different crimes, whether political or otherwise, to evade prosecution and to be appointed to positions in government — and probably not just lowly positions, but key positions. That has to be looked at.

I want to go back to the amendments put forward by the SDLP in relation to those who are actually in position. They want to just let that go. It was very well demonstrated by the Bill's sponsor that if this is accepted, anyone who wants to get in and who has a criminal conviction now has an amnesty. Get in there, get your position, and nothing can be done. Legislation must be put in place to ensure that that does not happen.

It is not necessarily only about crimes that are politically motivated, or those who are guilty of them. The Bill specifically mentions the five-year tariff and how that is not just those who have been involved in criminality associated with the Troubles in Northern Ireland, albeit it was a result of the intervention of Ann Travers in relation to the murder of her sister and the appointment of Mary McArdle that brought this Bill about. Unfortunately, we have to deal with that because there are those who have not seen how making such sensitive and difficult appointments have affected the wider community.

We have to accept that, if the SDLP wants those who are in post to remain so, we should just let it go irrespective of whether it demands legal costs associated with getting rid of those people. There is a mechanism in place to deal with that, and that process can and should be used.

I also have major concerns about amendment Nos 8 and 9. There has been a lot of discussion about those amendments. Now, I do feel that —

**Mr A Maginness:** Will the Member give way?

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

**Mr A Maginness:** I was just thinking over your initial remarks about the panel. You said that you had some problems with that. Are you saying that you have a problem with the mechanism of appeal, or is it just the fact that the panel now, according to the proposed amendment, would be established by the Minister or the Department?

**Mr Girvan:** I do not have concerns about the panel being appointed by the Minister of Finance and Personnel at

present. My difficulty is that we are getting those who should have been dealing with this matter off the hook. I will have no problem with the panel when it is up and running, but the proper process was that the Civil Service Commissioners should have been dealing with this.

**Mr D Bradley:** Your Minister proposed the panel.

**Mr Girvan:** I appreciate that. What is coming forward now is more reflective of the points that were made at the very early stages. The Minister brought that to the House last year in relation to this matter, I understand.

The other point that I wanted to make was in relation to amendment No 9 from the SDLP, which inserts a new paragraph (b) into clause 3. It makes reference to and includes only those who have:

*“demonstrated ... non-violence and exclusively peaceful and democratic means for political change”.*

The Bill does not make any reference to that. It is about:

*“whether the person has taken all reasonable steps to assist in the investigation and prosecution of all other persons connected with the commission of the offence,”*

The amendment bears no reflection to that. The amendment tries to tie it in with the political situation.

Each party possibly could appoint somebody. For the sake of argument, our party, which has the Department of Finance and Personnel ministry, could have sat down and said, “Who would be fantastic at doing this?” There is a gentleman called Nick Leeson, who was involved in the Barings Bank saga. That was not associated with criminality, the Troubles, political violence or anything else. Nick Leeson could probably aspire to all that is stated here, yet he was guilty of one of the greatest mismanagements of bank affairs and brought down Barings Bank. We just need to be very careful about what we include. As a consequence, that amendment should be thrown out in its entirety and we should just stick with what is there.

I see the SDLP's amendments as the SDLP trying to be more green than Sinn Féin on this matter and trying to protect some people in certain areas. It is quite evident to me that, if somebody is guilty of a crime, they should accept that they will not, and should not, take up the post.

**Mr D Bradley:** Will the Member give way?

**Mr Girvan:** I will, Dominic.

**Mr D Bradley:** I take exception to the Member's accusation that the SDLP is trying to out-green Sinn Féin. Sinn Féin has not put down any amendments in this debate. How can we be out-greening Sinn Féin if that party has not put down any amendments?

**Mr Girvan:** From our side of the House, it seems as though your party is acting as a conduit for Sinn Féin.

**Mr McKay:** I thank the Member for giving way. I want to reflect on what the Member and other members of his party said at the previous stage of the Bill. It was considered then that this matter should be referred to the Office of the First Minister and deputy First Minister (OFMDFM). Members of his party said that we cannot put this issue into a Department because that would put the matter back into a political forum as opposed

to an independent mechanism. Does he now accept that bringing this into the Department of Finance and Personnel, which the proposer of the Bill proposes we do — and I notice that the flag-bearer for that Department is sitting behind the Member — would bring it into a political forum?

**Mr Girvan:** It states that an independent panel should be appointed. I take comfort from the word “independent”. It should be given sufficient resource to establish that, and what its independence is will have to be classified. I appreciate that our original idea was for this to be dealt with through the normal process of what is acceptable under the wider Civil Service appointment procedure, and that is covered in subsection 4 of clause 3.

A number of points are creating a bit of concern in my community. We have had a wide discussion about the words used. Whether those words have a Catholicism angle or not, they are part of the English language. Some want to remove the word “contrition” and install the word “regret”. Mr Weir already alluded to contrition being personal and regret being a general approach.

We are in favour of all the amendments proposed by Mr Allister and oppose all the SDLP's amendments. I, too, have some confusion about amendment No 10.

**Mr D Bradley:** Will the Member give way?

**Mr Girvan:** Yes.

**Mr D Bradley:** I take it then that the Member's party has changed its view on Mr Allister since last week, when the Member's party leader described him as not having a positive bone in his body and of going to the bush to take a stick to beat people with.

1.45 pm

**Mr Speaker:** Order, order. The Member will know that there has been quite a bit of latitude shown in the debate, but he is stretching the debate by raising that issue.

**Mr Girvan:** I did not realise that we had discussed that as part of what was put forward last week. The amendments were not included within that.

**Lord Morrow:** I thank the Member for giving way. We hear constantly from around this House that it is time to move on, it is time to do wonderful things and it is time that we moved into the new dispensation. We hear how much we all agree with that. Does the Member agree that the Bill before the House today and this debate are about moving on? Here we have amendments that seem to be designed — intentionally or unintentionally, I am not quite sure — to keep us in the past. Is it not time to let go, embrace the Bill as it is and demonstrate, not only to everyone sitting in this House but to everyone outside, that this Assembly is determined to move on and that, whatever has happened, we cannot keep dragging the past with us? This Bill is an honest attempt to take us into a new dispensation and go forward. I hope that the SDLP in particular will recognise that.

**Mr Girvan:** Thank you very much for that intervention. If there is anything further that you want to say, feel free to go ahead.

We have a point about amendment No 10 to clause 3, which aims to insert the line:

*"in consultation with the Commissioner for Victims and Survivors."*

As to the conduit approach: is it "through" or "the views of" or what? I just cannot accept opening another line of consultation on the matter. I appreciate that the victims are, and should be, the main focus.

Sinn Féin brought this about with — I am not sure how I should put this — the insensitive way that it dealt with the appointment of those who have blood on their hands and have been guilty of some of the most heinous crimes that we have seen in our generation. That is something that has to be considered and taken into account. Any party doing that should consider those points. That is why we are in this position.

**Mr A Maginness:** I thank the Member for giving way; he has been very generous. Surely, it is logical and reasonable for the Victims' Commissioner, or their office, to be involved and to give the necessary professional help and support to victims in such situations. That does not damage in any way an individual victim expressing his or her own views; it simply assists in those circumstances. It is a very reasonable and logical proposal.

**Mr Girvan:** The Victims' Commissioner has a key role to play with victims and survivors, but I believe that —

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

**Mr Girvan:** Yes.

**Mr Wilson:** I do not know why this amendment has been tabled in the name of the SDLP. The Bill, as it stands, does not preclude a victim who, for whatever reason, does not wish to contact the panel or feels too inadequate to communicate with the panel, from going through the Victims' Commissioner. The amendment does not add anything. I cannot get into the mind of the SDLP on this one, but I suspect that the only reason for amendment No 10 is that it knows that victims will be very unhappy with its amendments, especially amendment Nos 8 and 9, and it is trying to push forward its credentials with the victims. The Victims' Commissioner could be used, even under the existing Bill, to make representation on behalf of people who feel that they have a particular interest in an appointment. If they want to make their views known but do not know how to do it or do not want to do it themselves, they can do it through the Victims' Commissioner. For that reason, I do not think that amendment No 10 adds anything to the Bill.

**Mr Girvan:** I thank the Minister for the comments.

**Mr Speaker:** Order.

**Mr Girvan:** It was not the Minister; it was the Member.

**Mr Speaker:** I want to clarify the position: he is speaking as a private Member.

**Mr Girvan:** He was not speaking as the Minister; he is speaking from the Back Bench.

I have concerns about the issue of special circumstances because you either rule yourself in or out simply because you have been convicted of a crime and served a tariff of five years or more in jail. I appreciate that, to try to bring as many people as possible on board, the opportunity was taken to bring in exceptional circumstances. People in that position will be given an opportunity to see whether

they can present their case in a way that is accepted, and I believe that, with the inclusion of exceptional circumstances, those who wish to take up a post have an opportunity to do so by presenting their case to the relevant panel in a reasonable fashion. As it stands, we support Mr Allister's amendments and oppose those presented by the SDLP.

**Mr Mitchel McLaughlin:** Thank you very much, Mr Speaker; I am glad that it was not so far from your desk to here.

Sinn Féin has studied the amendments carefully, and we are no more convinced now of the merits of the Bill than we were at its introduction. We have made it clear that the issues at the heart of the Bill, even as amended, and its intent and purpose are quite clearly in direct conflict with the commitments that were entered into in the Good Friday Agreement, specifically about those who were known as prisoners of the conflict or, in the words of the agreement, "qualified prisoners".

That historical agreement — I recognise that not all the parties in the Assembly supported it — was ratified by referendum on this island and subsequently by the Oireachtas and the Westminster Parliament. So, notwithstanding individual opposition to the Good Friday Agreement, it is the authoritative and legal basis that governs and regulates the business of the Assembly, including this Bill, and is binding on all parties and MLAs, including those who supported it and are the champions of the Good Friday Agreement and those who are hostile to it.

The Bill will attempt to put in place a blanket prohibition that flatly contradicts the section of the agreement that relates to former prisoners. People voted for that at the time, and they negotiated and discussed with their eyes wide open. They knew exactly what they were signing up to, and there were certain very laudable and positive reasons and purposes for doing that.

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

**Mr Mitchel McLaughlin:** Yes, of course.

**Mr Wilson:** I listened to what the Member is saying, and I want to pick up on two points. First, neither this Bill nor the previous system that was set up to deal with special advisers has a blanket prohibition on people who have been involved in crimes in the past. The Bill makes it quite clear that, for people to be able to take up a high-profile public appointment, regardless of the agreement, they have to meet certain criteria, as they do if they go to any part of the Civil Service. Part of those criteria are showing that they have left the life of crime in which they were involved in the past and demonstrated regret, remorse and contrition for it. The Member is wrong to try to paint this as something that it is not.

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

**Mr Mitchel McLaughlin:** Yes, of course.

**Mr Wells:** I wish that the honourable Member for Antrim South would not keep saying that we signed up to it when we supported the Good Friday Agreement. Nobody on these Benches supported the Belfast Agreement. I voted no and was proud that I voted no, and I suspect that Mr Allister voted no as well. So it is no good saying to us that we should have accepted this when we signed up to the

agreement. We opposed the agreement, and, therefore, that is quite a ridiculous argument.

**Mr Mitchel McLaughlin:** I will take those points in reverse order, if I may. I acknowledged that not all parties supported the agreement. That was my opening comment, but you must not have heard me. The point that I made was that a democratic decision was taken here in the North, in this state, and in the South. It was then ratified by both the Oireachtas and Westminster. I said that, whether you were on the yes side or the nay side, the democratic decision is binding on us all, and we have to act on the basis of that. Go on and reiterate your point as often as you wish and feel that it is proper to do so, but it does not change the fact that we had a debate and an argument that you happened to lose. As a consequence, we have an agreement and an Assembly.

On the Minister's point, the blanket prohibition has to be taken as the sum of all of its parts when we deal with this Bill. For instance, the word "contrition" has been widely discussed, but it is not even in the agreement. I do not know whether anybody takes the trouble to check these things. This has been introduced post facto, and people have had their debate. You can remember, as I do because I was at the negotiations, the very intense discussions and disagreements that took place about the release of prisoners.

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

**Mr Mitchel McLaughlin:** Yes, of course.

**Mr Wilson:** I thank the Member for giving way. We can argue about words that were in the agreement or not. As Jim Wells pointed out, that really does not concern us in this party. The Member knows that the community expressed anger at his party over some of the appointments that it made. So will he not accept that, as a very minimum, if someone who wishes to serve in a high-profile public post has been involved in criminal activity in the past, they ought to show contrition for it and have given evidence of that contrition, otherwise they are not fit to hold the post?

**Mr Mitchel McLaughlin:** We can shift the goalposts and refuse to acknowledge what was said at the time. Mary McArdle made a public statement and offered to meet the family. Does that not count? Does that not mean anything? *[Interruption.]*

**Mr Speaker:** Order. Let us not debate across the Chamber.

**Mr Mitchel McLaughlin:** Let us deal with contrition. I will take another example, but there are so many examples, and this is where we need to be careful about putting ourselves in a double bind or being downright hypocritical.

The Pat Finucane murder took place in February 1989. British Government agents, informers from the loyalist community named Nelson, Barrett and Stobie, procured the murder weapons, carried out the murder and, in fact, were involved in the planning, working with state agents. The British Government have investigated this, despite renegeing on a very clear commitment at Weston Park to a full, public and independent inquiry. The latest episode was in December of last year, when the de Silva report was released. It confirmed that there was high-level collusion and that direct agencies of the British Government were involved in procuring the murder of a human rights lawyer.

What else did the British Government do? This is where I come to contrition: the British Government made it clear that no police or soldiers would go to court. Contrition? Regret? Sorry? What does it mean when people adopt the position that, when it comes to ex-prisoners, we require a standard that we will not apply to servants of the Crown? That contradiction runs through the disagreements that have bedevilled the Assembly in trying to do its business.

**2.00 pm**

For me, we had, from the formation of this state right up to the late 1960s, a history of conflict — a low-level conflict, if you like — involving sporadic violence and sectarianism, discrimination and gerrymandering. We had a civil rights movement that sought to address the issues that the one-party unionist Government could not address, and we had a war. We had a war and everybody around here knows it. Nobody voted for that war, but it happened. My regret is that we seem — this is a serious point — to have had low-level conflict that led to a war. We found a way of ending the war, but we have returned to conflict. We have not moved on. I thought that the point was made earlier, and I thought that it would lead to a more constructive approach. However, we have returned to the conflict, and it trips us up right, left and centre. It is time that we all had a collective shake of our heads and got on with it.

I return to this particular issue and the stated purpose of the Bill. We all knew exactly what was involved in the price of peace. There are lots of people in our community who do not have the answers to which they are entitled. There are lots of people who hope that, eventually, there will be an adequate and effective truth recovery process. However, I will just make a passing reference to the point that I made about the Finucane case. How can that family have peace and reconciliation if it is being told by one of the sponsoring Governments that they are not going to —

**Lord Morrow:** What about the McConville family?

**Mr Mitchel McLaughlin:** I know that there are a whole lot of families, and I accept that the McConville family and all the others are affected. In this House, we all represent people who have suffered, or perhaps we have direct family connections with them. They are all entitled, and that is the point. Therefore, if we are to proceed on the basis that we deal only with one part of the story, we will never have peace and reconciliation. I know that that is a difficult concept —

**Lord Morrow:** Will the Member give way?

**Mr Mitchel McLaughlin:** Yes, of course.

**Lord Morrow:** I thank the Member for giving way. I do not want to digress from the issue before us. However, I will say this: the Member waxes about the past, and he is quite selective in how he does that. If he is serious and sincere that he wants to see the issue dealt with, maybe — just maybe — they could start with the like of the McConville case. The deputy First Minister tells us that he left the IRA in 1972 or 1973. Gerry Adams, Sinn Féin's president, says that he was never, ever in the IRA. Is there anybody but anybody who believes that? We need to start with the truth. That would be a good starting point, would it not?

**Mr Speaker:** Let me say to the whole House that this is a fairly lively debate. I am slightly worried that we are going outside the debate on the Bill itself. I remind all Members

that, as far as possible, we should focus on the Bill and the amendments before the House.

**Mr Mitchel McLaughlin:** All that I can do is reiterate our position. We would support and canvass in favour of a fully independent truth recovery process. I do not know at what point you would start. My view is that we might want to take a look at what happened in 1965, when a certain titled unionist politician met with members of the UVF and reinstated that organisation, which, within a year, was involved in a sectarian murder campaign. Should we start there, or with the campaigning of the party opposite against the civil rights movement and the very modest reforms that the O'Neill Government were prepared to introduce? We would have to decide where to start, and that would be a very challenging process.

However, I do not want to get locked into the past. This is my thesis: those who supported the Good Friday Agreement — I look to the parties on my left — need to stand by the commitments made in it. We have to agree that if we want to review and change it, we must do that in conjunction with the two Governments that sponsored it. Why do I say that? Think about the issue of contrition that has been developed in this discussion and the variations on that theme. Are we legislating for the British Government in that? I do not think that we are.

The sponsor of the Bill, the Member from North Antrim, introduced an amendment, supported by the SDLP, during the Bill's Consideration Stage, whereby he indicated that commissioners could be used.

That, in fact, was a decision that was not ours to make. Because of that, it tripped up and had to be yanked at the last minute. Now, we are back to the review panel, which was an argument that was advanced — I accept that it was advanced — and reflects the argument that was made by the Minister of Finance.

Our view is that, when we signed the agreement, when we went and canvassed for it and when we met people on the doorsteps, including victims and survivors, we explained the cost of peace, and people — I thought, at that time — supported it because they recognised that the prize was worth the cost. We need to remind ourselves of that occasionally, because, here, we are going to divide mainly, I think, on the basis of who is pro-Sinn Féin and who is anti-Sinn Féin. I think that that is how this is going to work out. I do not think that it will represent the settled opinion of the House, nor is it an authoritative or legitimate basis on which to proceed, because it means that parties such as the SDLP and Alliance will have to refine and change, on the basis of one appointment, what they had argued and campaigned for with regard to the Good Friday Agreement.

The question that those parties want to ask themselves is whether they want to risk being accused of being duplicitous at that time — that they had another agenda, which was about getting IRA decommissioning, and that they would have said anything that would have fed that and would have agreed to anything, but were reserving their right to change their minds afterwards. That was not the position that republicans entered into on this, and I do not think that it should be the basis of business in the House. I urge people to reconsider allowing the Bill to proceed.

**Mr A Maginness:** I am grateful to the Member for giving way. He referred to the Good Friday Agreement. In some way, the tentative support that the Alliance and the

SDLP gave to the Bill is now a point of criticism by the Member. However, if you look at the section that deals with reconciliation and victims of violence, it states:

*"The participants believe that it is essential to acknowledge and address the suffering of the victims of violence as a necessary element of reconciliation."*

That is something that the Member who spoke previously has not referred to at all. He seems to ignore the plight of victims. Furthermore, it continues:

*"It is recognised that victims have a right to remember as well as to contribute to a changed society."*

In that context, part of the Bill sits well, and it is up to the Member to acknowledge this, because he seems to completely ignore the plight of victims of violence.

**Mr Mitchel McLaughlin:** I am not certain that I noticed whether the Member was in when I was speaking. However, Hansard will confirm that I made a very direct reference, and it was this: my party supports the establishment of an independent truth-recovery process.

We read the Good Friday Agreement on a regular basis just to remind ourselves of the commitments that we all entered into. You will not find the words that you claim are a specific term of reference. It is a term of reference that you got from an avowed enemy of the Good Friday Agreement, and it is interesting that the SDLP has allowed itself to be seduced into that position.

My view is that people, whoever they are and from whatever section of the community they come, are entitled to the full information that can be made available in respect of the circumstances. I know that there is a flat contradiction between the approach reflected in the Good Friday Agreement and that of the British Government, which refuse to release their side of the story and, therefore, render, at this stage so far, a sense of paralysis over the whole process. I think that we might be forced to examine the coupling of truth recovery with reconciliation processes, which, I think, would be accepted as borrowed from the South African peace process.

It may or may not have been an effective mechanism there, but it certainly provided some inspiration, hope and expectation for us. It was on that basis that we borrowed the phraseology. Perhaps we have to separate the two, because until such times as the British Government can be effectively engaged and will be part of bringing forward an independent truth recovery process, that aspect of truth and reconciliation just will not happen. Perhaps we can separate them, because this Assembly gets itself into binds at times and there are stand-offs, etc, but there are also times when we come together for a common purpose. I think that we could advance the whole issue of reconciliation at a quicker pace. However, I do not want to get distracted from this debate.

I say to the SDLP: take a look at paragraph 5 of the section of the agreement that deals with prisoners and reconciliation. You will find a very explicit commitment based on the equality and inclusion principles on which the agreement was founded. It is there in black and white. The SDLP campaigned on that along with us, and we got overwhelming endorsement and the support of the Oireachtas and Westminster. Why would we be bounced off that now? That involved hard decisions, and there are

more to come. We are talking about one appointment, and we are going to turn away from what should be a position of principle. My remarks are addressed as much to the Alliance Party as the SDLP, because they put themselves in the position of being champions of the agreement. Unfortunately, the Ulster Unionist Party, having played what I thought was a very honourable and constructive role, has resiled from that position to a considerable extent. We very rarely hear any words in support of the agreement that made all the progress possible.

Let us not go into reverse. We have never done that. We have been stalled and we have been delayed, but we have never been reversed. This Bill represents a reversal from commitments: very clear principles of inclusivity, equality and non-discrimination. Let us not go back to that past, because that is what gave us the trouble in the first place.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Tá áthas orm páirt a ghlacadh sa díospóireacht seo, agus, chomh maith leis sin, labhairt ar na leasuithe atá ar an liosta inniu ón pháirtí s'againne. I am pleased to participate in what has been a good debate so far. Obviously, I will concentrate my comments on the amendments that the SDLP has tabled, but I will also comment on Mr Allister's amendments.

The SDLP approach has always been to stand with victims and to stand with the right principles. That has always been the SDLP way: to stand with victims of terror and to stand with the democratic way. We also stood with the victims of state violence by standing for radical reform of the policing and justice institutions and a rights-based approach. The SDLP way is to stand with victims and to stand with the right approach. That is what we did at Consideration Stage with amendments that were crafted to achieve that objective: to stand with victims and to stand for the right approach. Our amendments today have the same aim.

The amendments that we have tabled seek to remove the retrospective element of the Bill, the purpose of which is to remove from post current incumbents of special adviser positions who have serious criminal convictions as defined in clause 5, regardless of how long they have been in post or the circumstances under which they were appointed. Having given this aspect of the Bill further consideration, which is required by this stage of the legislative process, and having taken legal advice on the matter, we are not convinced that it is either fair or closed to legal challenge.

## 2.15 pm

Regarding the political circumstances around the appointment of some special advisers, we must recognise that there was a desire and agreement politically to bring those previously involved in violence into the political process where they could make a positive contribution in a non-violent and exclusively democratic way.

**Mr Weir:** I thank the Member for giving way. The Member referred to legal challenge. On almost all occasions, on almost anything you can think of, issues are, to some degree, susceptible to legal challenge, but, with regard to the proposal to remove the retrospective or present element in this Bill by way of the amendments it has put down, will the Member clarify whether the SDLP would have brought these amendments forward if Mary McArdle had still been in position?

**Mr D Bradley:** I will move on to the point that I made earlier about the possibility of legal challenge when I finish what I have to say at the moment. We must remember that the DUP —

**A Member:** Answer the question.

**Mr Speaker:** Order. Let us not have debate across the Chamber.

**Mr D Bradley:** The DUP, the UUP and the Alliance Party have worked with the people who are special advisers for Sinn Féin. In that context, they knew that they were special advisers employed by Sinn Féin Ministers, and that, in respect of clause 5 of the Bill, they had serious criminal convictions. I do not believe that any of those parties raised any objections to that in the St Andrews talks or in the Hillsborough talks. I do not think that Mr Weir has a very strong basis for attacking the SDLP.

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

**Mr D Bradley:** I have already given way to you.

**Mr Weir:** You did not answer the question.

**Mr D Bradley:** I did answer Mr Weir's point, so I will move on.

There was a phase of the process when issues were not addressed comprehensively, properly, ethically, or, perhaps, even at all. Guns, policing, criminality, a common future — there was a time when to move forward meant that type of approach. We should have listened more closely to John Hume, and, in particular, to his Nobel address, when he urged that we move decisively and grab the agreement fully with all our might. If we had done so, we would not have the loss of hope and the degradation of politics and the values of the agreement that we see in so many ways today. If we had moved decisively in the past to an ethical process of truth and accountability, we might have given to victims and survivors a greater sense of healing and a better answer to their pain.

The appointment of Mary McArdle was a watershed in the trauma imposed on the Travers family and in the way in which it outraged public sensitivity around the feelings of victims in general. After sustained media pressure, Sinn Féin saw the error of its ways and removed Mary McArdle from her post as special adviser to the Minister of Culture, Arts and Leisure, Carál Ní Chuilín. It was that appointment that led to this Bill and the introduction by the Minister of Finance and Personnel of regulations for the appointment of special advisers in line with Civil Service procedures.

Present incumbents were appointed in accordance with the procedures at the time. There is a danger in the retrospective aspects of the Bill, as outlined in the provisions that we hope to amend with the support of the House. That danger was highlighted —

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

**Mr D Bradley:** Yes.

**Mr Allister:** Could I try Mr Weir's question again? If Mary McArdle was still in post, would the SDLP be moving amendment Nos 2, 5, 6 and 7?

**Mr D Bradley:** I thank the Member for his intervention. He presents us with a hypothetical situation — *[Laughter.]* — and we would do better to deal with the reality in front of us.

As I was saying, when the Attorney General gave evidence to the Committee for Finance and Personnel on 19 September 2012, he mentioned the dangerous nature of the retrospective aspects of the Bill. Mr Attwood, I believe, referred to that earlier. The Attorney General said, with reference to the European Convention on Human Rights:

*“My concerns stem from article 7 of the convention. That does two things, one of which is relevant, potentially, to this Bill. First, article 7 of the convention prohibits retrospective penalisation, so one cannot retrospectively render criminal that which was not criminal at the time. Secondly, and, perhaps, more relevantly for this discussion, it prohibits an increase in penalty or the imposition of a heavier penalty than was available at the time. If the question is asked whether the disqualification that is introduced by clauses 2 and 3 of the Bill constitutes a penalty in domestic law terms, the answer is quite clearly that no, it does not, because our criminal law would not recognise that as a penalty. For the consideration of this issue, it is vital to recall that ‘penalty’, as used in article 7, has an autonomous convention meaning, and that has been clarified in a number of Strasbourg cases.”*

The Attorney General continued:

*“It strikes me that in taking guidance as best one can from the Strasbourg authorities, one starts with the dominant question in seeing whether article 7 applies. Does the measure, to use a neutral term, follow on as a consequence from a criminal conviction? I think the answer here is that what happens in clauses 2 and 3 does follow on as a consequence of a criminal conviction. You also consider its classification as a matter of domestic law. Again that points the other way. However, you then look at a purpose and its severity. It strikes me that in the cases where retrospective measures have been imposed throughout Europe, in France and the UK — cases that have survived scrutiny at Strasbourg — have been measures that, although retrospective in their effect, have been typically for a public safety purpose.”*

The Attorney General concluded:

*“So, there is a certain circularity. That is the point of the Bill and that is why, I think, there are dangers in relation to the competence of clauses 2 and 3 as they stand at present. It would be perfectly possible, for example, to have provisions that were regarded as harsh. There is an old Latin tag, *dura lex sed lex*, but if they are prospective and apply only in the future, no issue arises under article 7.”*

It is clear from what the Attorney General said at the Committee Stage of the Bill that there are issues about the retrospective nature of several clauses. Of course, we always have to be careful about legal advice, even if it comes from such an august person as the Attorney General, who took silk at the same time as Mr Allister, he claims, but, at the same time, we cannot ignore such advice; we have to take it on board.

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

**Mr D Bradley:** Yes.

**Mr Allister:** Does the Member not misunderstand what the Attorney General was saying? If the Attorney General was saying that the fact that a conviction could, in future, be held against you with regard to employment, and that that breaches article 7, would that not equally breach it for some new applicant for a job, which was not banned to them when they were sentenced 10 or 15 years ago but would be now? If the Member is logically trying to follow through his view of what the Attorney General was saying, he should not be supporting any part of the Bill for aspiring or sitting SpAds. Is that not the case?

**Mr D Bradley:** The Member raised that point with Mr Alex Attwood this morning, and the Member’s argument was that the issue that the Attorney General was warning about or advising on was now mitigated by the fact that the Bill had introduced into it an appeal mechanism. That may be the case, but my argument, the argument of the SDLP and what these amendments are directed at is that the appeal mechanism is inherently unfair in so far as it does not give those who, potentially, would appeal a reasonable chance of success. Any appeal mechanism that can be properly called such should give those who use it some chance of success. We believe that that is far from the case with the appeal mechanism that Mr Allister has brought forward.

I will move on. I think that we should also take into account another dangerous precedent that the Bill might bring forward. If we were to change terms of appointment to employment so that they apply retrospectively, thus removing incumbents from their posts, as a general rule, it would be highly undesirable. In general, if changes to appointment procedures are implemented, they apply prospectively and do not result in incumbents being removed from post.

**Mr Speaker:** Order. I apologise; I must interrupt the Member as we move to Question Time at 2:30 pm. I ask the House to take its ease until we move to Question Time, but the Member will be called after Question Time to finish his contribution.

*The debate stood suspended.*

2.30 pm

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

## Oral Answers to Questions

### Office of the First Minister and deputy First Minister

**Mr Deputy Speaker:** Order. Question 8 has been withdrawn.

#### Child and Working-age Poverty: Institute for Fiscal Studies Report

1. **Mrs McKeivitt** asked the First Minister and deputy First Minister for their assessment of the Institute for Fiscal Studies report 'Child and Working-Age Poverty in Northern Ireland from 2010 to 2020': (AQO 4054/11-15)

**Mr P Robinson (The First Minister):** The report from the Institute for Fiscal Studies (IFS) on poverty forecasts until the end of the current decade is useful research. The report was commissioned by the Office of the First Minister and deputy First Minister (OFMDFM) to assist in developing our understanding of the key trends and underlying factors that matter most as we continue to work out the targets set in the Programme for Government to address poverty and disadvantage. The report makes clear that the progress of the past number of years will continue to reduce the impact of poverty, particularly among children and young people, while the underlying trend may become more challenging as a result of major policy changes that are brought forward by the coalition Government at Westminster. However, it is important to note that such reports are, by their nature, speculative as the Executive continue with their efforts to improve the services that are available to children and particularly to bring about improvements in educational performance, health outcomes and developing greater opportunities for children and young people to lead successful and fulfilling lives. The wider economy will continue to face challenges as a result of the downturn in global economic performance.

In addition, we have driven forward the new Delivering Social Change agenda, which seeks to work across Departments to target and address social disadvantage. The second annual report on delivering the Executive's child poverty strategy was laid before the Assembly on 29 March. It indicated a significant further fall in child poverty, which was largely influenced by a fall in the UK median income, mainly in London and the south-east of England. However, it is also clear that our policies are producing results. The IFS report clearly points to the success of efforts that the Executive have made to address the factors that lead to poverty that lie within our control. Relative child poverty in Northern Ireland fell from 120,000 to 93,000 between 2009-2010 and 2010-11.

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

**Mr P Robinson:** It also highlights the potential for policies to impact on the levels moving forward, particularly with regard to social security benefits and taxation policy.

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

**Mr P Robinson:** The IFS report is a useful contribution to the ongoing discussion on child poverty.

**Mrs McKeivitt:** Does the Minister accept the report's analysis that reaching the targets of the Child Poverty Act 2010 is virtually impossible? If he believes that, does OFMDFM not, in effect, accept failure by continuing to abide by the Act's targets rather than taking devolved responsibility for child poverty and creating their own individual targets?

**Mr P Robinson:** I accept that meeting the 2020 target will be very challenging. However, it is not a case of picking and choosing on the matter. It is a legal requirement that is set down by United Kingdom law. We are, therefore, required to work towards meeting those challenges. No matter how much the Member may shake her head, it does not shake out of existence the legislation that is enacted. Nonetheless, I do not demur from the possibility of our looking at setting ourselves targets on those matters. Of course, to some extent, meeting the targets is, in many cases, outside our competence in that they are impacted, for instance, by taxation policies and welfare reform proposals that the United Kingdom Government might bring forward.

**Mr Spratt:** As a member of the Committee for the Office of the First Minister and deputy First Minister, I was somewhat surprised this morning to hear the Deputy Chairperson, Chris Lyttle, indicating confusion as to where we were with the childcare process, given that the Committee has just looked at the consultation responses on the issue. Will the First Minister outline the next steps on childcare, which also goes into the area of poverty?

**Mr P Robinson:** I have to say to my friend that I am not in any way surprised by an expression of confusion on the part of Mr Lyttle. I think that it may be worthwhile putting on record the background to why OFMDFM is dealing with the matter. In the previous Executive, there was a failure by the Education and Health Departments to take it up. The deputy First Minister and I, therefore, picked it up and said that we would deal with it in our Department. We put forward a strategy, which went out to the wider public for consultation. As I think that everybody knows, the consultation was announced in December and ended in March. Until last week, we were waiting for a response from the Committee for the Office of the First Minister and deputy First Minister, of which Mr Lyttle is the Deputy Chairperson. So I cannot understand why he was not aware that it was his Committee that held us back from taking a final decision on these matters and why he denied 'Good Morning Ulster' listeners the knowledge that that was the case.

**Mr Deputy Speaker:** No one has indicated that they have another question, so we will move on.

#### Disability Strategy: Children

2. **Ms McCorley** asked the First Minister and deputy First Minister to outline how the disability strategy addresses the needs of children with a disability. (AQO 4055/11-15)

**Mr P Robinson:** With your permission, Mr Deputy Speaker, I will ask junior Minister Jonathan Bell to answer this question.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** The United Nations



Convention on the Rights of the Child and Convention on the Rights of Persons with Disabilities place obligations on all Departments to promote, protect and ensure equality. We will meet our requirements through the Delivering Social Change framework, which is the main vehicle for the delivery of our 10-year strategy for children and young people, and the new disability strategy.

We support the social model of disability. It is not the disability that is limiting; rather, it is the physical, organisational and, in many cases, attitudinal barriers that society puts in the way of disabled people. It is those barriers that we have to remove.

We are responding to the recommendations from the UN's Committee on the Rights of the Child by taking a series of actions, such as implementing a disability strategy that covers all age groups, including children, young people and adults, and people with all types of disability.

We have raised awareness of the rights, capabilities and contributions of people with disabilities by supporting a project that raises awareness of the UN disability convention among children and young people in schools; by developing a resource pack for teachers to help them to teach about the rights of disabled people; by introducing and raising awareness of special educational needs legislation, which protects the rights of children with disabilities in education; and by taking action to improve speech and language therapy services and autism services for children and young people.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí. I thank the junior Minister for his answer. He referred to engagement with the sector to promote rights. How successful does he believe that that has been in promoting and raising awareness of the rights of children and, indeed, all people?

**Mr Bell:** I thank the Member for that important question. OFMDFM has engaged extensively with the disability sector to raise awareness and hosted a number of awareness-raising events. The Department has supported a project that raises awareness of the convention in schools by working in partnership with Disability Action to develop a resource pack for teachers and youth workers to help them to teach pupils and young people about the rights of people with disabilities. The resource pack is due to issue to schools before September 2013. That, I think, directly answers your question in respect of young people,

Following the Executive's agreement to the disability strategy, officials continued to raise awareness by officially hosting an event to launch the disability strategy at Grosvenor Grammar School on 28 February 2013.

OFMDFM also organised and led a major inclusive conference on 2 May at Riddel Hall, to which we invited all service providers, together with representatives of the disability sector, to consider how the current arrangements meet the needs of people with disabilities in the context of equality.

We have also set up two subgroups, which include representation from the disability sector, to advise OFMDFM on the development of awareness-raising, advocacy and the monitoring framework of the strategy, and to develop the inputs to how other services could be modified to effect greater equality for disabled people.

**Mr Campbell:** Will the junior Minister give the House an update on the number of signature projects in the disability strategy?

**Mr Bell:** There are seven work-stream projects in the disability strategy. They aim to achieve early momentum on delivery. The work streams will deliver outcomes in disability awareness and advocacy; access, particularly access to transport and digital inclusion; housing; employment and the standard of living; tackling crime against people with disabilities; access to sports and leisure; and a monitoring and reporting framework.

I will try to go through some of the disability awareness and advocacy projects. I will obviously not get through all seven work streams in the two minutes allocated to me. The inclusive conference on 2 May invited all the service providers and the disability sector to look at how our current arrangements meet the needs of people with disabilities on the basis of equality. In particular, disabled people will be invited to develop the monitoring framework for the strategy to develop the inputs to how other services could be modified to effect that greater equality for people living with a disability.

The lead Department in the digital inclusion project will be the Department of Finance and Personnel (DFP). It is all about providing people with a wider choice to empower themselves in major areas in their lives. It will ensure that disabled people have access to and the skills to use technologies such as computers, the internet, mobile web-enabled devices and digital TV. Digital inclusion opens up many of the social, financial and entertainment benefits of the internet. It also provides many disabled people with economic and employment opportunities.

**Mr Swann:** The disability strategy states that further plans are being developed through the Delivering Social Change framework. What specific actions are being targeted at young people with disabilities? Will the Minister inform the House of that programme of work?

**Mr Bell:** The first thing is the work that we are doing with schools and teachers on resources to give young people the access to overcome the barriers that we place in their way. As I said, we are very clear: the barriers that we place in the way of disabled people cause the difficulties. As I began to outline in my previous answer, the use of digital inclusion, which DFP will take forward, will enable many young people who live with disability to access through their mobile web-enabled devices and internet-capacity phones the services that will give them the ability to overcome many of the entertainment, social and financial barriers that exist.

That plan will also specifically promote inclusion for young people with disabilities based on the Northern Ireland Direct assisted digital strategy. The strategy will help to ensure that we do not exclude anybody, whether young or old, from access to our government services. That may also include the development of a Delivering Social Change signature programme on digital inclusion.

### Minority Ethnic Development Fund

3. **Ms S Ramsey** asked the First Minister and deputy First Minister for an update on the delivery of the minority ethnic development fund. (AQO 4056/11-15)

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

**Mr Bell:** I am pleased to say that, even in this time of austerity, the budget for the minority ethnic development fund for the next two years will remain at £1.1 million per annum. The fund plays a very significant role in supporting minority ethnic communities and fostering their integration into our society. In line with the review of the fund, it is now more flexible and focused on the needs of the groups that apply and on the minority ethnic people. Funding under tiers 2 and 3 is for two years. I know that the extending funding has been welcomed in the ethnic minority sector.

## 2.45 pm

A selection panel with knowledge of the sector and the funding process met on 26 March to consider the applications under tiers 2 and 3, as well as the applications under tier 1. A total of 27 applications have been successful to date. All applicants were informed by 29 March of the outcome of the selection process. The majority of the letters of offer have been issued, and officials continue to work with the remaining organisations to complete the pre-contract checks before their letters of offer are issued.

In addition, tier 1 applications for funding of up to £15,000 are welcome until December 2014. That will allow groups to apply for funds in a timely fashion for projects that will enhance race relations.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the junior Minister for his response. I am aware that the funding has been welcomed by groups and organisations that work at the coalface of issues directly affecting minority ethnic groups. I welcome the fact that the funding has not been cut, but as is the case with any community organisation or community programme, people are always looking for additional money. The junior Minister said that 27 funding applications have been successful. Will he outline what appeal mechanism is in place for those whose applications have not been successful?

**Mr Bell:** Unfortunately, in all funding exercises, not all applications are successful. The racial equality unit, which administers the fund, has provided feedback directly to applicants who requested it. The request for appeals closed at 2.00 pm on 30 April 2013. An appeal against the selection committee's decision will be limited to a review of how it applied the criteria; no new information will be accepted at the appeal stage. Our officials plan to complete the appeals process by the end of May.

**Mr G Robinson:** Will the Minister give the House an update on the current position of the racial equality strategy?

**Mr Bell:** I am happy to do so. It is a priority for us to deliver a racial equality strategy that tackles racial inequalities and promotes good race relations in order to make our society a successful multicultural one. We welcome the discussions that we have had with minority ethnic representatives through various forums about how the fund should support the implementation of the strategy. However, it was essential to move forward with the fund now, without further delay, and I believe that that approach was warmly welcomed by the sector.

Consultation with the sector on the development of the strategy continues through the racial equality panel; the panel's most recent meeting was on 30 April. We remain committed to producing a document for public consultation as soon as possible.

**Ms Lo:** The development of the racial equality strategy has been ongoing for years and years. Will the Minister give a commitment that it will be published this side of recess? There is only one more chapter to go. Given that the revised cohesion, sharing and integration (CSI) strategy will be published this week, what is the delay in publishing the racial equality strategy?

**Mr Bell:** We are working together to have it published. I will give the commitment that we will deal with it with urgency and as a priority. It is our commitment in OFMDFM to tackle racial inequalities where they exist and to promote good race relations. We want to see — and I think that we are already seeing this in many cases — a very successful multicultural society in Northern Ireland. Although it is important, a strategy can sit on a shelf. The important thing for us with the fund was, first, to make sure that the money was there for the relevant groups and, secondly, to make sure that the money would allow those groups to do effective planning around staffing and carry forward their programmes over the two-year period. That is why we created the fund in the first place.

We will work together with minority ethnic representatives and look at the implementation of the strategy. We will publish a document for public consultation as soon as we can.

## Peace Monitoring Report

4. **Mr A Maginness** asked the First Minister and deputy First Minister for their assessment of the latest peace monitoring report. (AQO 4057/11-15)

**Mr P Robinson:** Our announcement on 9 May of a package of significant and strategic actions to build a united community is clear evidence of our commitment to this critical area for our society. The latest peace monitoring report recognises that we have come a long way as a society, and the collective effort at a political, community and individual level is to be commended.

Work such as this report is useful in measuring our progress. It highlights progress to date and the challenges for the way ahead. The deputy First Minister and I welcome the reassuring evidence that we now live in a community in which our citizens are less likely to be the victims of crime, in which racist hate crime has decreased and in which, for the first time in a generation, residential segregation has diminished.

We know that there is still work to do, and the publication of the report underlines areas where there continues to be challenges for us all at an individual, community and political level. We will not shy away from those challenges, and we remain committed to building a united community by continuing to improve good relations across our society.

**Mr A Maginness:** I thank the First Minister for his reply. The First Minister acknowledged the value of the report as a measure of progress. Does he accept that it points out a failing in the lack of legislation that is coming from the Executive and going through the Assembly?

**Mr P Robinson:** If, for a minute, I believed that the amount of legislation that goes through the Assembly would bring peace on our streets, I would pile it up. I do not regard the amount of legislation that goes through the Assembly as an indicator of anything. Indeed, there are many societies in which a reduction in the amount of legislation going through their legislative assemblies would be regarded as a very positive factor. I am sure that the Member would not disregard the part of the report that criticises Assembly Members for not being present in the Chamber and for not being present when they are listed to ask questions. There is a wider range of issues to consider.

I recognise that the report draws from research that was carried out by an individual. Therefore, where there is robust and empirical evidence, that is clearly convincing and worthwhile. However, where opinions are expressed, it becomes less valuable, particularly as I think there has been a simplicity in the conclusions that have been drawn from political facts.

**Mr Anderson:** I thank the First Minister for his detailed response. Obviously, First Minister, there are a number of wide-ranging issues. Which 10 would you highlight?

**Mr P Robinson:** The report is hugely positive, but it draws on indices, many of which have been collated from our Department and others that have come from the census, and so forth. From a hugely positive report, the author drew 10 conclusions. Most of those are positive, although the press coverage did not dwell on any of the positive elements in the indices, the report or the 10 key points that came out of it.

The indices that were provided are widely available. If we look at those and draw out some of the more positive aspects, we see that this has been the longest period of sustained stability for the devolved institutions, that the number of sectarian incidents and crimes are significantly down and that the number of incidents and crimes on the basis of religion reduced very dramatically from 148 in 2005-06 to 14 in 2011-12. I see that the number of attacks on Orange halls is down. The number of attacks on churches and chapels is down. The number of casualties per annum as a result of paramilitary-style shootings is dramatically down.

There is a significant increase in the number of young people who believe that relations are better between Protestants and Catholics. Ninety per cent of people believe that their neighbourhood is a shared neighbourhood. A consistently high percentage of people on all sides are indicating respect for each other's culture and identity in the Life and Times survey. No new peace walls since 2008; only one since devolution, and that was put up by the Northern Ireland Office. I could draw on literally hundreds of indices that are available to show the positive nature of the progress that has been made. However, I emphasise again that although progress has been made, there is still a long way for us to go.

### **FM/DFM: Meeting with Tánaiste and Secretary of State**

5. **Mr Rogers** asked the First Minister and deputy First Minister for an update on their recent meeting with the Tánaiste and the Secretary of State. (AQO 4058/11-15)

**Mr P Robinson:** Our meeting with the Secretary of State and the Tánaiste on 29 April offered the opportunity to discuss a range of issues of mutual concern to us all, such as Peace IV funding. This was the latest in a series of informal quadrilaterals that provide a platform for discussions at ministerial level, and we anticipate a further meeting in this format in the autumn.

**Mr Rogers:** My thanks to the First Minister for his response. Was the Narrow Water bridge flagship North/South project discussed?

**Mr P Robinson:** The Narrow Water bridge issue was raised by me at the meeting, yes. I pointed out to colleagues that this matter was being dealt with by the Department of Finance and Personnel, that it was undergoing a business case consideration and that I thought that the Minister was of a mind to endorse whatever its findings of that business case review were as soon as it was available.

**Mrs Overend:** Will the First Minister outline his ongoing negotiations with the Secretary of State on the issue of the substantial financial package for Northern Ireland?

**Mr P Robinson:** The Secretary of State came to that meeting a little earlier than the Tánaiste, who I think was held back by press conferences. So the deputy First Minister and I had the opportunity to talk to her in some detail about the financial package and the Government's attitude to perhaps extending it. We have had discussions at both official and ministerial levels with Her Majesty's Government. They are of a mind to put together a package much on the same line as the City Deals in GB that one would be aware of. Clearly, because the whole of Northern Ireland would be involved, this would be a much larger context.

I am reluctant to go over the individual proposals because in some cases the deputy First Minister and I will be seeking to alter and extend those particular proposals. However, we are both of the view that we have been disadvantaged because of the overall climate of the Northern Ireland economy and we need to have an impetus and a momentum to move forward. The Prime Minister and the Secretary of State have indicated that they are prepared to respond to the level of ambition that we show with the proposals that we put forward. We have put forward extensive proposals in terms of a shared future. Those proposals went beyond what the Government had expected us to do, and we have a whole range of other announcements to make. So, having shown ambition, we are looking to see the reward for that ambition.

**Mr Douglas:** Did the First Minister take the opportunity during his discussions to raise the issue of the G8 or Peace IV?

**Mr P Robinson:** Yes, we discussed both during the course of the meeting. There was considerable enthusiasm for the benefit that will flow to both sides of the border from the G8. Because it is being held close to the border, the South is getting a very considerable benefit, even in terms of accommodation. I also understand that the Prime Minister has invited the Taoiseach to attend some part of the G8 discussions.

**3.00 pm**

It has very significant benefits for Northern Ireland in that it allows us to showcase a Northern Ireland in a new era, moving forward, and we will take every opportunity to put the worldwide attention to our advantage.

The deputy First Minister and I have been to Brussels and we have spoken to the relevant commissioners about Peace IV. It is included in the draft proposals that are being considered, and €150 million has been set aside for that purpose. Indeed, our discussions with the United Kingdom Government, about which I did not give details earlier, included the possibility of there being a €50 million uplift on that from Her Majesty's Government.

We have discussed those issues but we are waiting for the endorsement of the draft financial package with the €150 million that has been set aside for Peace IV. We have our own views about how that can be linked to the overall shared future proposals that we have brought forward.

## Health, Social Services and Public Safety

**Mr Deputy Speaker:** Questions 14 and 15 have been withdrawn. I call Mr Danny Kinahan.

### Nurses and Nursing Assistants

1. **Mr Kinahan** asked the Minister of Health, Social Services and Public Safety how the number of nurses and nursing assistants employed at 1 May 2013 compared to the number employed at 1 May 2011. (AQO 4069/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The latest figures available are as at March 2013. At March 2013 there were 15,015 qualified nurses employed across health and social care, compared with 14,630 at March 2011.

The corresponding whole-time equivalent numbers were around 13,000 at March 2013 compared with around 12,600 at March 2011, and that represents a 3.3% increase. In addition, there were 1,320 qualified midwives employed at March 2013 compared with 1,315 employed at March 2011. There were also 4,558 nursing assistants employed at March 2013 compared with 4,481 at March 2011.

I commend the valuable work that our nurses and midwives carry out. I am proud of the services that they deliver, and I have been consistent in my message that staffing of front line services is vital to provide safe, effective and high-quality services.

**Mr Kinahan:** I thank the Minister for his answer. I am sure that he shares my concerns, but before I move on to my comments, I commend everyone who works in the health service.

Does he agree that the health service cannot cope at the moment, even with the increased numbers of staff? Last week, the 'Belfast Telegraph' told us that there are not enough consultants and that everyone is under too much stress.

**Mr Poots:** I do not generally take my direction from the 'Belfast Telegraph'. I tend to listen to experts rather than read the newspapers, which very often have agendas. Of

course the health service is under stress; that is the case throughout the United Kingdom, in the Republic of Ireland and many other places.

The truth is that we do not have more money to throw at it. Essentially, we have to do things better; we have to do things differently and we have to challenge the perceptions that exist in the health service and elsewhere that things cannot be changed.

I welcome the fact that we have more nurses on the front line. I know that the Member does not really want to talk about the question that he asked, because he probably did not get the answer that he wanted. We have more nurses on the front line, and if we require more nurses we will recruit them to carry out the job in hand.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I take this opportunity to welcome the increase in nursing staff throughout the health service. Minister, you stated a number of months ago that, to support doctors and consultants in our hospitals, nursing staff would be allowed to discharge patients. Is that happening? If so, in what hospitals? If not, when will it happen? You came forward with those proposals following another period in which A&Es were under pressure. It is important that we follow through on the proposals for nursing staff to be able to discharge patients.

**Mr Poots:** I do not have the detail of that, but I will seek to ascertain it and have it sent to the Member in writing. That is certainly something that can support us in the appropriate discharge of patients without compromising quality or safety. Nursing staff, especially nurse specialists, have so much potential to support and assist us in what we are attempting to achieve; namely, to take care closer to the community without compromising quality and safety, which must always remain at the forefront of everything that we do.

**Ms P Bradley:** Will the Minister provide an update on the family nurse partnership programme and other intensive parenting support programmes?

**Mr Poots:** The family nurse partnership programme, which we all know is an intensive, preventative home-visiting programme, is being introduced in Northern Ireland. It will improve antenatal and child health and develop parents' economic self-sufficiency. We think that the programme is of huge benefit. We have had our trials, and we now want to roll that programme out in every trust area. I welcome the support that we have received from the Office of the First Minister and deputy First Minister through the identification of funding that will assist us and enable us to do it. Others are very quick to carp, criticise and complain, so it is good to put on record our gratitude and thanks for the additional funding that is coming from that source. It will assist us in making a difference to people's lives and, in particular, children's lives.

### Autism: East Belfast

2. **Mr Douglas** asked the Minister of Health, Social Services and Public Safety to outline the support available for children with autism in East Belfast. (AQO 4070/11-15)

**Mr Poots:** Children with autism in east Belfast have access to the same range of support services that are available to all children in Northern Ireland, which are based on the assessed need of the child. 'Six Steps of

Autism Care' and 'Autism: A guide for Families' were developed in late 2011 to standardise the process of diagnosis, assessment and support for children and young people with an autism spectrum condition. My Department is leading on the development of a cross-departmental autism strategy, which is being developed to help improve access to services and support for people with autism, their families and carers throughout their lives.

**Mr Douglas:** I thank the Minister for his response. I understand that he has been to Tullycarnet to meet the Helping Hands autism support group. It would certainly be very keen to find out when the strategy will be completed.

**Mr Poots:** Yes, I was there. I thank the Member for the invitation to visit Helping Hands. That group has also met Minister McCausland, the Northern Ireland Housing Executive and other stakeholders and groups. I understand that Helping Hands provides really good support and advice to children and families living with autism in east Belfast, Castlereagh and north Down. There is the potential for Helping Hands to develop in Ballybeen; that is very worthwhile, and the Member is pressing for it.

The aim of the cross-departmental autism strategy for Northern Ireland is to improve services and support for people with autism, their families and carers throughout their lives. The board was established in December 2011. The draft strategy was launched for public consultation on 3 December 2012. The consultation closed on 15 March 2013, and the responses are now being collated. We hope to complete the strategy and action plan in September or October of this year.

**Ms Maeve McLaughlin:** Go raibh maith agat. How often does the Minister meet the Education Minister about autism?

**Mr Poots:** I seek meetings with the Education Minister quite frequently on a range of issues. Obviously, my Department leads on the development of the new autism strategy and action plan, so it is important that we work closely with representatives from all Departments, the key voluntary sector organisations and people affected by autism with the aim of improving services and support for those with autism. I do not have a list of the dates on which we met the Education Minister on those issues, but our offices are in regular contact on a range of issues on which we, as Ministers, meet to discuss.

**Mr Durkan:** I thank the Minister for his answers and his update on the autism strategy. Will he detail any findings that have been reported to his Department?

**Mr Poots:** A course of work has been carried out on the autism strategy, and we are part of the consultation. We need to identify the needs of people with autism and how we address those needs. Bringing all the groups together to enable us to have those discussions will give us considerably more information by working closely with the voluntary sector in the delivery of the strategy. We will continue with that course of work.

We had a recent conference on autism. As part of that, experts from other parts of the world were in Northern Ireland, and they appreciate the work that we are doing. They recognise that the private Member's Bill that was passed in the Building to deliver the Autism Act (Northern Ireland) 2011 is an important step in the right direction, and our Department is co-operating fully with the spirit of the Act.

**Mr Gardiner:** Autistic children often require a range of professional assistance. When will the multiagency support teams, which are in the schools that received a favourable assessment last summer, be available to the children who need support in every school?

**Mr Poots:** The education sector will lead on the issue, and the Department of Health will co-operate fully. As the Member rightly points out, a multidisciplinary approach can deliver much better outcomes for children who have autism. Therefore, it is incumbent on us to seek to provide such services to maximise the opportunities for those young people, and to ensure that they achieve as much educationally as they should be able to and are not held back by autism because we are not providing the appropriate support.

### Ulster Hospital: Mental Health Services

3. **Mr Hazzard** asked the Minister of Health, Social Services and Public Safety for an update on the South Eastern Health and Social Care Trust's proposals to centralise acute mental health services at the Ulster Hospital. (AQO 4071/11-15)

**Mr Poots:** The South Eastern Health and Social Care Trust presented its proposals for the location of a single acute mental health inpatient unit to the trust board meeting on 28 November 2012. The trust proposed that a single acute mental health inpatient unit be located on the Tor Bank site adjacent to the Ulster Hospital. The trust embarked on a formal public consultation process, which ran for 13 weeks from 16 January 2013 until 17 April 2013. The trust is analysing responses to the consultation exercise.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. He will probably agree that for the people of south Down to have confidence and trust in these plans, there needs to be adequate transport provision for patients and their relatives, who will be faced with travelling from various parts of south Down to the Ulster Hospital if this proposal goes ahead. Will the Minister give a commitment that transport provision will be taken up in the near future to make sure that that happens?

**Mr Poots:** Transportation is an interesting issue, because the Department of Health spends around £20 million on transportation. That budget would be better spent directly on healthcare, but if people are not there, you cannot provide the care for them.

More work needs to be done on that area. The trust needs to engage more closely with the Department for Regional Development (DRD) and organisations such as Translink, which are specialists in transport, to ensure that we have appropriate routes in order for people to receive care. The issue of transportation to the Downe Hospital was raised with me recently and the potential for an agreement with Translink to ensure that people could visit the GP facility there. So I recognise the importance of transportation in all of that. Whether the general public are travelling from the south Down, Lagan valley, Strangford or north Down part of the South Eastern Trust, we will ensure that that is available to them.

**3.15 pm**

**Mr Rogers:** Will the Minister elaborate on the recommendation to provide at Downpatrick:

*“low secure services at a single site ... with minor reconfiguration”?*

**Mr Poots:** That probably means what it says: the more severe psychiatric episodes are dealt with at the Ulster Hospital, so the more intensive care and treatment will be provided at that centre. That is in line with all previous recommendations and with Transforming Your Care, in that psychiatric facilities should be developed alongside hospitals that have all services available.

Sadly, many people who have psychiatric conditions and mental health conditions self-harm. They have other ailments and conditions, which is why it is believed that the unit is best suited to being beside a major hospital. Aside from that, Bamford was very clear that we should reduce stigma, and there will be less stigma if the centre is incorporated in a major hospital as opposed to having stand-alone mental health units.

**Ms Brown:** What actions have been taken to improve child and adolescent services in Northern Ireland?

**Mr Poots:** I thank the Member for her question. In 2010, a new adolescent unit, which includes two intensive care beds, was opened at the Forster Green Hospital site. A new 15-place child and family centre was opened at the same location in 2010, and an additional £1 million was provided in 2007-08 to create crisis intervention teams. Annually, we make an investment in child and adolescent mental health services (CAMHS) of around £19 million, and that follows additional investment in 2012-13 of £2.2 million in the development of primary mental health worker teams, crisis response home treatment services and forensic and gender identity services.

The Department published ‘Child and Adolescent Mental Health Services — A Service Model’ in July 2012. The Health and Social Care Board (HSCB) and trusts are working on an implementation plan to deliver that stepped model of care, and the Regulation and Quality Improvement Authority completed an independent review of CAMHS in Northern Ireland in 2010. The report was published in February 2011, and it highlighted the progress being made in improving mental health services for children and young people. However, it recognised that there was more to be done and made 38 recommendations for improvement. Those are being taken forward by the HSCB and the trusts.

### Paediatric Congenital Cardiac Services

4. **Mr McDevitt** asked the Minister of Health, Social Services and Public Safety for an update on his discussions with Minister for Health James Reilly on the future provision of paediatric congenital cardiac services. (AQO 4072/11-15)

6. **Mr McCarthy** asked the Minister of Health, Social Services and Public Safety for an update on the introduction of a partnership between services in Belfast and Dublin to provide an all-island model for paediatric congenital cardiac services. (AQO 4074/11-15)

12. **Mrs Overend** asked the Minister of Health, Social Services and Public Safety for an update on the future of paediatric congenital cardiac surgery in Belfast. (AQO 4080/11-15)

**Mr Poots:** Mr Deputy Speaker, with your permission, I will answer questions 4, 6 and 12 together as they all relate to the future commissioning of paediatric congenital cardiac surgical (PCCS) services for the population of Northern Ireland.

I met the Republic of Ireland’s Minister for Health, James Reilly TD, on 8 May 2013 to discuss whether there is any scope for flexibility in the location for the future delivery of this service. I asked Minister Reilly to give consideration to a two-centre model, potentially providing PCCS services in both Belfast and Dublin. Consideration of that proposal is continuing at official level to determine whether such a model would be feasible. I will inform the Assembly of the outcome when I announce my decision, which I hope to expedite, on the future commissioning of the service.

**Mr McDevitt:** I thank the Minister for his reply and acknowledge the work that he has been doing on this matter. Does he believe that there is possibly a more ambitious and innovative framework than that identified in the expert working group’s report and one that would, hopefully, mean some form of surgery being maintained here in Belfast and could mean the creation of a two-site integrated clinical network?

**Mr Poots:** Two issues have to remain right at the top of our agenda: quality and safety. I suspect that the one-site model will maximise quality, but it may not maximise safety. We cannot look at one without the other. You could have all the experts based on one site and the children who get there in an appropriate time all treated there, and we would get better outcomes. However, we have the issue of children who have to travel considerable distances. I hear people say that people who travel from Wexford or Cork will have to travel even further than children from Northern Ireland, but the fact is that we have had a service in Belfast for all those years and have never had to travel those distances or for that length of time. Therefore, it is important that we take those matters into consideration.

I have people coming to me from the parents’ side who suggest that we could be compromising on safety by moving exclusively to Dublin. I have to pay a lot of attention to the clinicians on this issue, and I have clinicians who are also concerned that we should have services in Belfast. That is what I am attempting to deliver at this time. As I indicated previously to the House, I needed the co-operation of the Minister in the Republic of Ireland, and he has been co-operative in allowing that discussion to take place and by looking at the matter further. I do not ever want to raise expectations, but what was previously proposed is not a done deal. I am looking for a different kind of outcome, and I will to continue to work very closely with Dr Reilly on the issue.

**Mr McCarthy:** I welcome the Minister’s response so far. Can he assure the House that, before any decisions are taken, the views of the cardiac clinicians, the Children’s Heartbeat Trust and the parents in Northern Ireland will be paramount? I also support the comments that Conall McDevitt made that a two-site system —

**Mr Deputy Speaker:** I think that the Member has asked his question.

**Mr McCarthy:** — one for Dublin and one for Belfast — is possible. Is that the Minister's priority at the moment?

**Mr Poots:** If it is possible, it will be a priority. We have to establish whether it is possible, and, again, that needs the co-operation of colleagues in the South. It would involve a surgical team based in the South travelling to Northern Ireland, and it would involve surgeons based in Northern Ireland being part of a team in Dublin. That would include not only surgeons but anaesthetists and specialist theatre nurses, and so forth. It is about not just the surgeon but the entire team.

It is complicated, but there is a course of work to be done. I can only but hope that that course of work leads to an outcome that will satisfy most people. The people whom I am really aiming to satisfy most are the people who are at the front line in the cardiology departments and who know the issues and the vulnerability of those little children. They will give me qualitative advice to ensure that the best opportunities exist for those children to live and to survive what is an awful illness.

**Mrs Overend:** Does the Minister accept that emergency surgical intervention has continued in Belfast, and how will he ensure that such prompt emergency treatment will continue in Belfast?

**Mr Poots:** We can retain emergency treatment only if we retain elective surgery. Some of the emergency surgery is not particularly complicated, but we cannot do it unless we have the people on the site to do it. Buildings in themselves do not save lives, but the people who work in those buildings do. Therefore, it is important that we do our best to ensure that we maintain an element of elective surgery to do that and to be attractive to surgeons.

We need to be part of a larger network. A stand-alone site in Northern Ireland will not do it. I have been criticised by some people from a political perspective for looking to Dublin for assistance. Frankly, I could not care less where I look to, if it saves the lives of children. I will work with Dublin or wherever else to ensure that we deliver the best possible service. I very much want to retain some elective surgery in Belfast, which will ensure that we can support those emergency situations. However, I need the co-operation of others at this time. Certainly, they are co-operating in the discussions, but we are not at the point of reaching outcomes and, therefore, it would be wrong to raise expectations.

**Mr Dunne:** I thank the Minister for his answers. I understand that a considerable number of paediatric operations are carried out in Dublin at present. Is the Minister satisfied with the quality of care offered in existing hospitals?

**Mr Poots:** One of the issues that we needed to tackle at an early point was to test the quality of service that was available in the Republic of Ireland, because it does not use the same recording system as is used in the UK. Work has been done on that, and there is satisfaction that there is no compromise on safety or quality by using the service in Dublin. That is absolutely critical and important.

At present, quite a number of children have to go to Birmingham because more complex surgery requires it. Quite a number of children from the South of Ireland go to Birmingham as well; so, there will be the potential for more children from both Northern Ireland and the Republic

of Ireland to have that service carried out in Dublin if more children from Northern Ireland go there, because we can increase the ability of surgeons to carry out those complex procedures because larger numbers are going through. Equally, we can get some of the less complicated procedures from the border counties to take place in Belfast. That is an important element of how we go about things.

**Mr Deputy Speaker:** I take the opportunity to remind Members that oral questions should not be read.

**Ms Boyle:** I thank the Minister for his responses thus far. He said that talks are ongoing at official level. Are those talks considering the working group proposal, supported by the HSC Board, for all surgery to go to Dublin? Is the Minister confident that his officials will look outside the box when he is in a position to make his final decision? Go raibh maith agat.

**Mr Poots:** The discussions are as I outlined: they are on the basis of a two-sided option, with more complex procedures taking place in Dublin and less complicated ones taking place in Belfast. We will carry out work particularly for children in the border counties. There will be surgical services in Belfast but also cardiology services in the South West Acute Hospital, Altnagelvin Area Hospital — and Craigavon Area Hospital is the other facility. So, there is a series of pieces of work that we will do to support children living in border counties, should it be acceptable to the Republic of Ireland's Government.

## Health and Care Centres

5. **Mr Hilditch** asked the Minister of Health, Social Services and Public Safety for an update on the proposed locations for new health and care centres. (AQO 4073/11-15)

**Mr Poots:** I envisage a system of health and care centres across the region in a hub-and-spoke configuration, with the hubs having a wider range of services, as illustrated in 'Transforming Your Care: Vision to Action', the consultation document. At this stage, it is not possible to provide details of the full model across the region, as work is underway to determine the configuration and services to be provided and it will be some months before that work comes to a conclusion.

Work is already underway in Banbridge, Ballymena and Omagh, and procurement is scheduled to begin soon in Lisburn and Newry. The existing infrastructure will form the basis of future provision in many cases; for example, a number of existing health and care centres will form hubs for their area, such as those in Belfast and Portadown.

**Mr Hilditch:** I ask the Minister to consider the situation in Carrickfergus. Would he consider it as the location for a new health hub?

**Mr Poots:** 'Vision to Action' has set out an indicative model that includes: Bangor, Newtownards, Downpatrick, Lurgan, Kilkeel, Armagh, Dungannon, Lisnaskea, Enniskillen, Strabane, Waterside, the city side, Limavady, Coleraine, Magherafelt, Cookstown, Antrim, Larne, Whiteabbey and Carrickfergus.

**Mr Poots:** At this stage, it probably is. We can use recurrent funding to carry out capital projects, and we are allowed to use up to 5% of our recurrent funding to

do that. Therefore, we have lots of scope to stay within Government and Treasury guidelines on that issue. At this stage, yes, we are probably more reliant on going down the route of third-party development. It may give us some greater flexibility in persuading GPs to move into such facilities, because it would enable GPs to be stakeholders as opposed to just tenants of the Government. There are some significant advantages to it, aside from the fact that we are able to deliver the programme more quickly than waiting for capital funding to come from Westminster.

3.30 pm

*(Mr Speaker in the Chair)*

## Private Members' Business

### Civil Service (Special Advisers) Bill: Further Consideration Stage

#### **Clause 2 (Special advisers: serious criminal convictions)**

*Debate resumed on amendment Nos 1 to 20, which amendments were:*

No 1: In page 1, line 13, leave out "Commissioners" and insert "Department of Finance and Personnel".—  
*[Mr Allister.]*

No 2: In page 1, leave out subsections (4) and (5).—  
*[Mr D Bradley.]*

No 3: In page 1, line 22, leave out "Commissioners" and insert "Department".— *[Mr Allister.]*

No 4: In clause 3, page 2, leave out lines 4 to 11 and insert

*"(1) This section applies where an appointment, or proposed appointment, of a person as a special adviser is referred to the Department under section 2(2) or (5).*

*(2) The Department must, within 14 days of the referral, establish a review panel and refer the matter to it.*

*(3) The review panel must determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.*

*(4) The person is only eligible if the review panel is".—  
*[Mr Allister.]**

No 5: In clause 3, page 2, line 6, leave out from "or" to end of line 7.— *[Mr D Bradley.]*

No 6: In clause 3, page 2, line 9, leave out

*", or to continue to hold appointment as,".—  
*[Mr D Bradley.]**

No 7: In clause 3, page 2, line 11, leave out

*", or to continue to hold appointment as,".—  
*[Mr D Bradley.]**

No 8: In clause 3, page 2, line 17, leave out from "contrition" to the end of line 18 and insert

*"regret for and acknowledgement of, and accepts the gravity and consequences of, the offence to which the serious criminal conviction relates,".— *[Mr D Bradley.]**

No 9: In clause 3, page 2, line 19, leave out paragraph (b) and insert

*"(b) whether the person has demonstrated, where applicable, a commitment to non-violence and exclusively peaceful and democratic means for political change,".— *[Mr D Bradley.]**

No 10: In clause 3, page 2, line 23, at end insert

*", in consultation with the Commissioner for Victims and Survivors.".— *[Mr D Bradley.]**



No 11: In clause 3, page 2, line 23, at end insert

*“(d) any information which the proposed appointee wishes to submit in writing.”— [Mr D Bradley.]*

No 12: In clause 3, page 2, line 24, leave out “Commissioners” and insert “Department”.— *[Mr Allister.]*

No 13: In clause 3, page 2, line 26, at end insert

*“(5) The Department must—*  
*(a) appoint independent persons to be members of the review panel,*  
*(b) pay those persons such fees, allowances or expenses as appear appropriate,*  
*(c) provide the review panel with staff, accommodation or other facilities as appear appropriate.*  
*(6) A review panel may regulate its own procedure.*  
*(7) A review panel only remains in existence for so long as is necessary for it to exercise its functions.”— [Mr Allister.]*

No 14: In clause 4, page 2, line 28, leave out “the Commissioners” and insert “a review panel”.— *[Mr Allister.]*

No 15: In clause 4, page 2, line 32, leave out “Commissioners” and insert “review panel”.— *[Mr Allister.]*

No 16: In clause 4, page 2, line 34, leave out “Commissioners” and insert “review panel”.— *[Mr Allister.]*

No 17: In clause 10, page 4, leave out lines 28 and 29.— *[Mr Allister.]*

No 18: In clause 11, page 4, leave out clause 11.— *[Mr D Bradley.]*

No 19: In clause 12, page 5, line 2, leave out “Sections 2(5), 3, 7, 8” and insert

*“Sections 1, 2(5), 3, 4, 5, 7, 8, 9.”— [Mr Allister.]*

No 20: In the schedule, page 6, leave out the schedule.— *[Mr D Bradley.]*

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom leanstan ar aghaidh ón áit ar fhág muid é roimh an sos. I will continue from where I left off earlier. I was beginning to deal with our amendment No 8, which replaces the concept of “contrition” with that of:

*“regret for and acknowledgement of, and accepts the gravity and consequences of, the offence to which the serious criminal conviction relates”.*

We had quite a bit of detailed discussion about that earlier. Mr Attwood very clearly outlined our party’s attitude in bringing forward the amendment. To my mind, there is a certain religious connotation to the word “contrition”, which does not sit well in the legal context. Allied with that is the fact that it is virtually impossible to measure or test contrition in any way other than that, which is, at the end of the day, entirely subjective. I think that I made that point earlier. We should be attempting to adhere as far as possible to that which can be, to as great an extent as possible, objectively verified. The wording that we propose removes the quasi-religious connotation from the criterion and expands it in a way that allows the panel a more effective form of adjudication.

Amendment No 9 proposes that the person demonstrates:

*“a commitment to non-violence and exclusively peaceful and democratic means for political change”.*

The original paragraph (b) required the person to take all reasonable steps to assist in the investigation and prosecution of all other persons connected with the commission of the offence. The difficulty with the original paragraph, which currently stands part of the Bill, is that once again it is very difficult to assess the extent to which that has happened. What is reasonable for one person may not be reasonable for another.

Judging by what Mr Allister said, the best arbitrator in these matters is probably the PSNI. I am sure that the last thing that the Chief Constable desires at this moment in time and probably at any time in the future is to be dragged into what could become a highly charged political matter. We have seen the Civil Service Commissioners shy away from a role in this Bill, and it is not difficult to imagine that the PSNI would recoil even further. Once again, what we have proposed is in keeping with the approach of the Good Friday Agreement, and we believe that it is verifiable in an objective manner.

The amendment to page 2, line 23 proposes that appointees submit additional information in writing, which may include written references from third parties. Mr Allister was somewhat dubious about that particular amendment. We do not see any major difficulty with it, because it allows potential appointees to submit written references, which is not an unusual part of an appeals process.

The second set of amendments that the SDLP has proposed are largely consequential on those that I have mentioned.

We have constantly argued through the course of this Bill that there is a need for a fair and equitable appeals procedure. To give him his due, Mr Allister has responded and introduced an appeals mechanism, albeit one that we believe is extremely rigid and would afford any person using it very little chance of success. As I said in an earlier intervention, the very point of an appeals mechanism is that it should afford an aggrieved party a reasonable chance of success. If it does not, there is little point in it being there.

As I said, we have tried with some limited success through the amendments at Consideration Stage to shape a fair appeals mechanism, and we are trying again to do likewise at this stage. I believe that, throughout the course of the Bill, the SDLP has tried to be fair to those who are affected by the provisions of the Bill either directly or indirectly. We appeal to members of the parties to do likewise and to support —

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

**Mr D Bradley:** Yes.

**Mr Allister:** The Member has not amplified amendment No 10, the one that adds consultation with the victims’ commissioners. Will he give the House the benefit of an explanation as to that particular amendment?

**Mr D Bradley:** I will not, in fact; I am going to leave that to my colleague Mr Maginness to do during the course of his speech. I am sure the Member will be quite happy to hear what Mr Maginness has to say.

What is the deeper truth about this Bill? I believe that we must now ethically and comprehensively address the pain of the past.

I note that the Office of the First Minister and deputy First Minister (OFMDFM) proposal is to convene all-party talks. The SDLP will fully commit to and participate in those, but do we believe that Sinn Féin genuinely believes in a process of truth and accountability, individually and collectively, for those who were in command and control during the terror? No, I do not believe that to be the case. Do we believe that the DUP genuinely believes that those in command and control of the RUC, the UDR, the army, MI5 and others responsible for state violence —

**Mr Weir:** On a point of order, Mr Speaker. The Member can challenge the bona fides of various parties to his heart's content, and I appreciate that others have strayed away from it as well, but, Further Consideration Stage is meant to address the merits or otherwise of the amendments rather than being a long walk down the broad areas of dealing with the past or even the merits of the Bill itself.

**Mr Speaker:** I thank the Member for his point of order. If the point of order had not been raised, I was going to intervene anyway. I ask all sides of the House to stick to the ramifications of the Bill and the amendments. The Member has slightly gone outside the confines of the debate that is before the House. I remind all Members to come back to the business of the House, which is the Bill and the amendments. I ask the Member to continue.

**Mr D Bradley:** Thank you very much, Mr Speaker. I was responding to some comments that came from that side of the House to the SDLP during the debate. Mr Speaker, I accept your ruling on this matter, but my response to my rhetorical question is no, we do not believe it.

We need to deal with the past ethically and fully, but if it is not on these principles, it only means further pain for the victims. It is for all parties, the two Governments and the survivors to shape how the past is addressed. I believe that Dublin should join us in doing so.

To conclude, I hope that my arguments and our amendments prevail here today. As I said in my remarks earlier, we stand with the victims, and we stand with the proper process of law. If we cannot achieve that, the SDLP will oppose the Bill and ensure that the wrong process will not pass.

**Mr Elliott:** I pay tribute to Mr Allister for bringing the Bill so far through this process and through this Chamber. I appreciate the amendments that Mr Allister has brought forward, and I have some sympathy with his frustration as to why he has found it necessary to bring these amendments. I know that he has tried to get an answer from the Secretary of State, but he cannot take the chance to go ahead on that basis without making these amendments. I hope that the Secretary of State or her predecessor may take a more positive view of his position at a later stage.

Just briefly, on the SDLP, I am pleased that it is continuing to engage with the process and to bring forward its amendments. There is nothing wrong with that. That is not to say that I support all its amendments, and I am happy to discuss that in a few minutes, but I am slightly concerned by Mr Bradley's last comments indicating that if the party does not get what it wants, it will take the ultimate step

of totally opposing the Bill. I do not think that would be in the best interests of anybody here or in wider society in Northern Ireland.

### 3.45 pm

The Ulster Unionist Party will be supporting Mr Allister's amendments because they are technical and were proposed because he has not had answers from the Secretary of State.

I want to deal with a number of SDLP amendments. There has been significant debate on amendment No 8. I do not support it because it would weaken the Bill and make it easier for people to give a commitment, to a degree, about how they have moved on or how they may want to see the process move on.

Mr McLaughlin described at some length almost everything that happened in this society, except the amendments to the Bill. I do not know how he related everything to it, but he spent quite a while talking. I am concerned that he kept referring to the past while wanting to move to the future. I suppose you have to do that to some degree, but he kept referring to a truth commission and dealing with the past. We, on this side of the House, are absolutely clear that we will not get the truth about what happened in the past. Even the deputy First Minister, when giving evidence to the Bloody Sunday inquiry, would not provide the evidence or information required and asked of him. So, how can we have confidence that you would get the truth from some people in this society?

Amendment No 9 would also significantly weaken the Bill. It suggests taking out a part of clause 3, which I believe is vital and fundamental to the Bill, and replacing it with something much weaker. They are going to throw the baby out with the bath water, and because this may not be accepted by the majority of the House, they will vote against the Bill in its entirety. I ask them to reconsider what Mr Bradley just said in that respect.

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

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

**Mr Wells:** Many Members on this side of the House were very disturbed by Mr Bradley's comments, because, implicit in them, was an indication that he was going to use a petition of concern to kill off the Bill. That is the only way that the SDLP, given its numerical strength in the House, can do that. Many Members would be interested to know exactly what he meant by the last sentence of his speech. If that is what he is planning to do, there is very little sense in us going any further debating this because the implication is that the Bill would be killed stone dead by that mechanism. If he does get a chance to get to his feet later, we would all like to know exactly what he meant by that comment.

**Mr Elliott:** Thank you, Mr Wells, for that intervention. That is a matter for Mr Bradley and the SDLP to answer. I cannot answer for them.

Amendment No 9 states:

*"whether the person has demonstrated, where applicable, a commitment to non-violence and exclusively peaceful and democratic means for political change,".*

You just cannot commit for the sake of political change. If you are going to commit to anything, you must commit wholly. It does not matter whether it is for political change or otherwise; it must be total commitment to non-violence. Unfortunately, that is what has happened in this society over the past number of years: people have committed solely for personal political benefit, whether for themselves, from a party perspective or as a result of their particular persuasion.

That has not helped the process since 1998. I believe that people have not moved on; they have taken what they can from the process but have not delivered anything back. As I have said previously, they have involved themselves in cultural warfare, which they are continuing in Northern Ireland. I am sorry, but you cannot have that change merely for the sake of political correctness. If you are going to have it, you must have it without any exception whatsoever.

Amendment Nos 10 and 11 are SDLP amendments. I listened to Mr Allister question Mr Bradley on the issue near the end of his speech, and I know that Mr Maginness is going to deal with it. I will be interested to hear that, because we are not ruling out the possibility of supporting amendment No 10, but I want to hear what it is about. I want to hear whether it is a consultation process only with the victims and survivors' commissioner or commissioners, because that is very important. I do not want it to be a process that will weaken or limit the strength of the real victims in society. If it is, I will not support that process, but if it is genuinely a consultation process only —

**Mr A Maginness:** I thank the Member for giving way. Our view is that this will strengthen the views of victims in so far as they will have the professional services, assistance and help from the victims' commissioner. It seems to us to be reasonable and logical that such an office should be available to assist victims. Mr Allister referred to the idea of it being a conduit. In essence, it would be a conduit for victims to express their views through the good offices of the victims' commissioner.

**Mr Elliott:** I thank Mr Maginness for that partial clarification. I listened to Mr Bradley say that he and his party are supportive of victims. I accept that, and I know that he has demonstrated that in motions he has tabled in the past. However, Mr Maginness has still not answered my point, but I am sure that he will later. My question is this: will it in any way weaken the position of those victims and survivors? They may be curtailed in what they can put forward, in what they can say and in what they can do by the advice that they will have to take from the victims' commissioner or commissioners. Again, I am quite happy to listen to the arguments of SDLP Members and be open to them at a later stage, when that comes forward, before we make a final judgement.

Amendment No 11 is quite similar in that it adds a point. I am concerned that that amendment will give the proposed appointee an advantage in that he or she will be able to give a written submission, but people in a different position may not have that opportunity. I will be listening carefully to what Mr Maginness and others in the SDLP have to say about that, because I would not want the proposed appointee to have a specific advantage in this case over those who may not want the person to be appointed or, indeed, those from the legal perspective. I am extremely

concerned about that amendment, but I am willing to give it a fair hearing when the Member speaks.

**Mrs Cochrane:** I welcome the opportunity to speak on the amendments to the Bill. Special advisers (SpAds) are important and sensitive appointments. As such, although we respect the considerable discretion given to Ministers regarding appointments, there are, nevertheless, aspects that are matters of public interest.

There is a clear lack of public confidence in the current system, and there is a perception that special advisers are exempt from controls and accountability. For that reason, there is merit in improving the appointment protocols. As I suggested at previous stages of the Bill, that probably could have been achieved by placing the code of practice on the appointment of SpAds on a statutory basis. That would have ensured a vetting procedure in line with the procedure applied for other Civil Service appointments. Indeed, the appeal mechanism that is now included in the Bill brings the procedures more in line with the Department of Finance and Personnel (DFP) protocol. I therefore have no objection to Mr Allister's amendments about referring the appointments to DFP for a panel to consider.

I will move on to the amendments proposed by Mr Bradley and Mr Maginness, which appear to remove the Bill's major vulnerabilities, namely the areas open to legal challenges. Of course, we do not want to pass a Bill that will, inevitably, end up being legally challenged and, in essence, provide only an income for lawyers.

Although I take on board Mr Allister's comments on amendment Nos 2, 5, 6, 7, 18 and 20, and that he says that it is a prospective Bill, I still have concerns about its retrospective implications and that it may fall foul of article 7 of the European Convention on Human Rights. Retrospective laws have previously been accepted by the court only when they have been in order to strengthen public safety. There has been much discussion during the debate on the Attorney General's evidence to the Committee. I listened to the points made by Mr Allister and Mr Girvan, but I am still not sure whether the Bill would merit the application of a retrospective approach.

As for amendment Nos 8, 9, 10 and 11, I am content to accept amendment Nos 10 and 11. I could, probably, also accept amendment No 8, which uses language akin to that contained in vetting procedures for civil servants. It does not simply replace the word "contrition" with "regret"; it goes on to say that the person shows:

*"acknowledgement of, and accepts the gravity and consequences of, the offence to which the serious criminal conviction relates."*

Again, there has been much debate on that issue today. It is worth noting that any of those states — regret, remorse or contrition — are quite difficult to prove. It will, therefore, be up to the panel to have regard to that point. The onus will be on it to assess whether the definition of regret goes further.

Finally, on amendment No 9, let me make it clear that Alliance supports the Good Friday Agreement and accepted the logic for the early release on licence of prisoners convicted of paramilitary offences before 1998. Not only did we support the Good Friday Agreement, we supported the St Andrews Agreement, which committed the two Governments to working with businesses, trade

unions and ex-prisoner groups to produce guidance for employers in order to reduce barriers to employment and enhance the reintegration of former prisoners. That is a recognition of the much reduced risk of re-offending in a difficult political context. However, it does not mean that we excuse what they did.

Therefore, we cannot accept amendment No 9, which would remove the criterion to expect the assistance of those connected with an offence in its investigation and prosecution. Surely, that is the key point in determining whether an individual has real regret for what he or she has done.

**Mr Weir:** It is fairly clear that the amendments fall into three categories. In the first are amendments tabled by Mr Allister, which relate, largely, to the appeal process. In the second are a number of amendments from No 2 onwards tabled by the SDLP, which relate to the retrospective aspect of the Bill or, indeed, its implications for anyone currently in post. The final set contains amendment Nos 8 to 11, which have a different context and deal with other aspects. I want to deal with each of those areas.

I will deal with Mr Allister's amendments first. They seem to me to be quite sensible, and my party is happy to support them. It is clear that, in any situation in which there is potential loss of employment, an appeal mechanism is necessary. That was accepted by the House at Consideration Stage. Therefore, I think it right that the Assembly, having accepted that principle, puts meat on the bones by putting in place a process of appeal.

I think that one Member who spoke previously took the wrong attitude to the purpose of an appeal. It was possibly Mr Bradley who said that he wanted an appeal mechanism that had a reasonable chance of success. The issue is not whether an appeal has a good chance of success in individual circumstances. Ultimately, an appeal mechanism should be based on whether the law and, indeed, the reasons for either dismissal or refusal were applied correctly in the first place. That is the key test that should be put in place.

It seems to me that that could have been done in one of a number of ways. Mr Allister mentioned that his initial thought was to have the Civil Service Commissioners. There appears to have been difficulty in obtaining a clear-cut view from the Secretary of State and the Northern Ireland Office on whether that would be an appropriate way forward. To some extent, they seem to have dodged the bullet.

#### 4.00 pm

The mechanism whereby the Department of Finance and Personnel sets up an independent panel seems to be a perfectly adequate way forward. Indeed, it could be argued that what is proposed here brings the Bill a lot closer to what was originally envisaged by the Finance Minister, Mr Wilson, through the mechanisms that he put in place prior to this legislation. I therefore have no particular problem in going along with it. I think that it would have been wrong — mention was made of this — to allow for an appeal at the whim or grace and favour of a Minister. What is proposed here, however, is an independent panel, which seems to be an entirely sensible way forward. We are therefore happy to accept the amendments standing in the name of Mr Allister.

I now turn to amendment Nos 2, 5, 7, 18 and 20, which are largely contingent on the principle of whether this should apply to those currently in post. I have to say that at the heart of the Bill and the discussion on the amendments is the Mary McArdle case. There is no getting away from that. I think that the impetus for the legislation may not have been there had it not been for that case, and it certainly brought things into focus. I therefore question the SDLP's thinking behind the amendments.

During Mr Bradley's speech, I and then Mr Allister directly posed this question: would the SDLP be bringing these amendments if Mary McArdle were still in post? On the first occasion, Mr Bradley attacked the DUP, the Ulster Unionist Party and the Alliance Party generally for continuing to remain in government while those special advisers were in place. On the second occasion that Mr Allister asked that specific question, which was again ignored it. Indeed, Mr Bradley took a leaf out of Father Ted's book when he taught Father Jack to say the line, "That would be a hypothetical matter" when confronted by the bishops. That is a slight variation on what Father Jack had to say, but the bottom line is that Mr Bradley dodged the question. The reality is that the SDLP was embarrassed to give an answer and say what the motivation is behind its amendments.

Ultimately, there are only two answers to explain the purpose behind the amendments. The first is that if Miss McArdle were still in post, the SDLP still would have tabled the amendments, in which case it would have to face up to an acknowledgement that, despite the situation with the Travers family, it would be happy for Miss McArdle to remain in post. The alternative is that the removal of Miss McArdle from post has facilitated the amendments, in which case, the SDLP would effectively be saying — this is the conclusion that can be drawn — that although all victims are equal, some are clearly more equal than others, and, indeed, that it is prepared to make amendments if they apply to a current special adviser in a less high-profile, less embarrassing case.

Although I strongly disagree with the position of the party opposite, Sinn Féin, at least it has been absolutely consistent. Whether it is Mary McArdle or someone else who is in post or who could come into post, it has been absolutely clear-cut in its opposition to this, full stop. However, it seems to me that the purpose of the SDLP amendments is to cover a situation in which somebody in post has been involved in a less embarrassing, less high-profile terrorist incident.

Mention has been made of legal challenges. There is no doubt in my mind that there will be legal challenges if the Bill goes through. There is no getting away from that. I am sure that there will be legal challenges on any appointment, current or future, and the courts will have to deal with that. However, for the SDLP to try to cover its embarrassment by using —

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

**Mr Weir:** I am happy to give way.

**Mr McGlone:** I find it rich that Mr Weir is giving us an instant lecture about Mary McArdle — important though that point is — given that his party sat in government, and his Ministers sat at Executive meetings, with advisers from Sinn Féin. It is its choice to pick its advisers. The

only reason that the DUP is raising this now is because Mr Allister is breathing down its neck.

**Mr D Bradley:** You are running scared.

**Mr Weir:** I think that you will find that —

**Mr Humphrey:** You know all about that.

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

**Mr Weir:** I am sure that even Mr Allister will acknowledge that, as welcome as the legislation is, the Finance Minister brought forward procedures prior to the legislation being proposed.

I note that, for the third occasion — and one could almost hear a cock crowing in the background — the challenge is there to the SDLP: would it have brought the amendments if Mary McArdle were in office? There is silence from the SDLP; it refuses to answer the question.

**Lord Morrow:** Let us hear you.

**Mr Speaker:** Order.

**Mr Weir:** If the Member is happy to give us a straight yes or no answer to the question of whether the SDLP would have brought the amendments if Mary McArdle were in place, I am more than happy to give way to any member of the SDLP. It appears that silence is golden.

Mr Elliott spoke about the quite disturbing remarks of Mr Bradley at the end of his speech. I am happy to give way at this stage, or I will wait for the remarks of Mr Maginness, who will be the next member of the SDLP to speak. If I quote Mr Bradley correctly — and the Hansard report will correct me if I am wrong — his final words were that the SDLP will:

*“ensure that the wrong process will not pass.”*

We need to get some clarification, because, otherwise, we are simply going to be wasting our time. Is that an indication that if the SDLP does not get its way with the amendments that it has put before us today, particularly on the issue of retrospection, it will sign a petition of concern or allow some of its members to do so, which will block the entire Bill? All of us who are going through this process deserve an honest answer.

**Mr D Bradley:** Will the Member give way?

**Mr Weir:** I am happy to give way.

**Mr D Bradley:** If we look at the history of the Bill, the DUP was silent about Sinn Féin special advisers until Miss McArdle was appointed. Then, suddenly, its Minister came up with new regulations and a code of practice for the appointment of them. Then, Mr Allister — Mr Scary to the DUP — came forward with his Bill — *[Interruption.]*

**Mr Speaker:** Order.

**Mr D Bradley:** Then, suddenly, the change takes place.

**Mr Speaker:** Order.

**Mr Wells:** *[Interruption.]*

**Mr Speaker:** Order. Members should not debate across the Chamber. Members should call other Members by their appropriate names in the House. I have made that ruling on several occasions.

**Mr Hamilton:** It is Mr Grumpy. *[Laughter.]*

**Mr Allister:** It is Jeremiah.

**Mr Speaker:** Order. Even when it comes to parties, proper names should be used.

**Mr D Bradley:** On a point of order, Mr Speaker. I am quite willing to abide by your ruling and withdraw that remark. I see that Mr Allister is very upset by it. *[Laughter.]*

**Mr Weir:** Yet again, I note that, when given the opportunity, it is another dig at the DUP and possibly one at Mr Allister. Maybe Mr Maginness will deal with it in his speech. If the amendments do not pass, Mr Bradley stated that the SDLP will:

*“ensure that the wrong process will not pass.”*

I simply seek a degree of clarification. Before we have the votes today, in the absence of the SDLP amendments passing, will it block the Bill by signing a petition of concern? Everyone in the House, let alone those who show an interest in the issue, deserves a straight and clear-cut answer before we reach that point.

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

**Mr Weir:** Yes.

**Mr Wells:** Does the Member accept that, in previous debates, when Members have been considering the submission of a petition of concern, they have always been honest with the House and made it very clear that that is what is going to happen? Clearly, if that is the intention of Mr Bradley, he is duty bound to tell us that. It would change what many of us would do. Frankly, there is no sense in researching for a long contribution to the debate and making your points known when you know that the Bill has absolutely no chance of proceeding. He knows that only one member of his party — from the constituency of Foyle, for example — needs to sign that petition of concern and the Bill is killed stone dead. Will he please tell us exactly what he meant by the last sentence of his contribution?

**Mr Weir:** I thank the Member for his intervention. I am sure that the SDLP's position is not driven by any maverick voices or local difficulties in any part of the world. Indeed, I am sure that it is a highly principled position because, obviously, it has backed the Bill up to now. One assumes that any volte-face on the Bill that goes the additional step of submitting a petition of concern would be driven by high principle and not an attempt to keep any individual member on board. However, we wait for the elucidation of Mr Maginness before we get to the end of the debate.

It strikes me that much has been made of the idea of moving forward and looking towards the future rather than to the past. It seems to me, in supporting the Bill, that Mr Allister's amendments represent a movement forward. The Bill moves us towards normalisation. Can we think of anywhere else in the world where a special adviser would be appointed or allowed to remain in post if that person had a very serious criminal conviction? Do we imagine that, if it were suddenly found out that one of the special advisers to, for example, Mr Clegg or, indeed, any of the Ministers down South had been convicted of murder, rape or serious theft, that that person would remain in office for a single day longer? No; I think that they would be summarily dismissed. Therefore, I believe that what we are talking about, with the facilitation of an appeals mechanism, is something that brings a degree of normality.

I turn to the last set of amendments: amendment Nos 8 to 11. I will touch on amendment Nos 10 and 11 first. I appreciate the fact, as have other Members, that Mr Maginness will give us more detail on amendment No 10. Throughout the debate, there has been a slightly opaque quality to amendment No 10. If it is simply to provide a support mechanism to victims, I do not think that there is a major problem. The concern with the amendment as drafted is that it should not become a sort of filter mechanism that acts as a barrier to victims. As all of us know from dealing with victims, they hold a massively wide and diverse range of views. Although there has been broad acceptance of the victims' commissioner, I suspect that that range of views includes attitudes towards the Commissioner for Victims and Survivors. Some victims will believe, rightly or wrongly, that they do not want anything to do with the victims' commissioner. If it is a question of consultation having to occur in every example, with the Commissioner for Victims and Survivors having direct input, irrespective of whether the victim or the victim's family wants it, it is not something that I would favour. If it is simply about providing a degree of support to the victim, I think that there is something a lot less hostile in it. I wait with interest to hear what is said about amendment No 10. I am not entirely convinced that it is necessary, but I am happy to listen to what Mr Maginness has to say.

Similarly, I have concerns about amendment No 11, which were indicated by Mr Allister earlier. If it is simply to provide the opportunity for somebody to write in, I am not quite sure why that needs to be in the Bill. It may be about adding an additional subcategory. I would be more accepting of that if it related purely to what is there as a ground and a matter to be considered in relation to paragraphs (a) to (c). At the moment, I am fairly unconvinced about amendment No 11. However, again, perhaps the lucid words of Mr Maginness may convince us that it is tolerable.

I turn to amendment Nos 8 and 9. Again, there has been much discussion, particularly on amendment No 8, about the meaning of the word "contrition". I believe that what is in the amendment, however well intended, weakens the meaning. Contrition, in and of itself, is something that only an individual can give. That is what we are talking about: an individual's appointment. Consequently, by definition, "regret" can mean the same as contrition, but it can also be interpreted in a much wider way. As I said earlier, I can indicate that I regret every death that took place during the Troubles. I can be entirely genuine about that. However, that is not the same as contrition. I cannot offer contrition for it because I was not responsible. Similarly, I could say that I regret the fact that I was never good enough at football to represent Northern Ireland at Windsor Park. I am sure that, the longer I go on, the more that regret may be shared in other parts of the House. I am sure that a lot of us regret the fact that other Members are not in a different profession, but that is another matter. However, that interpretation of regret is not the same as contrition.

However well intended and however much reference is made to the gravity and consequences — I think that it can certainly be accepted that someone could regret the fact that we had the Troubles, acknowledge the gravity and consequences of their actions, regret the offence and, put in a wider context, simply have a blanket regret of everything that has happened, which, by definition, would include the individual actions — that is not the same as

remorse or contrition. I have no doubt that amendment No 8, for whatever purpose it was intended, weakens the meaning of that, and I will certainly oppose it.

#### 4.15 pm

Finally, I come to amendment No 9. If there is genuine regret or contrition — whatever word is used in connection with it — to remove any reference in paragraph (b) to people taking all reasonable steps to assist the police seems to fly in the face of showing any evidence of contrition. For a range of motives, we have seen people who, at times, have been involved in major crimes and who, perhaps because of a pang of conscience or for whatever other reason, have gone at a later stage, many years after that incident, to the police. They have handed themselves in, given a full confession and outlined what happened with respect to their accomplices. There could be a range of reasons for them doing that — some good and some bad — but at least that is some evidence of genuine contrition or a feeling of conscience about what they have done. To remove any element of supporting the police and the rule of law or giving that information to them, again seems to be a retrograde step. Therefore, I believe that we will also oppose amendment No 9.

I do not intend to deviate beyond what is in the amendments. I welcome Mr Allister's amendments and I certainly oppose the bulk of the SDLP's amendments. I am sceptical about amendment Nos 10 and 11 at present, but I wait for the words of Mr Maginness on those issues. I have to say, yet again, that I am looking for a clear-cut steer from the SDLP as to what it means by:

*"ensure that the wrong process will not pass."*

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. Unsurprisingly, I oppose the Bill and all the amendments. I think that that has been the clearest indication from any of the parties. There has been a lot of confusion and acts of contrition and, if I am honest, I have sometimes felt that I am sitting in a confessional box.

To start with, we are at the Further Consideration Stage now, but this is a good example of how not to carry out legislation. Obviously, the previous attempt was botched and the Bill, as it stands, is an incompetent piece of legislation. I noticed that the sponsor of the Bill tried to have a go at the Civil Service Commissioners and said that they should not be let off the hook. However, neither should the sponsor of the Bill: the Member wasted our time at Consideration Stage going through all these amendments that have come to no worth whatsoever. I tell the Member that if he is going to introduce a piece of legislation in the House again, he should do his homework. The sponsor of the Bill needs to get the basics right. Of course, what he is doing now, with this stage of the Bill, is to try to undo what was done at Consideration Stage.

Obviously, a number of amendments have been tabled and there has been some debate about the retrospective aspect of this. Sinn Féin totally opposes the Bill and the amendments as they stand. Of course, it is also the case that if the legislation is passed on the basis of the TUV amendments, it could end up in court. It would be in breach of European law and would go against the advice of bodies such as the Human Rights Commission and the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO). Of course, it also

absolutely goes against the spirit of the Good Friday Agreement.

There have been a number of contradictions between Members' positions now and at Consideration Stage. Then, many Members from the DUP, the TUV and other parties commented on our amendments in relation to OFMDFM. The Bill, they said, needed to be kept out of Departments. It was being thrust into the political arena, and its independence would not be guaranteed were it to go into one of the Departments. However, that is obviously not the case if you give it to Sammy Wilson. It is interesting that somehow Sammy Wilson is considered to be independent by the sponsor of the Bill, whereas Sinn Féin Ministers are not. That is interesting to say the least, but it is perhaps a result of the tag team partnership between Mr Wilson and Mr Allister during the course of this legislation.

In the Hansard report of the previous debate, the sponsor of the Bill said:

*"a special panel appointed by political vested interest or that contributes to an appointment by political vested interest is far less likely to command public confidence and deliver an impartial outcome in any such scenario". — [Official Report, Bound Volume 83, p157, col 1].*

So, at that time, Mr Allister said that a panel should not be appointed by a Department because of "political vested interest" because it is less likely to deliver an "impartial outcome". That alone is a good reason for not supporting the Bill proceeding in accordance with the TUV amendments.

At that time also, the SDLP considered transferring this matter to a Department to be the wrong move. Dominic Bradley said that they believed that it was:

*"better to take these matters out of the political sphere and arena and rest them with an independent body". — [Official Report, Bound Volume 83, p166, col 1].*

Sammy Wilson's comments were the most interesting of all. He said:

*"The one thing that I will say is that an appeal mechanism that in any way involves other Ministers or Members from other parties in setting up the panel or whatever is bound to face derision." — [Official Report, Bound Volume 83, p169, col 1].*

So I find it highly ironic that the Minister and his party will support an amendment that puts this under the Minister of Finance and Personnel, even though he has stated clearly —

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

**Mr McKay:** Yes.

**Mr Attwood:** I note what you say; and there is some sort of political interest in what you point out as contradictions on the part of other people, who, I note, have not asked to interrupt you or asked you to take a point. Surely, however, the biggest contradiction is between your approach at Second Stage, when you opposed the Bill on principle and in practice, and when you came back at Consideration Stage with a litany of amendments. That suggested to me, and I welcomed it at the time, that your party was beginning to face up to responsibilities that it had heretofore ignored and rejected. Is not the biggest

contradiction in the Chamber that on one hand you oppose something fundamentally in practice and principle and then try to rehabilitate that legislation at Consideration Stage?

**Mr McKay:** If the Minister really believes what he is saying, he must have come up the Lagan in a bubble. Sinn Féin opposes the Bill outright; we have made that clear at each and every stage and have adopted our tactics at each stage accordingly. That is quite clear; it is on the record. Of course, the SDLP does not have tactics, so I am sure that the Minister is not aware of how they are deployed.

The fact is that there has been silence from the SDLP on how we move the process forward to defend the Good Friday Agreement, which, like the St Andrews Agreement, clearly states that former political prisoners have a place in our society and that there is a need to reintegrate them into communities and to ensure that they have employment opportunities. The way to resolve the outstanding issues with victims is not by setting victims and prisoners against one another, as the Bill intends. There are many other ways of doing that, but the Bill —

**Mr Elliott:** I thank the Member for giving way. Based on his language, does he accept that there is a difference between victims and prisoners?

**Mr McKay:** Quite clearly in regard to the Bill, which sets ex-prisoners against victims. That is a fact, and it is in breach of the Good Friday Agreement and potentially in breach of European legislation. That is why I find it surprising that we have even got to this stage with the Bill. Mitchel McLaughlin set it out quite eloquently earlier when he said that this is almost a pet project for Mr Allister. However, we need to look at the wider issues around truth and reconciliation instead of having debates such as this, which turn into cat-calling sessions and move society forward not one single iota.

Many people were involved in the conflict. The conflict is now over, and we need to ensure that those people, from whatever quarter, are reintegrated into society and that we move society forward. Equally, we need to ensure that victims' needs are catered for and that they receive all the support that they need. That was something that came forward at the Committee; many of those who opposed the Bill's intentions said quite openly that there was some degree of truth to the argument that victims' needs had not been met and that that needed to be focused on. However, setting victims against prisoners and ex-prisoners' groups just does not make sense at all.

Mitchel McLaughlin said that things are moving in the wrong direction. Many parties in this House and many Members have taken contradictory positions. It was interesting that Jim Wells got on his high horse about the Bill and the issues that are before us. He was involved in a meeting in North Antrim at which a convicted member of the UDA was appointed to a senior position in the DUP. He did not oppose that one iota.

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

**Mr McKay:** Yes.

**Mr Wells:** If being the press officer of a branch of the party in North Antrim is a senior position, all I can say is, well, really? I think there is a world of a difference. I assure the Member that I did not even know the gentleman concerned at the time of the meeting.

Does he not accept that there is a world of a difference between that and the appointment to a post paying £60,000 of someone who was convicted of a heinous murder outside a place of worship? In all this debate, has he ever taken five seconds to consider the enormous hurt that that decision caused not only the Travers family but the wider community? Has it ever crossed the mind of any of his colleagues that there are people in this Province who have a difficulty about the murder of a totally innocent woman coming from a chapel on a Sunday morning? Has he ever given that any thought? How can he place that alongside the incident that he referred to in Ballymoney, where there was no payment and no senior Civil Service position was granted? It was a totally different set of circumstances.

**Mr McKay:** I thank the Member for the intervention, although it sounds quite mixed up, to be honest. The issue in Ballymoney, regardless of the level of the appointment in the DUP, is that it was still an appointment. The Member was at that meeting, and his party appointed a person who was convicted of the murder of a party colleague of mine.

At the time, he said that he did not know the person, but he said:

*"We have several people in the party who have been in paramilitarism".*

I am sure that that remains the case today. I do not know how many acts of contrition that person had to make before being accepted into the DUP, but the point is that the DUP and other political parties, including that of the Bill's sponsor, did not apply the arguments that they are putting forward today when they were overseeing appointments such as the one in Ballymoney.

To conclude, Sinn Féin opposes the Bill and the hypocrisy from many parties in this House. We need to ensure that that hypocrisy —

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

**Mr McKay:** Yes.

**Mr Weir:** I thank the Member for giving way. I am sorry to drag this back to the amendments that are in front of us. I seek clarification from the Member because I have heard him and the Member from South Antrim. He has chastised the proposer of the Bill for his amendments, but, at best, I have picked up only inferences on where the party opposite stands on the SDLP amendments. I would be grateful if —

**Mr McKay:** We oppose them.

**Mr Weir:** Reference has been made to opposing them, but I am not quite clear whether the Member has indicated that he will oppose them. I would be interested to hear his views.

**Mr McKay:** I thank the Member for his intervention. We are opposed to the Bill and all the amendments. This Bill is a waste of the House's time. We have spent nearly five hours today talking about what effectively is the sacking of one person from the Office of the First Minister and deputy First Minister when we should be talking about creating hundreds of jobs for the people we represent. Bills such as this are one of the reasons why many members of the public do not understand what the Assembly's priorities are. We need to

focus on jobs, the economy, health and those sorts of issues rather than silly pet projects such as this.

#### 4.30 pm

Sinn Féin opposes the Bill. We do not believe that Sammy Wilson should oversee this process. The Minister himself admitted at a previous stage that this would do a disservice to individuals who are appealing:

*"because they would not know whether the Committee had been packed or whether it was objective." —*  
*[Official Report, Bound Volume 83, p169, col 1.*

The SDLP obviously has a choice. We urge the SDLP to co-operate with us in blocking the Bill, particularly if it goes forward today and is amended in accordance with the TUV's wishes. We do not believe that we should move the Bill forward and empower Sammy Wilson, the Finance Minister, to enact this discrimination against ex-prisoners. Sammy Wilson will appoint the independent members of the appeals panel and provide them with staff and offices. As the Finance Minister said at the previous stage, that situation will face public derision.

This Bill opens the door to discrimination. It sets a very dangerous precedent that goes against conflict resolution. It is a slippery slope. We need to deal with the past by having honest debates and not through engaging in political point-scoring or political pet projects such as this.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Beidh mé ag labhairt in éadan an Bhille agus in éadan na leasuithe. I congratulate you on your patience, a Cheann Comhairle. This is one of those debates in which it seems that, the longer a person speaks, the less we seem to be informed. The more interventions that a Member makes, the less certain that Member seems of their own view. On a number of occasions, you had to remind people that they were straying away from the debate. In many ways, that encapsulates the debate. If they had to focus on the subject of the debate, they might have to give us an informed position and an accepted position.

One big question looms large in this debate: what is the purpose of the Bill? The purpose of the Bill is very simple. It is designed to discriminate against political ex-prisoners. People who try to put up smokescreens and claim that it is about anything else do a disservice to themselves, never mind the rest of us. This is a classic case of discrimination. Those who signed the Good Friday Agreement and those who talked this afternoon about political documents going up in a puff of smoke should bear that in mind. If people vote in favour of this Bill, they are voting against the spirit of the Good Friday Agreement and subsequent agreements. I said this at the previous stage, and I will put it on record again. The Good Friday Agreement states very clearly:

*"The Governments continue to recognise the importance of measures to facilitate the reintegration of prisoners into the community by providing support both prior to and after release, including assistance directed towards availing of employment opportunities, re-training and/or re-skilling".*

The proposer of the Bill is on the record, over a long number of years, as being opposed to political ex-prisoners getting any type of employment in other circumstances. This is just the latest in that line.



Patsy McGlone gave his view on why the DUP is rolling in behind this Bill. Dominic Bradley called a Member a particular name and then withdrew it. If the SDLP believes that the DUP is rolling in behind Jim Allister because of party politics, or former party politics, it has to ask itself why it is rolling in behind the DUP in this instance.

What is the purpose of their support for the Bill?

Since the Bill became part of the legislative process, it has been put across that it will affect only a small number of people because only a small number of special advisers are appointed, as if that is in some way acceptable. I have said it before and I will say it again: there is no such thing as a wee bit of discrimination; you either discriminate against someone or you do not. I do not think that the sponsor of the Bill would contradict me when I say that he wants to discriminate against political ex-prisoners. He does not want to see a political ex-prisoner —

**Mr D Bradley:** On a point of order, Mr Speaker. You outlined earlier that we should address the amendments, and you admonished me, among others, for not doing so. Mr McCartney is completely ignoring the amendments and is involved in a political diatribe.

**Mr Speaker:** I have listened to the Member's point of order. He would have to agree that Members from all sides of the House have gone beyond the Bill and the amendments in their comments this afternoon. Once again, I remind all Members to come back to the Bill and the amendments.

**Mr McCartney:** First, I am tempted to say that that smacks of the child —

**Mr Mitchel McLaughlin:** I will reiterate a point, and you might take the opportunity to develop it. We are talking about the purpose and intent of the Bill, including the purpose and intent if it is amended. In effect, we are talking about encouraging discrimination and disadvantage for up to 30,000 people who have gone through the prison system as a result of the conflict. At the end of the day, that is at the core of the issue. Those who argue about a shared future, particularly the Alliance Party, have to explain what part former prisoners of the conflict have in a shared future.

**Mr McCartney:** Thank you very much for that intervention.

**Mr Speaker:** Members from all parties have gone slightly outside the brief in the debate. I remind the whole House that I have allowed quite a bit of latitude because I understand Members' and parties' strong feelings about the Bill. I have allowed as much latitude as possible. That goes for all Members.

**Mr McCartney:** Of course. We have to be careful that we do not end up like a child in the street saying, "If we are not playing the game to my rules, I am going to take my ball home, and you will not be playing at all". Dominic Bradley's point of order smacked of that attitude.

Amendments have a meaning only in the context of the Bill. Therefore, to understand what the amendments are trying to do, people must have an understanding of the Bill. I declare an interest as a political ex-prisoner, and the Bill is an attempt to discriminate against political ex-prisoners. I made a point that I want to make to you all again: Mary McArdle was not the first political ex-prisoner to become a special adviser. Therefore, I ask this question of everyone

in the House: how many Members here introduced a private Member's Bill about those political ex-prisoners who were special advisers? *[Interruption.]*

**Mr Speaker:** Order, order. Order in the Chamber. Order.

**Mr McCartney:** I ask that question to all Members. I heard Peter Weir say earlier —

**Mr Elliott:** On a point of order, Mr Speaker. I do not see political ex-prisoners mentioned anywhere in the Bill.

**Mr Speaker:** Order. Once again, I remind Members to get back to the Bill and, in particular, to the amendments.

**Mr McCartney:** Tom Elliott's point of order makes my point for me. Political ex-prisoners may not be mentioned in the Bill, but ask Jim and go back to Hansard. In every single speech and contribution today, ex-prisoners were mentioned by name and by number. So, do not try to let on and pretend that this is anything but an attempt to stop ex-prisoners from gaining employment. That is what it is about. To the people who talk about small numbers, I say this: if the sponsor of the Bill gets courage from doing this to a small number of people, what is to stop him doing it to more and more people in the future? That is why, in my opinion, the Bill should be stopped in its tracks.

I will ask the question again and make what will be my final point. How many Members have created a private Member's Bill about any other political ex-prisoner who was a special adviser? I am sorry that Peter Weir has now left. He talked across the Chamber to Dominic Bradley about 'Father Ted'. There is a famous and immortal line in 'Father Ted', and I will use it here in relation to that question. How many of you created a private Member's Bill about special advisers? Father Ted told Dougal to listen to the silence. I state very clearly that Sinn Féin and I are opposed to anyone discriminating against political ex-prisoners, and we will do all that we can to prevent that. I am encouraged that the SDLP is perhaps signalling that it will, too. We want the Bill to be stopped in its tracks.

**Mr Attwood:** I apologise to the House that, although I was here for the first hour of the debate and will be here for the last hour, I am not fully over whatever transpired in between. Therefore, I apologise that, in some ways, I am responding to only parts of the debate and not the full debate. Consequently, people may portray what I say as a partial response and not a full one, but I am prepared to take that criticism in order to make the points that I intend to make.

Mr McCartney has just told the House that the Bill discriminates against ex-prisoners. I have problems with the Bill, as I tried to outline on behalf of the SDLP in the first hour of the debate, but pretending that it discriminates against ex-prisoners and that that is what it is all about flies in the face of the evidence of the past 20 years. Arguably, as much as any other sector of our community, ex-prisoners have had the benefits, for want of a better word, of the new politics in this part of the world. To portray a Bill, whatever we think of it, as just a measure to discriminate against ex-prisoners, when they have benefited so much over the years since the ceasefires and the Good Friday Agreement, is not exactly being — I want to be careful with my words because I do not want to use any that are unparliamentary — straightforward.

What happened in politics as a consequence of peace? Thousands of prisoners were released, and millions

of pounds of European money went to ex-prisoner organisations. Many, including some on secondment, ended up in the Chamber, and many have been in government. So let us nail the lie that there is a global effort to discriminate against prisoners — far, far from it.

In my view, we now live in a context in which a prisoner elite thinks that, if you do not do what they want, you will count the cost in terms of politics and life in the North. There is a prisoner elite who think that they have higher entitlements than the rest of the citizens in this part of the world. Prisoners were released early, got millions of pounds from Europe, and millions more will go towards prisoner groups in the next funding period. So, Mr McCartney, do not convey or pretend to this House, or to those outside it, that there is somehow a global effort to discriminate against ex-prisoners.

Regardless of how the SDLP eventually votes on the Bill, let it also be noted that the SDLP believes that there should not be any elites in this part of the world, be they prisoner or political, in government or out of government. Do not let Mr McCartney or Sinn Féin portray the existence of some sort of global strategy to discriminate against prisoners.

#### 4.45 pm

**Mr Mitchel McLaughlin:** Thank you very much for giving way. I have a very brief point to make. Will the SDLP accept that ex-prisoners do, in fact, suffer considerable disadvantage when it comes to employment opportunities, pension entitlements, and so on, and that there are very significant burdens that they have to carry through life as a result of their imprisonment during the conflict?

**Mr Speaker:** Before Mr Attwood rises in his place again, I do not want this to be a debate around ex-prisoners. I have allowed all Members some latitude, but I ask that, as far as possible, whatever Members might say, they relate it to the Bill and the amendments.

**Mr Attwood:** I thank the Member for his contribution. His reference to the burdens being carried by ex-prisoners will not be lost on anyone. Far, far greater burdens are being carried by far, far many more families in this part of the world because of the activities of certain people that led them to be imprisoned in the first place. That, surely, is the point that has to be made. If there is a balance of burdens, we all know where the greater balance of pain lies. Whatever the difficulties that prisoners have — they do have some difficulties — they are less than the difficulties of thousands of people in this part of the world because of the activities of state organisations and paramilitary groups during the years of state violence and paramilitary terror.

I will go further. Mitchel McLaughlin made a curious point in an intervention to Mr McCartney. Somehow he was portraying the Bill, which deals with a very small category of potential employees, as somehow being relevant to 30,000 ex-prisoners. Again, he was trying to create this worst fear that there is somehow a strategy of discrimination and that one piece of legislation that, at the moment, refers to a very small category of persons could end up somehow having consequences for 30,000 people. That is clearly not the case. If there are issues around what prisoners have to deal with, I am prepared to look at them, but to look at them properly and fairly and not under some shadow from Sinn Féin that, if we do not look at

them, we are discriminating against ex-prisoners, one and all. I do not think that that is a fair or proper argument.

Mr McKay said that this is Jim Allister's silly "pet project" and a waste of Assembly time. The SDLP took a different view, and that is why, at Second Reading, we voted to allow the Bill to go to Committee. We did that because it is the SDLP's view that it is never a waste of the Assembly's time to look at issues around victims and survivors. Whether you disagree with the private Member's Bill or not and whether you want to portray it as a pet project or not, it tried to capture a real and relevant issue, and it was timely to look at it.

Mr McCartney asked, given that the former SpAd to the Culture Minister was not the first political prisoner to be appointed to that post, why no Member had brought forward legislation before. On many issues arising from peace and politics, we did not deal with them before. In 1998, we did not deal conclusively with policing. We did not deal conclusively with justice change. We did not deal conclusively with the range of North/South bodies. We did not deal conclusively with weapons. Just because something was not dealt with previously and was not that high on the political radar does not mean that you do not come back to it. That is why we came back to policing after 1998 with the Patten report and the criminal justice review, and so on and so forth. Just because it was not dealt with earlier does not negate the fact that it should be dealt with later. That is true in respect of this issue because, though it may have been the practice to do something heretofore, it does not mean that there is not a better way and a better practice for the future.

So, the argument that this was not raised before when other ex-political prisoners were appointed, to use Mr McCartney's phrases, does not negate the fact that it is right and timely to have this conversation now. It is right and timely to do so because the Travers family wanted to have the conversation. If there is any standard we should live by in this part of the world, it is to try always to be on the right side of victims and survivors. That is why, when this issue arose, it was relevant, timely and necessary and —

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

**Mr Attwood:** I will in a second.

However, it was utterly irrelevant for Mr McCartney to claim that, because the matter was not raised before, it should not be raised now. I give way to Mr Wells.

**Mr Wells:** I agree with everything that the Member says. However, had he been in the Chamber earlier, he might have heard the concluding remarks made by the honourable Member for Newry and Armagh Mr Dominic Bradley, in which there seemed to be an implicit threat that the SDLP might torpedo the Bill, potentially by using a petition of concern. Although the Member's words are, as usual, very fluent, articulate and interesting to listen to, they are all a waste of time if one of his members — from some mythical constituency, such as Foyle perhaps — is considering whether to put his name to a petition of concern that would kill the Bill stone dead.

**Mr Attwood:** I will deal with that point fully and explicitly later in my contribution; however, I want to deal with the primary point at this stage.

**Mr Mitchel McLaughlin:** Will the Member give way?

**Mr Attwood:** I will deal with it. I want to deal with the primary point —

**Mr Mitchel McLaughlin:** It is a different point that I want to make now.

**Mr Attwood:** I will let you in. The primary point is the shallow portrayal of debate on this Floor. Whatever the particular content or circumstance of a debate that deals with issues of victims and survivors, it is somehow portrayed by Sinn Féin as silly and a waste of Assembly time. That tells you a lot about the perspective brought to this matter by those who make that point. I give way to Mr McLaughlin.

**Mr Mitchel McLaughlin:** I thank the Member for giving way. I will be brief. The Member made an interesting comment about revisiting aspects of the agreement and gave some examples of how it has been amended in the past which were very valid and helpful. However, those reviews depended on the three-legged stool of the agreement, which is: the parties that form the Assembly, the British Government and the Irish Government. If that is the process that he describes, I have no difficulty with it. However, if we are talking about bringing it in here, where it will be subject to the, admittedly, partisan approach of the parties, then I think that that is a different kettle of fish altogether.

**Mr Attwood:** That is a fine technical point. The negotiations on the North/South bodies took place between the parties in this Chamber. The British and Irish Governments had an interest in them, particularly the Irish Government, because they were going to share in those institutions. However, the negotiations were, first and foremost, conducted between the parties in this Chamber in late 1999. Therefore, there will be times when issues require the wisdom of all the parties and the two Governments. However, there will also be times when they require the wisdom of the parties. That demonstrates that example; and, to somehow suggest that the issue of the ex-prisoners is something that can be dealt with only in the context of both Governments and all parties, is proven to be false by what happened in respect of North/South institutions.

**Mr Mitchel McLaughlin:** Did it change the agreement?

**Mr Attwood:** Look at the examples of how Mr McLaughlin and his party attempt to change the agreement, not with two Governments or with all the parties, but simply with their colleagues in the DUP. And look at how Sinn Féin, on a repeated basis and including recently, gets its eye wiped by the DUP when it comes to all those issues.

**Mrs D Kelly:** I am grateful to my colleague for giving way. I am very relieved that, when he replied to Mr McLaughlin, he did not use the answer, "So what?". That was the answer that they have given to the rest of the parties outside the Executive in recent weeks and days.

**Mr Speaker:** Order. Members must address the amendments to the Bill. Until now, I have heard very little mention of the amendments. It is very important that Members address the amendments to the Bill. We will try to move on.

**Lord Morrow:** On a point of order, Mr Speaker. Mrs Kelly referred to the "parties outside the Executive". Which parties is she talking about?

**Mr Speaker:** Order. Let us move back to the amendments to the Bill.

**Mr Attwood:** I will come back to the amendments to the Bill, which I touched on in comments that I made this morning. Before doing so, I want to make a point that is crucial in respect of the integrity of the SDLP's position.

As I outlined, I think that there are others who claim integrity but, if you analyse what they said today and what they have done in other circumstances, questions might arise in that regard. However, this is the SDLP's position with regard to integrity on the issue — I think that Mr Allister accepted our good faith, even if we might differ on how that might be expressed in the Bill — and this is what differentiated us from Sinn Féin in the earlier phases of the discussion: we believed that it was necessary to give greater profile to issues around the past and the needs of victims and survivors.

One family in particular, no doubt representing many others in general, wanted the issue of those appointed as special advisers, whom Mr Allister said had power equivalent to that of a Minister, to be addressed. To show integrity with the families who have that concern, we felt that it was necessary to consider how to manage that issue in the future, given that it was a legacy issue and that there was a process of dealing with it heretofore. Clearly, that process did not reassure that family, nor did it give a sense of reassurance to victims and survivors in particular. That is why we decided to vote in favour of the Bill going forward to Committee Stage. However, we always made the point that, although we would stand with victims and survivors, we would also have to stand for what we thought was right. That was the twin track of the SDLP. As we interrogated the right approach to take, we stood with the families and survivors. However, on the far side of that process, if it transpired that, because of legal or other reasons —

**Lord Morrow:** Will the Member give way?

**Mr Attwood:** I will, in a second. If we considered that that approach was not right, that it could fall foul of a legal challenge and that it was not the right model to deal with the issue, we said that we would reserve our position on what we would do when it came to the final vote. That has always been our position.

We went further than that. At Consideration Stage, because of the enormous work done by Alban Maginness and Dominic Bradley with, I have to acknowledge, the Business Office, we crafted a view that we thought would gather a lot more support than it did. We believed that our view was on the right side of the right way, and stood in solidarity with victims and survivors. That is what we were trying to do with the amendments, both today and at Consideration Stage.

We regret that what we thought, and I know that what people in this Building thought, were intelligently crafted and discerning amendments — the result of the great work of Dominic Bradley and Alban Maginness at Consideration stage — did not achieve support in the Chamber. However, we were not prepared to give up on the right way, and we were not prepared to give up on standing with the victims and survivors, which is why we came up with this further series of amendments.

I will deal with the amendments now, but the narrative has to be that, if our amendments create a process that can gather a majority vote in the Chamber, and we think that they can, then we think that you can have a process that is fair and proper on one hand, and, on the other, goes further in respect of solidarity with victims and survivors who feel most affected by the appointment of special advisers.

#### 5.00 pm

In the Chamber this morning, I outlined my view. I take on board some of the points made by Mr Allister. I always think that there are better ways of defining the law and what your intention might be, but, when it comes to a special adviser, our threshold for criteria one is regret, acknowledgement, gravity and consequences. In our view, that is a broader and more inclusive approach than the use of the word "contrition".

Mr Allister has to accept that, this morning, he changed and interchanged words repeatedly and ended up explaining that he had to use a simple way to get across his point because he was told that that was how he had to speak to jurors. We are not jurors; we are legislators. We legislate. We are not here to find the simplest language; we are here to get the right language, the best language and the best outcome. In our view, the words that we have put in our amendment — "regret", "acknowledgement", "gravity" and "consequences" — are much broader than the word "contrition", which could end up being viewed as being politically loaded. We say take that out of it and use words that, in our view, capture precisely the intention of Mr Allister and then go further.

Mr Allister is a lawyer, but all the English-language dictionaries — and we have looked at them — say that the normal understanding of the word "regret" is remorse and contrition. It captures all those words in a way that, arguably, "contrition" does not. Mr Allister said that the courts will not be inclined to view it that way, but the word "consequences" is a broad concept to capture all the consequences of the serious criminal conviction that a potential SpAd may have been convicted of. The word "consequences" includes the legal consequences and responsibilities of a serious criminal conviction.

To go back to something that Mr McLaughlin referred to earlier, in order to embed this all in the democratic will of the people of Ireland, we rely on the words:

*"a commitment to non-violence and exclusively peaceful and democratic means for political change."*

We think that those amendments are more comprehensive than what is being offered by Mr Allister in his amendments, and we still say to the other parties in this Chamber that if you denied our amendments in the previous stage, these amendments give us a further opportunity to get the right process in place and to ensure that we do right by victims and survivors. However, if we cannot do right in terms of the process, we cannot do right by the victims and survivors. That conclusion will inform the SDLP when it comes to the final vote in this matter at the Final Stage of the Bill.

**Mr A Maginness:** It has been a very interesting and exhaustive debate, if not exhausting. I will speak largely about the SDLP amendments. They are reasoned and reasonable amendments, and they should find favour with

the majority in this House. They are, in essence, victim-friendly. I want to emphasise that point. They are in no way antipathetic to the interests of victims in our society.

If we look at the Good Friday Agreement, we know the centrality that it gives to victims. We know that we should acknowledge their suffering, and we should be sensitive and conscious to their plight.

That is out of the Good Friday Agreement. I do not want to hear any lectures from Sinn Féin on that point; nor do I want Sinn Féin to juxtapose victims with prisoners. That does not help any of us; it does not help the Good Friday Agreement, prisoners or victims. It is shameful that Sinn Féin raises those points.

**Mr G Kelly:** Will the Member give way?

**Mr A Maginness:** No; I will take your intervention later. It is shameful that Sinn Féin creates that tension in relation to prisoners and victims. We legislators, deriving our political authority from the Good Friday Agreement, have to balance the interests of victims and prisoners. When we produced these amendments, particularly on the criteria being used in this proposed statute, we believed that we were putting victims at the very centre of those amendments.

We believe that if these amendments are adopted, this will be a better Bill for victims. The nonsense that we have heard about discrimination against prisoners is to be completely dismissed. As Mr Attwood said very thoroughly, this is not antipathetic to prisoners; it may affect a small elite in a political organisation, but it does not affect prisoners.

In my constituency, where there are many ex-prisoners, there is a great deal of criticism of their situation, and I sympathise with them. They believe that they have been abandoned — not by the SDLP, the DUP or the Ulster Unionists but by another political party.

**Lord Morrow:** I thank Mr Maginness for giving way. Whatever I say, I do not in any way challenge your sincerity in what you are trying to put across here. However, I do have to challenge you on an issue.

You rightly challenged Sinn Féin on its hypocritical stance. Sinn Féin thinks that it has a monopoly on victimhood and that everyone who ever went to prison is a victim. I would like Sinn Féin to remember that in going to prison, it left a lot of victims behind, and some were not survivors.

Mr Maginness's colleague, Mr Attwood, challenged the hypocritical position that Mr McCartney takes on this, and he cuts no ice with the unionist community when he says that this is directly to tackle one section of the community, namely prisoners. The point for you, Mr Maginness, is this: your party stood shoulder to shoulder with those same people in demanding the release of those who were convicted for the attempted murder of my colleague Sammy Brush, and your party should put its hands up to that. You also stood in another council chamber and demanded that a children's play park be named after one who carried out the most atrocious crimes. Will you, Mr Maginness, from today, denounce that position and make it clear to unionists that that is no longer your position?

**Mr Speaker:** Order. We need to be careful, as we are straying well outside the amendments to the Bill. Members will know that all Members who spoke and made a contribution had some latitude on this issue.

**Mr A Maginness:** Thank you, Mr Speaker. Looking —

**Mr G Kelly:** Will the Member give way now, since he has given way to —

**Mr A Maginness:** I will certainly. Sorry, Mr Kelly.

**Mr G Kelly:** I thank the Member for giving way. Let me state my case. I am an ex-prisoner. Does the Member accept that while no one, apart from Maurice Morrow, is arguing that all prisoners are victims, there are prisoners who have gone through torture and brutality; prisoners who have lost loved ones; prisoners who have been interned, which was not legal and which was not an acceptable way for the law to behave; people who have died in jail; people who have been shot while in custody; and people who have lost their lives in custody? So, does he accept that when he gets up to suggest that ex-prisoners could not possibly be victims, he is absolutely and entirely wrong, because you have to deal with the individual? In all dealings with victims and survivors, we must deal with the individuals involved.

**Mr A Maginness:** Mr Speaker, if I may answer that point. I have not created the situation of prisoner against victim. I have not done that. Your colleagues in Sinn Féin have created that tension. You have created that situation.

**Mr G Kelly:** Do you accept —

**Mr A Maginness:** You have created that — *[Interruption.]* Let me answer. You have asked me a question, let me answer it.

**Mr Speaker:** Order. Allow the Member to be heard.

**Mr A Maginness:** I accept that ex-prisoners have suffered; I accept all of that. I do not say that ex-prisoners are in some way immune to suffering. I have never accepted that whatsoever; my party has never accepted that. We are supportive of those who are in need. Anybody who comes to my office gets the same care and compassion that any of my colleagues will give to any other person who suffers in this society and who has suffered as a result of the Troubles.

So, please, do not paint us into a position where we are uncaring or insensitive. I can tell you now that, in my constituency, the sense of abandonment among ex-prisoners is palpable. It is something that I believe Sinn Féin should pay attention to. I believe that we as a political party have attempted at all times to be balanced in our approach, and we will continue to be balanced in our approach.

The amendments before you, particularly in relation to criteria, are particularly well crafted and balanced to try to bring into the criteria that will be used by the independent panel a sense in which it can make a proper assessment of the situation, a judgement based on realistic criteria and in which there is a reasonable chance of success. We are not saying that a person who is rejected ab initio — initially — should automatically get through, but there should be a reasonable chance of success. I believe that the phraseology of Mr Allister's criteria is such that it does not give that reasonable chance of success. That is why we are opposed to Mr Allister's provision, particularly in clause 3(3)(b).

We have put forward two substantial amendments. Amendment No 8 proposes the insertion of:

*"regret for and acknowledgement of, and accepts the gravity and consequences of, the offence to which the serious criminal conviction relates,".*

That is to be preferred to Mr Allister's —

**Mr Humphrey:** I am grateful to the Member for giving way. Shortly before the Member took the intervention from the Member for North Belfast, my colleague from Fermanagh and South Tyrone intervened and drew attention to an issue. I listened very carefully to the words of Minister Attwood when he spoke from the Back Benches. He spoke very passionately.

As a Member and representative of the unionist community, I want to be convinced of the SDLP's bona fides on the issue. That party needs to seriously address the perception in my community that, frankly, it is spooked by Sinn Féin in the run-up to next year's election. So far, it has not addressed the issues of the McCreesh park, the Dungannon vote, Marion Price, and on and on and on. Until and unless it does so, the unionist community and those of us who sit on this side of the House remain unconvinced of the argument that that party is trying to put across, however articulate, heartfelt and passionate it is.

**5.15 pm**

**Mr Speaker:** Order. That is a different debate for a different time. It has absolutely nothing to do with the Bill or the amendments. Let us move on, and let us get to the amendments. That is where we need to get to.

**Mr A Maginness:** I am happy to do that, Mr Speaker. On another occasion, I will certainly address all the points that the Member raised, but this is not the occasion to do so.

I will deal with Mr Allister's provision at clause 3(3)(a), which states:

*"whether the person has shown contrition for the offence to which the serious criminal conviction relates".*

I know that we have been round the country on the issues of contrition and regret, and so forth. However, I have to say that, in fact, careful analysis of the SDLP's amendment shows that it is a much better and more comprehensive provision in so far as it is not simply a matter of showing contrition or, as we would say, regret, but an acknowledgement of and acceptance of the gravity and consequences of the offence to which the serious criminal conviction relates. Is that not a much broader, deeper and more comprehensive approach than that which Mr Allister has presented in his Bill? I defy anyone to contradict that; it encompasses much more than simply a gesture of contrition.

We have talked about all sorts of words that relate to regret. One word that has not been used, which I think is very important and which regret connotes, is "repentance". That is a very important element in the consideration of the SDLP amendment. I urge Members to consider that fully in their deliberations this evening.

The other point that I have to make relates to amendment No 9. I think that, again, we have stretched ourselves in coming up with an approach to deal with the whole issue of change, somebody starting afresh, turning over a new leaf and actually converting from a position of being involved in violence, an attack or something of that nature.

It is important that the person is actually converted in a meaningful way. Earlier, Mr Allister said that it is just a matter of words. The phraseology that we have used is "whether the person has demonstrated". To demonstrate is not simply a matter of words. The amendment states:

*"whether the person has demonstrated, where applicable, a commitment to non-violence and exclusively peaceful and democratic means for political change".*

I think that that is a very considerable test. You do not do justice to that amendment if you simply dismiss it as a box-ticking exercise; it is not.

As Mr Attwood said, when we came into the Assembly, we signed a similar commitment on a table over there. All of us in the House made a very important commitment to non-violent, exclusively peaceful and democratic means for political change. You should analyse that very carefully and take it into consideration when deciding which way to vote. Instead of having closed minds and inevitably walking into the Lobby to vote against these amendments, I hope that Members use the debate to make up their minds, because its whole purpose is to persuade them to make a judgement that I believe will make better law and better statute than this Bill.

**Lord Morrow:** Will the Member give way?

**Mr A Maginness:** Yes.

**Lord Morrow:** I listened carefully to the Member. I take it that Mr Maginness is saying that he sees merit in much of the Bill. Bearing that in mind, I would like to hear him say whether he is prepared to take the same route as his colleague beside him and kill off the Bill?

**Mr A Maginness:** You heard what Mr Bradley and Mr Attwood said.

**Mr Hamilton:** Quite frankly, we heard nothing.

**Mr Speaker:** Order.

**Mr A Maginness:** I think that what Mr Bradley said is —

**Lord Morrow:** Kill the Bill off — that is what he said he is going to do.

**Mr A Maginness:** He did not say that. He stressed the importance of our amendments and of making good law. That is the important project for us here tonight; that is what we have to do.

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

**Mr A Maginness:** I do not think so; I want to advance the argument.

It is important that we make good law. Mr Bradley was emphasising the importance of the principles contained in what we have put forward in making good law, and you should consider that very seriously.

**Mr Humphrey:** Will the Member give way — briefly?

**Mr A Maginness:** A brief point.

**Mr Humphrey:** I am grateful to the Member for giving way. I take his point about Members listening to the debate and being open-minded before they go into the Lobbies. However, if you want Members on this side of House to do just that, you must provide the clarification being sought, because, quite honestly, from listening to Mr

Bradley, Mr Attwood and now you, the message simply is not the same. When Mr Bradley spoke, there was a clear indication that a petition of concern would be used to kill off the Bill.

**Mr A Maginness:** I have not in any way resiled from what Mr Bradley or Mr Attwood said. We made our points very clearly. It is for you to consider our amendments, the arguments that we put forward and the principles that we highlighted, and then come to the conclusion that the Bill would be better if the SDLP amendments were accepted. Clearly, our objective here is to make good law; we do not want to make bad law.

I will come to a point about retrospection in a moment, but I first want to deal with a couple of other points on the consultation with the Commissioner for Victims and Survivors. There is no trick in the phraseology of that amendment. It is simply about using the good offices of the Commissioner for Victims and Survivors to assist survivors and victims. That is surely a reasonable thing to do: to use those good offices and that professionalism to assist victims. If they do not want that assistance, they do not have to take it.

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

**Mr A Maginness:** Yes, certainly.

**Mr Allister:** It is important that we have absolute clarity on the meaning of the amendment, although, ultimately, it may not be the Member who determines the meaning. If we add the words:

*"in consultation with the Commissioner for Victims and Survivors"*

to the intent that the views of a victim shall be taken into account, where does that leave the victim who wants to speak for themselves and does not want any filter, such as the victims' commissioner? If the consultation with a victim has to be in consultation with the victims' commissioner, how can the victim assert the right to speak for themselves?

**Mr A Maginness:** It is quite simple: they do not have to. If you are suggesting that the victims' commissioner has some sort of exclusive right over the expression of opinion or fact by a victim, that is clearly incorrect. I do not know how you can read that into the amendment. It clearly just uses the office of the Commission for Victims and Survivors to assist the victim. Everybody around here seems to see some cunning plans. This is a bona fide amendment to try to assist the House in making better law. That is the emphasis that I put on it.

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

**Mr A Maginness:** Yes.

**Mr Attwood:** Mr Allister raised this point earlier. It is the right point to make; I am not saying that you should not make it. I have been trying to think about what the potential answer is, and I think that Mr Maginness captured it: the notion that a panel would prejudice the view of the victims because of whatever consultation had or had not occurred with the victims' commission is not correct. In any case, I have no doubt that any court looking at this, if it ever reached that point, would say that it would not interpret law in a way that created mischief; the mischief being that, somehow, the victims' commission would have primacy

of input over that of a victim. That, clearly, is not what the courts would do. The points that I have just made and the points of Mr Maginness provide the answer to Mr Allister's issue. If that is satisfactory to him, I invite him to support the amendment.

**Mr A Maginness:** I am grateful to my friend for that intervention. I sincerely hope that not only Mr Allister but other Members are reassured by my comments and the additional comments of Mr Attwood.

Amendment No 11 states:

*"any information which the proposed appointee wishes to submit in writing."*

It is in plain English. It is straightforward. Basically, we envisage character references going forward to the appeal panel. That is entirely reasonable. Some Members argued that you do not have to mention that, but we want to mention it because it is an element that could help the panel to come to a considered decision. It is not unreasonable. It is very helpful to any panel that has to adjudicate in such circumstances to come to a decision on the basis of character references.

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

**Mr A Maginness:** Yes.

**Mr Allister:** Why, then, does the amendment not simply say "submit any character references"? Why does it leave the door wide open by saying "any information" that the appointee may choose to submit? Could an appointee, for example, have a body such as the Pat Finucane Centre write up a grand submission based on the guidance of OFMDFM on the employment of ex-prisoners and get that to have the same status as a criterion through the back door as the criteria that are in clause 3(1)(a) to clause 3(1)(c)? Why could that not happen under the terms of the amendment and, in that manner, undermine the impact of paragraphs (a) to (c)?

**5.30 pm**

**Mr A Maginness:** You can construct all sorts of grand ideas around this. I am telling you the intent behind the amendment. It is not some conspiracy; it is not a cunning plot of any sort. It is an attempt simply to bring greater balance into the considerations and adjudication of the panel. The character references that I referred to illustrate that point graphically.

I move finally to the issue of retrospection. I do not profess to have any expertise on the matter. However, the concerns are around article 7 of the European Convention on Human Rights. The convention prohibits retrospective penalisation, so one cannot retrospectively render criminal that which was not criminal at the time. The concerns about article 7 were raised at Committee Stage. They were raised, in particular, by the Attorney General. It is incumbent on the House to consider what the Attorney General said. Admittedly, it was at an earlier stage of the Bill, but, nonetheless, I think that his words are important. As I understand it, he was saying that, first, article 7 would apply to the provisions in the original clauses 2 and 3. He also put the question of whether they were a consequence of a criminal conviction, and he was of the view that they were. He said that, as far as domestic law mattered, it did not really come into it. However, he said that you have to

go forward and look at the purpose and severity of the provisions. He said that it struck him:

*"in the cases where retrospective measures have been imposed throughout Europe, in France and the UK — cases that have survived scrutiny at Strasbourg — have been measures that, although retrospective in their effect, have been typically for a public safety purpose. For example, preventing people convicted of serious sexual offences from working with children",*

and so on. Therefore, he was asking, in effect, whether this was for purposes of public safety or public interest rather than purely penal purposes. He was raising a warning that it could be seen by the courts as being for penal purposes. That is the way in which he was looking at things. I have to say, in fairness, that he was not conclusive in his opinion, but that does not matter. The fact is that he raised in Committee a potential problem for the House. It is important that we, as good legislators who are trying to do the best, listen carefully to his counsel; otherwise, there is no point in bringing along experts, including the Attorney General, to speak on such matters.

It was with that in mind that we believed that it was better to remove the retrospective provisions from the Bill in order that this issue would be avoided in future and there would be no legal challenge in that respect. It is important that we take into account the Attorney General's words. He said:

*"I think, there are dangers in relation to the competence of clauses 2 and 3 as they stand at present."*

He said that if these clauses were prospective rather than retrospective, he believed that there would be no issue arising under article 7. It is clear from what the Attorney General said at Committee Stage that there are issues about the retrospective nature of the clauses that I referred to. I am not saying, with absolute certainty, that this will result in a court decision that would impugn these provisions. However, there is a danger and a risk, and I think that we are better avoiding that risk.

Finally, our preference, as a party, is for the Civil Service Commissioners to be retained in the Bill. I know that it has been said that the commissioners have rejected the whole idea of being involved as a panel or as part of a panel. The point that we make, as a party, is that that is our preference. That body is so clearly independent, and these are people with considerable experience, professionally and otherwise, who are in the best position to bring about that adjudication.

Of course, their use would also remove the suspicion that the Department or the Minister of Finance and Personnel would have some say in the adjudication and the panel. That may be very far from the truth and fact, but, nonetheless, there is always that suspicion. Therefore, we are still supportive of the idea of the Civil Service Commissioners being involved. Thank you.

**Mr Allister:** I think that it has been an interesting debate. In fact, maybe in the course of the afternoon, it has been two debates, because we had an interesting debate between the SDLP and Sinn Féin on matters pertaining to prisoners. However, overall, I think that it has been a useful exercise.

I would like to begin by nailing absolutely the suggestion that this Bill picks out and discriminates against what have been termed "political ex-prisoners". There never were political prisoners. Even if one stretches to understand the concept and the point that is being made, this Bill does not discriminate against that perceived group. This Bill applies equally to everyone with a serious criminal conviction, be that person a rapist, a fraudster or a terrorist convict. So, the notion peddled by Mr McLaughlin that this is a charter of discrimination against what he terms "political ex-prisoners" is absolute nonsense. This Bill applies equally — no more strenuously and no less strenuously — to anyone with a serious criminal conviction. So, let me dispense straight away with the notion that there is some discriminatory purpose at the heart of the Bill. There is not.

Mr McLaughlin then took us on a grand tour of the Belfast Agreement, as if it were some sort of Holy Writ. However, there is nothing in the 1998 Act, or any legislation, that says that legislation that is passed by this House must be compatible with the Belfast Agreement. It is only an agreement. Legislation is legislation. So, that is another red herring in that regard.

On how I got to the point of having to substitute the panel from the Department, I think that Mr McKay was inviting me to be contrite about having to abandon the Civil Service Commissioners. Let me use his point. I regret that I have had to table my amendments to interpose a panel. I would much prefer to have the Civil Service Commissioners perform that role. However, am I contrite about it? No, because it is something that has to be done. Therein is an illustration in itself of the difference between regret and contrition. Yes, I regret that I have to table these amendments. No, I am not contrite about having to table these amendments.

That brings us, perhaps, to the core of amendment No 8. We are told by the SDLP that, in fact, it is stronger and more victim friendly than a requirement to show contrition. Well, I can do no better than refer the House to some of the most poignant evidence that any Committee of this House has ever heard: the evidence to the Committee of Ann Travers. What did she have to say about the regret of Mary McArdle? She told you this:

*"Mary McArdle has shown no remorse. The Historical Enquiries Team wrote to her, and she ignored its letter. I and my brother Paul have asked her, through the media, to tell us who else was involved in Mary's murder and the attempted murder of our parents. She has told us, via the media, that Mary's murder was a tragic mistake that she regrets, yet if she was to explain why it happened, she would only compound my hurt. That is, in my mind, still justifying it."*

So Mary McArdle has uttered the words — in that caveated way — that she "regrets" the death of young Mary Travers. It was a "tragic mistake". Is that really what this House is looking for in measuring whether someone is remorseful for the crimes that they have been involved in: that they can simply get away with saying, "It was a tragic mistake. I regret it."? That is the porous difficulty with the SDLP amendment: it fails the Mary McArdle test. That is the reality, just as its attempt to exempt sitting SpAds from the ambit of the Bill fails the Mary McArdle test. We never did get an answer to the question of whether, were Ms McArdle still in office, the SDLP would be peddling

amendment Nos 2, 5, 6 and 7. Answer came there none to that challenge. That is telling in itself. However, on this point of amendment No 8, I think that the poignant, telling evidence of Ann Travers answers it better than I ever could. Ann Travers has said that she hopes that this Bill will not be so altered as to make a mockery of victims.

She had other interesting things to say, including something relevant to a point that Mr McLaughlin made today. She asked a question about the situation in her eyes:

*"Where in this is the spirit of the Good Friday Agreement for the benefit of victims? The job of special adviser is very important. It is at the very heart of government ... it is unlike the role of an MLA, because it is not elected by the people. Special advisers have no mandate, posts are not usually up for open competition ... they are usually appointed by a Minister. However, in this case, Mary McArdle was appointed by the party, as the Culture Minister said in a 'Spotlight' documentary. In my view, the appointment that has caused us to be here was for a job well done: a reward."*

#### 5.45 pm

She went on to say:

*"As the position of special adviser is taxpayer-funded, victims find themselves in the surreal position of contributing to the salary of the person who destroyed their family. That is wrong. Victims have rights, too, and they have the right to move on with their lives. While someone who has been convicted of murder may find their life has improved when they are appointed to a high-profile government position, the victim's lives will certainly not have improved. Indeed, it will have been damaged once again through no fault of their own."*

*"Victims deserve the very important human right not to be re-traumatised time and again. For those who do not support the Bill, I ask one simple question: do you believe that the rights of perpetrators of violence are more important than, or supersede, those of victims in today's civil society?"*

Those were poignant, piercing and effective words that say to those who want to give the aspiring SpAd a better chance of getting through the appeal mechanism that they really should pause and consider what it is that they are doing to victims. The Bill is, unashamedly, about putting the rights of victims on a new level, taking them into consideration and giving their thoughts and their outlook proper consideration, not trampling what they think into the gutter for the sake of political expediency.

Amendment No 8, in the words of Ann Travers, would be something that diminishes the respect to victims. They have the right not to be re-traumatised. Amendment Nos 8 and 9, sadly, are about making it easier for the convicted criminal to be elevated to that point. That is effectively what has been said by the SDLP; that it is to make the appeal process easier.

**Mr A Maginness:** Reasonable.

**Mr Allister:** "Easier" was the word that was used.



**Mr A Maginness:** It was not.

**Mr Allister:** With respect, it was.

**Mr A Maginness:** I said "reasonable chance of success".

**Mr Allister:** Well, Mr Bradley talked about giving a real chance of success, which is easier; and so it continued.

**Mr D Bradley:** A reasonable chance of success.

**Mr Allister:** Whether you call it a real chance of success or a reasonable chance of success, it amounts to making it easier — pulling down the hurdles a little bit and making it easier for someone to get through. That is in the context of a Bill that no one has sought to amend to say that it must be only in exceptional circumstances where that can be allowed to happen.

The position that the House took at the Bill's Consideration Stage when it approved clause 3(3) and set the criteria was the right position. They are the right criteria, and the House should not now turn its back on them.

As to the point about amendment No 10, I remain concerned about adding to taking the views of the victim into account:

*"in consultation with the Commissioner".*

I hear it said that that means only that the victims' commissioner is a conduit, but that is not what the words say. The words have that emboldenment "in consultation with". That is how you do it; you take the views of the victim "in consultation with" the victims' commissioner. For the victim who says, "I want to speak for myself and I want to be heard in my own right; I do not want it to be filtered through anyone else", I do not understand how that choice of wording enables that to happen.

Other choices were available: it could have said that, where "required", "desired" or "requested", it can be done through or in consultation with the commissioner. However, it does not. It imposes an absolute requirement that the taking into account of the views is done in consultation with victims and survivors. I ask the SDLP to question whether they need to press that amendment.

Likewise amendment No 11, which is so open-ended about any information that the proposed appointee wishes to submit in writing. As I said earlier, clause 3, as drafted, would, on interpretation by a panel, admit character references. However, when you go to any information that the proposed appointee wishes to submit in writing, you have gone way beyond the ambit of character references. You have gone way beyond the concept that that which is submitted must be relevant to grounds a, b and c. I could have lived with "information relevant to grounds a, b and c". However, when you take that out and simply have a blanket invitation to elevate to the same level as their criteria for consideration any information that the proposed appointee submits, you have gone too far. That information will inevitably be uncritical; it will not be strained through any filter that will decide what in it is objective, subjective or stands up in its own right. It will be self-scrutinised, self-selected and, probably, self-serving information coming from the proposed appointee. Therefore, I regret to say that that amendment, as couched, is too weak.

There was some debate this afternoon about where the Bill ultimately goes. I totally respect the right of any party in the House to vote against any amendment and, indeed, the

Bill at the report stage. There might have been a nuance in what Mr Attwood and Mr Bradley said about what the SDLP may or may not do. Mr Attwood was careful to speak about voting against the Bill, which is one thing; Mr Bradley's language seemed to be a little looser. He said that the SDLP will:

*"ensure that the wrong process will not pass."*

Hence some Members asked this pertinent question: does that mean a petition of concern? Would it not be the ultimate irony if, with Sinn Féin unwilling to help the SDLP to exempt sitting SpAds by being unwilling to support the SDLP amendment that would make that possible and giving no help to the SDLP to improve the Bill in its terms, it is the SDLP that joins with Sinn Féin to help it to block the Bill at the end? Ultimately, the SDLP should have something to think about in that regard. Of course, I would very much regret if the SDLP were to take that nuclear option. I trust that wiser heads will prevail.

We have had a good debate —

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

**Mr Allister:** Yes.

**Mr Attwood:** I decided not to come in earlier because Mr Allister was, very eloquently and powerfully, reading into the record the views of a victim. In order to respect the views of the victim fully, I did not think that it was the appropriate time to make a contribution. However, now that he is coming to the end of his contribution, I want to make a number of comments.

The first is in respect of the latter point about whether we will help Sinn Féin or Sinn Féin will help us. Does that not reveal some Members' thinking? This issue has been reduced to some sort of trade-off to the point where Mr Allister is making a curious argument about what the SDLP will do for Sinn Féin and what Sinn Féin will do for the SDLP. That is not the politics that this party indulges in. Of all these issues around victims and survivors, after what the SDLP has said in the Chamber today, including in respect of the perspective that Sinn Féin brings to the issue, to make that argument now does not sound very credible. It actually sounds like scraping the barrel.

The point of amendment No 11 is that when it comes to the assessments that are made by any panel in respect of the three categories named in the Bill by Mr Allister and the fourth character —

**Lord Morrow:** Will the Member give way? *[Laughter.]*

**Mr Attwood:** I will be finished shortly, Mr Speaker. Thank you for that encouragement, Lord Morrow. I will rely upon it.

The point is that it will be up to the panel to determine the weighting given to those matters. Mr Allister made the point that there is an integrity and cohesion about the three elements that he outlines. However, the panel will make a judgement about all of the criteria and the weighting therein. It may give one criteria greater weighting than another, depending on the circumstances in a particular case. Therefore, the words "any information" are not included to compromise any other criteria: hey are there to give a full process.

On a further point, Mr Allister, by inviting a person to give information, you are putting them on the spot and saying,

"What is it that you have to say in respect of all the issues that have to be deemed appropriate in terms of any assessment?"

My final point — I will end here, thank you, Lord Morrow — is that we in this House should never reduce ourselves to taking the language used by others as the definitive meaning of those words. So, when I hear others use the word "regret", I do not draw conclusions that that is the be-all and end-all of what should happen. So, when I hear people in Sinn Féin and other places use the word "regret", I say that regret means what it should mean: contrition, remorse and regret. Do not define what that word means by the narrow interpretation visited upon it by those who casually use it and do so at times for self-serving reasons.

**Mr Allister:** The problem with such a lengthy intervention is that one tends to forget what the early points in it were.

[*Laughter.*]

**Mr A Maginness:** Do you want him up again? [*Laughter.*]

**Mr Allister:** No, I do not want him up again, thank you very much.

The point about adding a fourth criteria is neither here nor there. I refer the Member to the fact that, under clause 3(2) (a), which states:

*"after having regard to the matters at subsection (3)",*

obviously, if there are only three matters set out in subsection 3, there are three matters vying for attention. If there are four matters set out in subsection 3, then obviously the fourth one is equally vying for attention. If it is a wholly generic issue that is at large as to what can be included and, as we have said, it is self-serving, why should such a criteria be capable of being elevated to the same status for consideration as the specific criteria of contrition, helping the police and the views of the victims? Inevitably, the more criteria you add in a context where the totality of issues have to be considered, the more you weaken each component part. That is the problem with amendment No 11.

The Member valiantly tried to revisit the issue of regret and what it means. I say again that the House listened attentively to what Ann Travers had to see about how meaningful it was to hear Mary McArdle say, "Mary's death was a mistake. I regret it." That does not wash: it does not wash with victims, and it should not wash with this House. This House has an opportunity today to take another step towards duly respecting the rights and sensitivities of victims and to show that, where there is a choice to be made, victims do matter. I trust that the House will take that opportunity.

## 6.00 pm

I will very quickly deal with the point on retrospection. The Attorney General's view has been substantially distorted. His view, as was expressed to the Committee, as I understood it and others of a professional nature who addressed the Committee expressed it, was that, in the context of the Bill at that time having what was described as a blanket ban, its proportionality came into question. However, once you put the appeal mechanism in at clause 3, you deal with that proportionality point and the threats of legal challenge recede accordingly.

It is quite wrong to highlight what the Attorney General said in the context of how clauses 2 and 3 were at that time and to say that those have the same application to clauses 2 and 3 as they stand today. They are very different animals by virtue of the fact that they have the appeal mechanism. Let us not forget clause 4, which takes it a step further and gives a further right of appeal to the High Court.

So, all sorts of protections are built in and are well ensconced in the Bill. The fundamental question for tonight's votes is this: are we getting the criteria right? Is it right to exclude someone like Mary McArdle, if she was still in office, from the ambit of this Bill? I trust that the House will say that it is not and will say that the criteria are right. I recommend my amendments to the House and, sadly, cannot do that with other amendments.

*The debate stood suspended.*

## Assembly Business

### Extension of Sitting

**Mr Speaker:** I advise the House that I have been given notice by the Business Committee of a motion to extend today's sitting beyond 7.00 pm under Standing Order 10(3A). As it is a business motion, the Question will be put without debate.

*Resolved:*

*That, in accordance with Standing Order 10(3A), the sitting on Monday 20 May 2013 be extended to no later than 9.30 pm. — [Ms Ruane.]*

## Private Members' Business

### Civil Service (Special Advisers) Bill: Further Consideration Stage

*Debate resumed.*

#### **Clause 2 (Special advisers: serious criminal convictions)**

*Amendment No 1 proposed:* In page 1, line 13, leave out "Commissioners" and insert "Department of Finance and Personnel".— [Mr Allister.]

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 59; Noes 40.*

#### **AYES**

*Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, 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 Ayes: Mr Allister and Mr McNarry.*

#### **NOES**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilin, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Durkan and Mr McCartney.*

*Question accordingly agreed to.*

#### **6.15 pm**

**Mr Speaker:** Order. I have been advised by the party Whips that, in accordance with Standing Order 27(1A) (b), there is agreement that we can dispose of the three minutes and move straight to the Division.

*Amendment No 2 proposed:* In page 1, leave out subsections (4) and (5).— [Mr D Bradley.]

*Question put.*

*The Assembly divided:*

*Ayes 20; Noes 78.*

**AYES**

Mr Agnew, Mr Attwood, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McDevitt, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.

Tellers for the Ayes: Mr Byrne and Mr Durkan.

**NOES**

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Copeland, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCreagh, Mr I McCreagh, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McNarry, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr Allister and Mr McNarry.

Question accordingly negatived.

Amendment No 3 proposed: In page 1, line 22, leave out "Commissioners" and insert "Department".— [Mr Allister.]

Question put, That amendment No 3 be made.

The Assembly divided:

Ayes 58; Noes 39.

**AYES**

Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCreagh, Mr I McCreagh, 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 Ayes: Mr Allister and Mr McNarry.

**NOES**

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin,

Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Durkan and Mr McCartney.

Question accordingly agreed to.

**Clause 3 (Determination of eligibility of special advisers by Commissioners)**

Amendment No 4 proposed: In page 2, leave out lines 4 to 11 and insert

"(1) This section applies where an appointment, or proposed appointment, of a person as a special adviser is referred to the Department under section 2(2) or (5).

(2) The Department must, within 14 days of the referral, establish a review panel and refer the matter to it.

(3) The review panel must determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.

(4) The person is only eligible if the review panel is".— [Mr Allister.]

Question put, That amendment No 4 be made.

The Assembly divided:

Ayes 57; Noes 39.

**AYES**

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCreagh, Mr I McCreagh, 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 Ayes: Mr Allister and Mr McNarry.

**NOES**

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Durkan and Mr McCartney.

Question accordingly agreed to.

**Mr Speaker:** I will not call amendment Nos 5 to 7 as they are consequential to amendment No 2, which has not been made.

*Amendment No 8 proposed:* In page 2, line 17, leave out from "contrition" to the end of line 18 and insert

*"regret for and acknowledgement of, and accepts the gravity and consequences of, the offence to which the serious criminal conviction relates."— [Mr D Bradley.]*

*Question put, That amendment No 8 be made.*

*The Assembly divided:*

*Ayes 19; Noes 77.*

#### **AYES**

*Mr Attwood, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McDevitt, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.*

*Tellers for the Ayes: Mr Byrne and Mr Durkan.*

#### **NOES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Copeland, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McNarry, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Allister and Mr McNarry.*

*Question accordingly negated.*

*Amendment No 9 proposed:* In page 2, line 19, leave out paragraph (b) and insert

*"(b) whether the person has demonstrated, where applicable, a commitment to non-violence and exclusively peaceful and democratic means for political change."— [Mr D Bradley.]*

*Question put.*

*The Assembly divided:*

*Ayes 12; Noes 83.*

#### **AYES**

*Mr Attwood, Mr D Bradley, Mr Byrne, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr McDevitt, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.*

*Tellers for the Ayes: Mr Byrne and Mr Durkan.*

#### **NOES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland,*

*Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McNarry, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Allister and Mr McNarry.*

*Question accordingly negated.*

*Amendment No 10 proposed:* In page 2, line 23, at end insert

*" , in consultation with the Commissioner for Victims and Survivors."— [Mr D Bradley.]*

*Question put, That amendment No 10 be made.*

*The Assembly divided:*

*Ayes 30; Noes 66.*

#### **AYES**

*Mr Attwood, Mr Beggs, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mr Hussey, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McDevitt, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Ayes: Mr Byrne and Mr Durkan.*

#### **NOES**

*Mr Allister, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McNarry, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Allister and Mr McNarry.*

*Question accordingly negated.*

*Amendment No 11 proposed:* In page 2, line 23, at end insert

*“(d) any information which the proposed appointee wishes to submit in writing.”— [Mr D Bradley.]*

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

*Amendment No 12 proposed:*

*In page 2, line 24, leave out “Commissioners” and insert “Department”.— [Mr Allister.]*

*Question put, That amendment No 12 be made.*

*The Assembly divided:*

*Ayes 57; Noes 39.*

#### **AYES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, 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 Ayes: Mr Allister and Mr McNarry.*

#### **NOES**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Durkan and Mr McCartney.*

*Question accordingly agreed to.*

#### **7.30 pm**

*Amendment No 13 made:* In page 2, line 26, at end insert

*“(5) The Department must—*

*(a) appoint independent persons to be members of the review panel,*

*(b) pay those persons such fees, allowances or expenses as appear appropriate,*

*(c) provide the review panel with staff, accommodation or other facilities as appear appropriate.*

*(6) A review panel may regulate its own procedure.*

*(7) A review panel only remains in existence for so long as is necessary for it to exercise its functions.”— [Mr Allister.]*

#### **Clause 4 (Appeals against Commissioners' determinations)**

*Amendment No 14 made:* In page 2, line 28, leave out “the Commissioners” and insert “a review panel”.— [Mr Allister.]

*Amendment No 15 made:* In page 2, line 32, leave out “Commissioners” and insert “review panel”.— [Mr Allister.]

*Amendment No 16 made:* In page 2, line 34, leave out “Commissioners” and insert “review panel”.— [Mr Allister.]

#### **Clause 10 (Interpretation)**

*Amendment No 17 made:* In page 4, leave out lines 28 and 29.— [Mr Allister.]

**Mr Speaker:** I will not call amendment No 18 as it is consequential to amendment No 2, which has not been made.

#### **Clause 12 (Commencement)**

*Amendment No 19 made:* In page 5, line 2, leave out “Sections 2(5), 3, 7, 8” and insert

*“Sections 1, 2(5), 3, 4, 5, 7, 8, 9”.— [Mr Allister.]*

**Mr Speaker:** I will not call amendment No 20 as it is consequential to amendment No 2, which has not been made.

That concludes the Further Consideration Stage of the Civil Service (Special Advisers) Bill. The Bill stands referred to the Speaker. I ask the House to take its ease as we move into the next item of business.

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

## Private Members' Business

### Hill Farming

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes in which to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes. As this is the first debate in which the Assembly will hear from Mr Ian Milne, I remind the House that it is the convention that a maiden speech is made without interruption.

**Mr Milne:** I beg to move

*That this Assembly recognises the particular difficulties experienced by hill farmers; and calls on the Minister of Agriculture and Rural Development to bring forward additional measures to support the sustainability of farming on lands classified as less-favoured areas.*

Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Tá áthas mór orm bheith anseo i lár na ndaoine ar mo thaobh anseo. Thank you, Mr Principal Deputy Speaker. As you said, this is my maiden speech, so, before I speak on the motion, I will take this opportunity to pay tribute to Francie Molloy, who represented the people of Mid Ulster as an MLA for the past 15 years. His recent election success is testament to his hard work and commitment in the area. As Principal Deputy Speaker, he carried out his role with fairness and respect. He remains as MP, and I look forward to continuing to work with him as part of the Mid Ulster team.

I thank my party colleagues for selecting me for this role and am grateful for the support of such a strong and dedicated team. I would also like to acknowledge the guidance and support of Assembly staff, who have been very helpful. It is very much appreciated.

On a personal note, I feel very proud to represent the people of Mid Ulster. I hope to build on my experience as a councillor, and it is my intention to use this platform to raise the many issues that I know affect local people. One such issue is the unique difficulties experienced by hill farmers, which have been compounded over the past 18 months by wet weather, severe snow and now the fodder shortage.

The nature of the landscape here in the North of Ireland means that we have a significant number of hill farmers. Ireland in general has a long history of people making a living from these areas, but farming in our hills and mountains is not without its problems. The nature of the soil, the vegetation and the climate mean that farmers have a limited choice in the type of farming available to them. They are usually restricted to beef and sheep farming, regardless of the economic conditions, and, as a result, they are disproportionately affected by rising costs and falling prices. Without these farmers producing food and maintaining our countryside, our hill areas would be largely abandoned. Our landscape would be radically

different from how it looks today, land abandonment would become an increasing problem, and a traditional way of life would be greatly under threat.

The need for additional assistance is already recognised by Europe. That is why we are allowed less-favoured area (LFA) payments. I am grateful to the Agriculture Minister, Michelle O'Neill, for rolling forward the LFA scheme, which is worth £25 million, for a further year. I am also grateful to her for bringing this year's payments forward to help to address farmers' needs following the recent snow crisis. However, I feel that more assistance may be required in the time ahead.

The rising cost of feed is leading to another potential crisis in these areas. The Minister's recent announcement of emergency fodder aid is very welcome and timely, but it is important that we do more to support hill farmers in particular. As negotiations on CAP reform evolve, it is vital that their particular needs are taken into account. Indeed, if farmers are to be able to assist in delivering the ambitious growth targets in Going for Growth, which is the new agrifood strategy, they will need such assistance to meet that challenge.

Finally, although our hill farmers are used to facing challenges, they deserve our support, and I call on the Assembly, the Minister and the wider Executive to help to protect them to ensure that they are given all possible assistance in the time ahead.

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

**Mr Byrne:** I beg to move the following amendment: Leave out all after "particular" and insert

*"and unique difficulties experienced by hill farmers; and calls on the Minister of Agriculture and Rural Development to earmark grant aid support for the improvement of farm buildings and bring forward additional measures to support the sustainability of farming on lands classified as less-favoured areas."*

First, I commend the motion outlined by Mr Milne and welcome the fact that he has made his maiden speech.

### 7.45 pm

I welcome the opportunity to speak in the debate and to propose the SDLP amendment. Over these past months, we have all seen or heard of the difficulties that farmers are facing as a result of poor weather, rising costs and poor farmgate prices. Those in less-favoured areas have suffered greatly and the issues that they now face need to be addressed.

There is a need for a grant-aid scheme of support to improve farm buildings and for new sheds and outbuildings. The recent snowstorms that affected counties Antrim, Down, Derry and Tyrone highlighted in many cases the lack of suitable and adequate farm buildings, in particular the lack of sheds for the winter housing of sheep and cattle in the hilly areas of Northern Ireland. The poor state of farm buildings has become obvious and clear for all to see.

For those of us who can remember that far back, the 1980s' precedent for grant-aid schemes for farm-building improvements and other farm infrastructure is a good model and should be the basis for looking forward, including provision for better drainage and fencing

schemes. We need such a scheme for good animal husbandry and welfare reasons, as well as to meet environmental standards required by EU regulations. Cross-compliance also affects farmers greatly and adds to their costs.

The outcome of CAP reform has to meet the needs and interests of farmers in LFAs in the North of Ireland for a variety of reasons, including some element of coupling, relating the single farm payment to area-based and headage support. Approximately 77% of land in Ireland is classified as an LFA. In Northern Ireland, that figure is approximately 70%, and in the UK as a whole, it is approximately 53%. We have less-favoured areas that require more government support. That is why regional variation in the current CAP negotiations is crucial for the farming sector in the North of Ireland. Hopefully, the Minister and the Department will be motivated enough to try to get regional variation within the UK envelope and from the London Treasury. The sustainability of farming in LFAs is crucial for stocking rates and the financial viability of smaller-scale hill farms for sheep- and cattle-rearing and production.

Last Thursday, at the Balmoral show, the Minister gave an opening address on the Agri-Food Strategy Board report, which all of us welcome. The report states:

*“Beef and sheep meat is the largest sector of the Northern Ireland Agri-Food industry by turnover, which in 2010 stood at £968m (26%) and is estimated to increase to over £1bn in 2011. The size of the suckler cow herd is approximately 280,000 having recovered by 8% over the past three years but still 20% below the peak levels in the mid 1990’s. The number of breeding ewes, although having fallen by over 30% during the last decade to 895,000 in 2011, has improved by 5% in 2012.”*

We know from the recent storms, however, that that figure will go down this year.

A rural community lifestyle and the rural way of life can be maintained, sustained and provided for in future only if viable farming can be sustained in the LFAs. According to the rural White Paper that the Department of Agriculture and Rural Development put out in the past year, the sustainable countryside policy priority is:

*“To support the development of a more sustainable agricultural sector, a more competitive agri-food sector and enhanced agri-environmental links.”*

Twinned with that policy, we have a policy to safeguard the beauty and fabric of our rural areas and increase opportunities for all to enjoy the benefits of the countryside.

In ‘Farm Week’, last Thursday, a well-known commentator and writer Mr MacAuley wrote that in the 1980s, we had grant-aid support of between 40% and 50% for new farm buildings and improvements to farm buildings. Mr Principal Deputy Speaker, I think we have to revisit that scenario.

Those of us who have been involved in farming in recent years know the problem about drainage and the difficulties associated with it due to the heavy wet weather. We have got to a stage where there has to be grant-aid schemes to improve drainage. In the past, up to 70% of funding was

available for improved drainage schemes and, indeed, fencing schemes.

Farming, therefore, is central to the policy objective of social and economic sustainability for many rural communities, particularly in the LFAs, where rural communities need the chance to survive. There needs to be social and economic viability and a decent lifestyle for rural communities, as there is for other citizens.

In recent weeks, we have all learned about the hardship that many farmers are suffering; not only those who have suffered because of the snow storms. We also have the fodder crisis, and the statement that the Department and the Minister made about that at the weekend is welcome. However, the time has come for practical help. The time has come for real evidence by way of a cheque payment from the farm-aid scheme to those who are suffering from the winter of snow and to those who have a fodder crisis. I know that the Department outlined six or seven hauliers who are entrusted with delivering fodder in the current situation. The sad fact is that many farmers are not in a position to pay for the fodder and silage that they can get, and getting it is the real problem. In my constituency, a very good agri-farm supplier Mr Noel Patterson has been doing excellent work over the past two weeks helping to provide supplies for people far and wide. On Saturday, he told me that he could sell by the lorry load and that he was trying to divide it out so that every man gets a bit. That is the current situation.

I commend the amendment to the House, and I support the motion.

**Mr Frew:** I thank the Members for bringing forward the motion and, indeed, the amendment. I am pleased to say that we will support the motion, and the amendment as it sits.

It is reasonable in this day and age, and considering what our farmers have come through, that we should be supporting all our farmers in whatever way we can to make the past few months, and the future, easier on them. Given the fact that our agrifood industry is primed and ready to increase its jobs, cost, income and exports, it is only right that we make sure that the primary producer is looked after to make sure that all of that can happen. Some people might be in a dilemma about whether we should support all the farming community or those in the less-favoured areas. I believe that it is right to have that differential. I believe that it is right to support farmers and hill farmers in naturally less-favoured areas in Northern Ireland for the same reasons we have supported them historically. It is important to ensure that those areas are maintained for agricultural use, because it helps them play a viable role in society and it helps provide a vibrant countryside.

It is a given that there is a limited growing season in less-favoured areas, compared to other areas, and that there are steeper slopes, which means that farmers cannot use conventional machinery in most or some of their areas. There is a real danger that, without support, those areas would experience depopulation, and there would be hurt to the much-valued rural communities and, for that matter, our tourism industry.

As has been said, almost 70% of all farms in Northern Ireland are located in LFAs. Of those, 55% are in severely disadvantaged areas, and 45% are in disadvantaged areas. Therefore, it is important that we differentiate



between farming in general and farming in a less-favoured area.

We should recap on the years leading up to now, the reasons why the farming industry is in dire straits and what it has been up against. There have been the mechanics of the supply chain that have meant that the farmer does not always get the best deal for his produce. In fact, over the past number of years, farmers have had a raw deal on profits. That must change. I believe that the Department has dragged its heels on bovine TB. The farming community has been crying out for the Department to deal with that and to get rid of the spectre of disease on farms. There has been the slowness of the roll-out of the rural development programme and all the pressures that that has applied. There has been the long wait in getting single farm payments on the ground and the inspection process that has to be gone through. There was the horsemeat scandal and the great potential for damage to the reputation of our agrifood industry and primary producers. Thankfully, that did not hurt our industry because of the traceability of meat in our system. Then, of course, there was the weather, which has been horrendous for all farmers, not only during the snow crisis but during the past number of months and years, with bad summers and harsh winters.

There is a lonely side to farming, a social side and a welfare issue. When farmers hear on the radio and TV other people complaining about the aid that they get, it has a severe impact on the farming community. We have to guard against that. It is not easy to farm in hill areas; it is certainly not for everyone. It takes a very special person.

I have concerns about the new fodder scheme. We are thankful for it and it needs to be pushed as quickly as possible. However, consider the news that the fodder scheme will be on the same de minimis rules as the hardship fund that hill farmers have received or qualified for because of their losses. If they have received as much as the de minimis limit allows, which is €7,500, how can they claim from the fodder scheme? They cannot claim any more money within a three-year period. I hope that the Minister will be able to address that issue. I worry about that.

**Mr Principal Deputy Speaker:** The Member must draw his remarks to a close.

**Mr Frew:** Recommendation 70 of the Agri-Food Strategy Board's report 'Going for Growth' is for a new land and buildings improvement scheme. I welcome that.

**Mrs Dobson:** I welcome the opportunity to speak on this timely motion. I trust that this debate, alongside the motion that I will bring to the House tomorrow evening, will serve as an indication to all Members of how exceptionally difficult a period our farmers are experiencing. There is hardly a corner of the entire agricultural sector that is not facing its own unique challenges. Although, last week, the sector showcased its world-leading produce and innovation at yet another incredibly successful Balmoral show, the torrential rain on Saturday came as another blow to farmers who are desperate to get their remaining livestock onto the land.

Hill farmers may not necessarily face the same difficulties as farmers with waterlogged land in low-lying areas. However, they are particularly exposed to other forms of extreme weather. The March snowstorm, which has been mentioned, served as a frightening reminder of

how vulnerable animals, especially young stock, can sometimes be. It was heartbreaking to hear many of the farmers who were worst affected by the snow saying that they could see no future for themselves in the industry. I hope that they have decided to stick with that way of life because it is one that they have literally lived and breathed for most of their years.

Having visited many hill farmers, I am well aware of the often challenging and unique circumstances in which those businesses operate. Something as routine as checking stock each day is made impossible due to the scale of the land and the additional limitations that are often placed on the use of machinery.

#### 8.00 pm

The motion also specifically calls for additional measures to support the sustainability of farming on lands classified as less favoured areas, but statements without a backdrop of clear targets are not always helpful. If the Minister is able to announce additional measures for our agriculture sector today, I will welcome that.

LFA land represents 70% of all farms here, which is a huge proportion of Northern Ireland's total land mass. In fact, it is higher than in many EU member states. As was said earlier, some 55% of those farms are in severely disadvantaged areas, and 45% are in disadvantaged areas.

Nevertheless, I have no difficulty in supporting the motion. However, I have a number of reservations about the amendment, although I will support it. It is well known that I have long called for a capital grant support scheme, but the problem I have with the amendment is that it needlessly restricts such support to farms classified as LFAs. I can understand where the proposer is coming from, particularly given recent memories of the damage that the snowstorm caused to buildings. However, we must be very careful not to focus exclusively on one area to the detriment of all others. Memories of tranche 2 of the farm modernisation programme still loom large in farmers' memories, and the SDLP should have remembered that when drafting the text of its amendment.

In conclusion, the Minister will know that I am not afraid to criticise her and the Department when I believe that they have failed. However, I would like to commend her on one act. I am referring to her decision earlier this year to make the LFA compensatory allowance (LFACA) payment three weeks earlier than planned. Minister, that was forward-thinking, but that is an all-too-rare commodity in your Department. There are basic failings that, quite frankly, should not be happening.

Two well-known problems that I ask the Minister to consider when she makes her remarks later are what impact the delay in the administration of single farm payments and the problems with the maps have had over the past 12 months on our farmers, particularly those in LFAs. Both were entirely avoidable, so I trust that the Minister will at least give a commitment that they will not happen again over the next 12 months.

**Mr McCarthy:** I fully support the motion and the amendment. As a member of the Agriculture Committee, I, along with colleagues, have heard presentation explaining in no uncertain terms the plight of the farming industry and how it has become almost impossible to make ends meet

in almost every aspect of the industry. That is having a detrimental effect on everyone involved in farming.

The motion is specifically about hill farming and the problems associated with less favoured areas. I thank the Research and Information Service for providing all Assembly Members with a very comprehensive document outlining the history of LFAs, not only here at home but in other regions. There are striking similarities in the difficulties faced, regardless of where on these islands farmers are based.

Other Committee members have spoken of the severe problems associated with hill farming and land use. I do not have to repeat those issues, as time is going on and the hour is late, other than to say that it is patently obvious that our Minister and, indeed, our European colleagues must reach out and come up with answers, and listen to the Ulster Farmers' Union (UFU) and other influential groups. Otherwise, we will see the demise of yet another very important aspect of local employment here in Northern Ireland. I appeal to Minister O'Neill and her Department to ensure that something is put in place to make this rural industry profitable and sustainable sooner rather than later.

I welcome the fact that Minister O'Neill came to the Agriculture Committee late on Thursday evening after her Executive meeting to tell us about the agreement that she received from her Executive colleagues on the hardship fund for livestock farmers. I expressed some disappointment that there was no such funding for farmers engaged in the horticultural and vegetable-growing aspects of farming, who were equally wiped out by the horrendous snowstorm earlier in the year. However, we welcome the Minister's funding for fodder to help all our farmers at this time. As the saying goes, every little helps.

On behalf of the Alliance Party, I fully support the motion and the amendment. I apologise to the Minister, to you, Mr Principal Deputy Speaker, and to Members; I really have to leave shortly. Thank God for the Hansard report and those who provide it. *[Laughter.]*

**Mr Irwin:** At the outset of the debate, I declare an interest as a dairy farmer, and as a farmer, I am very well aware of the difficulties facing our primary producers at this time. The crisis that hit farmers over the past few months, when snowdrifts blocked roads, brought down buildings and buried thousands of animals alive, was, in the opinion of many farmers, the worst spell of weather in their lifetime. The misery that the snow brought on the farmers affected was well documented in the media. No one could fail to be moved by the hardship that the farming and wider rural community faced over that prolonged period. With thousands of animals perishing as a result of the conditions in late March, it is but right that the hardship fund is now being rolled out to those farmers whose livestock and, indeed, livelihood, was severely affected by the winter conditions. I welcome the fact that the Department of Agriculture and Rural Development (DARD) is now starting to roll out that funding. EU de minimis rules mean that the amount is capped at €7,500. I made my concerns known that it is unfair that the cost of collecting and disposing of animals is deducted from individual hardship payments. That leaves less money for the farmer as he tries to recover from his ordeal.

On the wider front, following the announcements from the Minister of a fodder relief fund, the agrifood strategy for Northern Ireland, and the new rural crime unit, I would welcome the Minister's intervention in the difficulties facing not just hill farmers or those in less-favoured areas but farmers in general across Northern Ireland. There is no doubt that our primary producers across the Province face concerning pressures at this time. Many of the difficulties are beyond farmers' direct control. The price of energy and fuel continues to rise, along with other input costs such as feed, and we have the ongoing issue of wet weather, prolonging the start of the growth season. That means that farmers have to buy fodder at prices that are rising astronomically. The fodder crisis is particularly worrying as it is becoming harder and harder to source feed. With demand outstripping supply, the price that farmers are paying per ton is completely unsustainable. The fodder relief scheme that was announced by the Minister must be delivered in a way that assists those in most need. The administration of the fund needs to be well managed.

The motion and amendment highlight one segment of the agrifood industry, and rightly so. However, given the difficulties across the entire production base, we could equally have motions highlighting the problems in lowland and other production areas. Hill farmers bore the brunt of the severe weather in March and April, and no one can ignore the plight faced by the hundreds of farmers in that position. However, our primary production base faces mounting pressures that will continue long after the snow has melted. Those wider issues must be the focus of continued examination.

The agrifood strategy launched last week is rightly ambitious. I welcome the various strands of it that seek to encourage growth in that important sector. I particularly welcome the idea of a fully integrated supply chain. I take the opportunity through this debate to reinforce the message that the farmer is by far the most important link in the supply chain. Without the efforts, investment and commitment of the primary producer in creating the fine produce that we enjoy and promote, we do not have an industry at all.

Tomorrow, the House will look at a motion on falling farm incomes. Indeed, many of these points will be made with the same vigour. I believe that our focus must remain as wide as possible on improving the prospects of our primary producers in the relevant production sectors. In that regard, assistance and encouragement, be it financial or by other means, must be available to all sectors.

**Mr McAleer:** I take this opportunity to speak in favour of today's motion, which focuses on the particular needs experienced by farmers who live in areas designated as less-favoured.

As a representative of the rural constituency of West Tyrone, I know that a lot of farming is carried out in the hills and in mountainous areas such as the Sperrins. Although those areas are naturally beautiful, it is very difficult to make a living in them, particularly during adverse weather such as that witnessed earlier this year. Indeed, the weather over the past year has been atrocious; it has reduced fields to mud tracks and meant that livestock has been housed earlier, eating into already depleted silage stock. In many cases, the wet weather prevented second and third cuts from being made. The combination of wet weather and, indeed, the drought in the US has resulted

in the cost of feed going through the roof. In recognition of that, the Minister negotiated and introduced the fodder scheme that opened at midnight on Saturday and has been welcomed across the board.

March brought the terrible blizzards, which had a disproportionate impact on the LFAs. Along with councillors and the Minister, other Members and I visited areas such as Cranagh and Sperrin in March to witness for ourselves the extreme situation that the farmers were experiencing at that time. Certainly, I commend the Minister for taking swift and decisive action at that stage in drafting in emergency supplies to support the stricken farm communities and for then initiating the hardship scheme.

Farming in general is a very stressful and challenging path in life. For the farmers in the hills, that is compounded by protracted periods of isolation and uncertainty. Research carried out by Oxfam last year found that hill farmers are forced to take drastic action, such as cutting back on their own grocery bill and foregoing the basics in life just to keep their farms viable. Indeed, some of the accounts that we heard from the charity Rural Support, when it addressed the Committee recently, brought home to us the sheer level of emotion and trauma that is experienced by our farmers as they struggle to make ends meet.

Apart from the weather and the rising cost of feed, there are uncertainties around the future of subsidies as we move from LFAs to ANCs — areas of natural constraint — post-2013 under the CAP. That has introduced uncertainty for the farmer. The natural handicaps associated with hill farming add substantially to the cost of production. The less-favoured areas compensatory allowance is there to compensate for that. It helps to create a more level playing field and, in most cases, is a lifeline for hill farmers.

Farming is our indigenous industry. It is the backbone of rural communities. Farmers, particularly those in hilly and mountainous terrain, are experiencing a crisis, which is mostly due to extreme weather conditions and the global economy. On behalf of the party, I want to reiterate support for the motion and, indeed, for the amendment. Go raibh maith agat.

**Mr Buchanan:** I support the motion and the amendment on the sustainability of hill farming, but I am somewhat concerned that the focus of the debate is solely on one section of the farming community. Under the current climate, all sections of our agricultural industry are under severe pressure. We must recognise that this is not only a Northern Ireland-wide problem but something that affects all in the agricultural industry, from the hill farmer to the meat and cereal producers.

Therefore, at the outset of the debate, I wish to express my support for all those in the industry. Indeed, I call on the Minister, when she considers the difficulties facing the hill farmer, not to neglect or forget about others in the lowlands who face the same challenges, hardships and difficulties and experience the same stress and anxiety as they struggle to keep their farm business afloat.

Turning to the motion and the amendment, I do not think that anyone would disagree that hill farmers face many significant natural handicaps, with rough grazing, low foliage and less stock per hectare adding considerable cost to their production and leaving much less of a profit margin on their farm incomes. Indeed, in the climate that

we are in, many farmers have no profit margins at all. In fact, unfortunately, they are on the other side of the scale.

### 8.15 pm

With almost 70% of all farms in Northern Ireland located in less favoured areas and many hill farmers struggling to make sufficient income to keep their farm businesses in operation, it is vital that proper measures are put in place to sustain the long-term viability of hill farmers. Barriers to hill farming, such as the management and delay of agrienvironmental schemes, rural development programmes and the single farm payments, including bureaucratic regulation, must be urgently addressed and positive incentives and mechanisms brought forward to encourage hill farmers to make the most of their hill farms and to benefit from a greater return.

Hill farming is not only a significant contributor to the rural economy through the purchase of inputs, such as animal feeds and machinery, and the distribution and marketing of their produce, but it has great potential for farm diversification. The rich culture and built heritage of many hill farms provide incentives for greater tourist initiatives, rural training programmes and the sustaining of the skill base, which are all essential parts of maintaining the character and prominent features of the landscape. Over the centuries, livestock farming has shaped the landscape through managed grazing, balanced with the natural progression of thick woodland and the retention of many traditional farm buildings. The value of hill farmers must be recognised and new incentives brought forward if they are to remain viable and continue to provide a wide range of social, economic and cultural activities.

In recent times, we have all witnessed the huge loss of livestock suffered by the farming community in mountainous areas, together with the collapse of farm buildings and the destruction of many thousands of metres of fencing as a result of the severe weather conditions. The stark reality is that these farm businesses are unable, financially, to reinstate fencing and replace their collapsed buildings, with the unfortunate consequence that many will or could go out business, leaving hill farming lying waste and rural areas desolate to local production and economic activity.

In supporting the motion, I call on the Minister to outline her proposals, not only for the long-term sustainability of hill farmers but for those farmers in the lowlands who are equally suffering severe financial hardships as a result of the inclement weather, high feeding costs and a low return for their produce. Let the House see the Minister being proactive, rather than always being in the position in which she and the Department are continually reacting to dire situations, often when it is almost too late for many farm businesses.

I support the motion, and I trust that the Minister will have something positive to bring to the House this evening.

**Mr Swann:** Following on from the comments of the Member who spoke previously, when I saw the full Sinn Féin Benches at the start of the debate, I was expecting some fantastic announcement from the Minister. However, I take it that they were only here to hear your maiden speech, Ian. Minister, I still hope that you have good news for us.

**Mr Principal Deputy Speaker:** He may have driven them out. I am not sure. *[Laughter.]*

**Mr Swann:** The wording of the motion focuses on our hill farmers and their LFAs. I know that there has been talk of other areas not being mentioned in the motion or the amendment, but other parties and Members had the opportunity to table amendments to the motion if they felt so passionately about those areas. I hope that they will be here tomorrow to support the Ulster Unionist Party motion on the decrease in farm incomes.

As members of the Committee have well rehearsed, I was fortunate enough to bring up a group of farmers from north Antrim and east Antrim to discuss the crisis that was going on during the snow and the hardship payments that were made to them. We heard first-hand from a lot of those men and women, who were all hill farmers and all under LFAs. Through other evidence sessions of the Committee, it became clear — we hear it again and again, because I keep saying it — that farming is one of the loneliest professions in Northern Ireland at the moment.

Minister, Mr Principal Deputy Speaker and anybody in the House who knows a hill farmer or somebody who works a less-favoured area, if farming is the loneliest profession, being a hill farmer is like being consigned to solitary confinement. I was speaking to one man, a good friend of mine, at the Balmoral show, and you never see him from January until the Balmoral show because he goes into virtual hibernation over those three months while he lambs, tends his sheep and all the rest of it. Those are the sort of men whom we are talking about in this motion, which deals specifically with hill farming. We should pay attention to the fact that there is a group out there that needs special mention by and attention from the Department.

As has been mentioned a number of times in the House when we refer to hill farming as an LFA, 76% of the ground in Northern Ireland falls under that criterion. When we take that criterion and look at LFAs, particularly those under sheep and beef, on those farms that have greater than three standard labour requirements — the number of men who should be working it — their net income has fallen from £58,000 last year to £40,000 this year. That is a reduction of 31% in one year. We need to debate the topic of why these farmers need support because that is their net income; we are not talking about profit. Many of those people have not been in profit for years, but they keep farming because of the support that they get from their single farm payment and particularly because of the LFA payments. LFA payments brought something like £25 million into the Northern Ireland economy last year, specifically for hill farming LFAs.

So there is an importance there, and it is the importance of the recognition not only by Europe but by the Department of the farms' environmental schemes. Without our hill farmers and their maintenance of our countryside and those hills, we would not have our striking scenery in the glens of Antrim or along the north coast. Those men are working as custodians of that countryside. It will not become a national park or anything like that, so hill farmers will keep that ground as a tourist attraction that brings in visitors.

I will go back to the particular importance of LFA payments. The Commission's CAP reform proposals include an issue that I think Mr McAleer referred to earlier.

There is talk in the draft rural development regulations of replacing LFAs with areas of natural constraint. The European Court of Auditors has criticised how member states have designated LFAs in the past, and our Department is no different from others. The redesignation from LFAs to ANCs in Europe will require a mapping exercise, which causes me great concern because our Department does not have a good record in mapping exercises, particularly when it comes to hill farms or LFAs. One of the problems with aerial photography is that photographs from above are not getting the full area of a field because of the limits to what the camera can see. That will cause great problems with any sort of redesignation from LFA to ANC.

Fine-tuning will be depended on a lot to help to ensure that areas of natural constraint are included in this and that more productive areas are not, which has been a major concern. Indeed, given the complications of CAP reform, MEPs wanted to conduct this exercise at a later stage, but the Commission is keen to press ahead. The motion calls on the Minister "to bring forward additional measures", and we usually talk here about moneys, payments or more schemes. I think that it is a matter of working with our MEPs to ensure that we get this right and that any change from LFAs to ANCs benefits the hill farmers —

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Swann:** — of Northern Ireland so that we can do what is right for the people of Northern Ireland.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle, agus comhghairdeas do Ian Milne on his maiden speech. I thank those Members who tabled the motion and everybody who contributed to the debate.

As Members said, the less-favoured areas are dominated by small farms with grazing livestock, mainly sheep and beef, playing a central role. Such farms are frequently run by part-time farmers. The farm household may have other sources of income, but the farm unit still forms a central part of the family farm life. In turn, those families play a key role in sustaining the vitality of our rural communities through their many and varied economic and social interactions.

These farms also contribute significantly to our environmental heritage. The land tends to be of high environmental value, with many of these disadvantaged areas designated as areas of outstanding natural beauty, Natura 2000 sites or areas of special scientific interest. They are a major environmental asset for us all, and it is vital that active and sustainable agricultural land management is undertaken to preserve such landscapes for future generations.

Hill farmers provide that positive land management role for us and have proved to be dedicated custodians of our unique landscape and natural heritage.

We need to recognise and sustain their role.

Members have acknowledged that hill farmers, like all farmers, have been hit by a series of challenges in the past 12 to 18 months. Farm incomes across the North fell by more than 50% in 2012 to £143 million — that will be the subject of a debate in the House tomorrow. The weakening of the euro reduced single farm payment receipts and

depressed producer prices, while poor cereal harvests in Europe and elsewhere pushed up animal feed prices.

Against that backdrop, we have also seen, very graphically, the impact of adverse weather conditions, and many Members referred to that throughout the debate. The snowstorm of the weekend of 22 March to 24 March was an extreme weather event, resulting in the worst conditions experienced in many decades.

I recognise that the circumstances in which hill farmers find themselves require tailored and flexible support from my Department. This support ranges from income support to environmental payments, education, training and technology transfer, as well as wider support for the farm family. I will now outline the types of support in further detail.

Single farm payments are extremely important to our farming industry as a whole, providing around £250 million annually to farm businesses. Some 65% of those payments currently goes to businesses located in LFAs. I am pleased to say that the number of 2012 single farm payment claims completed to date totals 97% and that a total of over £239 million has been paid. It is anticipated that the remaining inspected cases will be finalised by the end of May, which is well ahead of last year. However, I will not be complacent about that. I am keen to ensure that our systems and processes continue to evolve so that we can issue payments as soon as we possibly can.

The 2013 application process has just closed. I fully appreciate that it has been very challenging for many people, with the issue of new maps and associated requirements. I would like to place on record today my sincere thanks to the farming community for working closely with the Department on that major task. It is an investment that will provide a much sounder platform from which we can all move forward.

The LFA compensatory allowance scheme is a key support mechanism for hill farmers that provides about £25 million of support annually. Over 13,000 farmers working in LFAs have already received their 2013 LFACA payment, which equates to about £22.5 million. I am pleased to say that, in what was a very difficult year for hill farmers, payments were issued some three weeks earlier than in previous years.

As I mentioned previously, hill farmers carry out a vital land management role, which is recognised through agrienvironment schemes. Over 9,000 farmers in less-favoured areas currently take part in such schemes, accounting for three quarters of the total number of applicants. I have taken steps to improve the timeliness of payments to farmers in the countryside management scheme. The first payment of 2012 claims began in April 2013, which is some five months earlier than last year.

Payments to farmers in older agrienvironment schemes continued throughout the calendar year. Currently, the agrienvironment programme as a whole provides a significant £25 million of funding to around 12,000 farmers. However, agrienvironment schemes are just one of a range of opportunities that exist under the current rural development programme to help the sustainability of rural farmers.

Axis 1 of the rural development programme continues to support farmers and farm families to adjust their businesses to improve competitiveness and sustainability.

The farm modernisation programme and the current focus farm and mentoring programmes are helping hill farmers to adapt for future changes.

Under the first tranche of the farm modernisation programme and the manure efficiency technology scheme (METS), the financial support paid to farm businesses in which more than 50% of the land is in an LFA totalled £2.3 million, which equated to 574 farm businesses.

In recognition of the particular difficulties experienced by farmers in hill areas, the second tranche of the farm modernisation programme prioritised support for the modernisation of farm businesses in which more than 50% of the land is located in an LFA. As a result, 94% of all tranche 2 expenditure went to farmers with land in these areas. I am happy to inform Members that I am considering the criteria for tranche 4.

There are currently 17 focus farms that could be classed as hill farms, covering mainly the sheep and beef sectors. These farms aim to demonstrate good farming practice, modern technology, innovative farm methods and on-farm research through farm walks, discussion and follow-up mentoring, which is relevant to farmers in disadvantaged areas.

Support is also available for hill farmers from the LEADER approach programme to assist with diversifying a farm business away from agriculture or to create an off-farm business. It is also vital that the funding available from the rural development programme is targeted and maximised. To that end, I have made a further £5 million available for the provision of rural broadband, and, as I said, I have agreed to pay for the 2014 LFACA scheme from the current budget, subject to EU approval.

### 8.30 pm

Beyond European funding, there are other departmental supports available to hill farmers. The key to sustainable hill farming is young people entering the industry. You will be aware that the Department of Agriculture and Rural Development, through the College of Agriculture, Food and Rural Enterprise, provides programmes of further and higher education to equip young people for entry into farming. Currently, 743 people are enrolled on full-time programmes at the college. The college is also piloting a programme of training to support young farmers in the early stages of their farming career.

As Members referred to, the Agri-Food Strategy Board's action plan report 'Going for Growth — Investing in Success' was launched at last week's very successful Balmoral show. It contains over 100 recommendations that impact on the entire sector. Some of the recommendations are specific to the particular needs of individual subsectors. The report sets out challenging and ambitious targets for growth, including a projected 60% increase in sales to £7 billion by 2020.

Like other Members, I am particularly pleased about the board's central premise that agrifood is a single supply chain and its recognition of the need to maximise sustainable and improved profitability for all members of that chain so that the farmer is no longer treated as the poor relation. That is very much captured in the board's vision of growing a sustainable, profitable and integrated agrifood supply chain that is focused on delivering the needs of the market.

The report also calls for greater cognisance of the value of upland grazing in managing biodiversity. It recommends that new agrienvironment schemes be aligned with a sustainability agenda for agriculture, including the promotion of increased woodland and biodiversity in our production systems as part of our overall brand image.

We received the report just recently, but the board is in place for three years, and we look forward to getting into more detail —

**Mr Byrne:** I appreciate the Minister's giving way. As she will be aware, Mr Tony O'Neill, the chairman of the Agri-Food Strategy Board, last week set out very challenging objectives. One of the things that he asked about is the amount of resources that the Department will be able to provide over the next three years. Has the Minister any indication of what that amount might be?

**Mrs O'Neill:** We received the report just recently. One of its recommendations is an Executive investment of £400 million that would then leverage £1.3 billion from the industry. That is what the industry is calling for. It is ambitious, but I think that it is doable. As I said, we have only just received the report. We will consider it in more detail over the next period.

I will pick up on a few issues raised by Members. The weekend announcement on the fodder scheme is very much welcomed by Members and the wider farming community. I assure the Committee Chairman that no farmer will be affected by the *de minimis* rules. We have come to an arrangement with the unions that we will get fodder out to everybody and that nobody will be disadvantaged because of the hardship payment that we brought forward. As I said at the start, it has been a very difficult year for the farming community. The hardship payment that we were able to announce and get Executive agreement on is very positive.

One of the areas that will have a significant impact in the future is CAP reform. The Southern Irish presidency has the ambitious aim of reaching an agreement by the end of June. That will certainly be challenging, but, by all indications, it is likely to happen. From all of that, we need to secure a flexible policy framework that allows us to tailor the new CAP to meet the needs of our local industry, including hill farmers. I am working very hard to achieve that. After June, once we have the reform deals done at EU level, we need to bring the package back home. That is when we can have the conversation about how we can best shape it to suit our local needs. I will be looking for significant and constructive stakeholder engagement from Members and the industry.

Even as things stand in the negotiation stage of the current pillar 2 proposals, there is a range of options that could be used to sustain hill farming. Those include knowledge transfer and measures to enhance competitiveness, to preserve our ecosystem and to promote social inclusion and economic development in rural areas. I intend to consult more widely on the rural development proposals later this year. We should be looking towards a capital support grant and funding that is able to assist farmers with sheds. Over the past number of months, I have been out and seen the state of some sheds. We need that funding even for health and safety reasons, because some sheds are in very poor condition.

So, that is something that we should be looking towards after June, when we get to that stage of the CAP negotiations.

Hopefully, Members can take from this that I totally take on board and recognise the difficulties being faced by hill farmers. They, like the wider agricultural sector, have had to deal with poor conditions: a prolonged winter, a poor spring, a lack of grass growth and the snow. It has been a particularly difficult 18 months for the entire farming community. This debate has been very helpful, and I look forward to the debate tomorrow: they bring particular focus to the issues. I will continue to fight for farmers in the North in the CAP negotiations and make sure that we pursue all opportunities that can bring about additional advantage for all our farmers. Thanks to everybody for the debate today.

**Mr Rogers:** Two months ago, an unusually late fall of snow in the Mourne, the Sperrins and the glens hit the farming industry and had disastrous consequences for hill farmers. Farmers were at the centre of the media's attention, with sheep and even cattle being dug out of the snow and fodder being airlifted in. Today, most of the snow has gone. The images of despair have disappeared from our TV screens and from the minds of many, but not from the minds of the hill farmers or the minds of people such as me, who many years ago was a sheep farmer, albeit part-time, and looked forward to the lambing season as the highlight of the year.

When you visit the small farmer, away from the cameras and the photo opportunities, he tells you, "Well, I managed to save 11 lambs out of 48." If you go to a neighbouring farmer whose shed roof collapsed under the weight of snow, which rendered his seed potatoes in the shed useless, the level of devastation really hits home to you. What has happened? The dead stock has been removed, but that is about it. The news of the fodder at the weekend was welcome, but why are we always playing second fiddle to our Irish counterparts? We needed the fodder a month ago.

Farmers in my constituency who lost stock are no longer disappointed: they are downright angry with the lack of support from DARD. Nearly two months has elapsed, and all they keep saying to me is, "Not a penny yet." We are now being promised a task force, and, in their words, "A task force will not pay for the extra feed. It will not keep the bank manager happy." Farmers are crying out, "Where is the money?" They also remind me about the differential response when flooding events take place, and when people receive their £1,000 within a few days.

Our hill farmers are in dire straits. Feed costs have spiralled out of control this year due to the poorer value of feed and a late spring. Add all those things up, and then add them to increased vet fees, broken fences, roofless sheds, decimated breeding stocks and no cash flow. Minister, we really need this payment out soon. You talked about the end of June, but we need it as soon as possible. Surely, the reason for going *de minimis* was to get it out as soon as possible. My colleague Joe Byrne suggested a flat-rate payment of £2,000 a few weeks ago, but it seemed to fall on deaf ears. Farmers need the money now. There are no interest-free loans from the banks.

Minister, the Executive have money for other schemes, but little for those who live in the LFAs. The SDLP amendment indicates that farmers need assistance to re-roof their

sheds and make them weatherproof. That could be part of a rural environmental improvement scheme; a DARD equivalent of Department for Social Development schemes in our town centres. That would be a win-win, not just for our farmers but for the construction industry.

Minister, agrifood is an area of potential growth, and I acknowledge your statement at the Balmoral show last week, but only if the promises turn into real jobs. The hill farmer begins the food chain in many instances, with the sheep and suckler herds. If you do not look after the hill farmer, the industry will wither. It is the hill farmer who rears the stock for the lowlander to finish. Northern Ireland suckler farms are in areas that are not suitable for high production as the land quality determines what you can grow. If we do not increase the supply, there will be no additional agricultural produce to process.

It is important that, as the CAP reform looms, our small hill farmers have financial encouragement to stay on the land. We have a social responsibility to look after the small farmers, who make up 65% of the rural infrastructure, otherwise our rural areas will be decimated.

Sustainability of farming in LFAs must become a priority for DARD. It is my firm belief that we need to incentivise the retention of the native breeds. It was good to see their prominence at the Balmoral show.

Why did I, when I was a sheep farmer, cross a Mourne blackface with a Cheviot, and then maybe the next generation with a Suffolk? It was to get a higher quality carcass and, at the same, so that the herd could summer-graze on the hill. The countries that produce the most efficient beef and sheep use native breeds. A cow that can calve without the need to call the vet can save a farmer £200, compared with one that needs a caesarean.

If hill farming is to become sustainable, farmers need to receive premium prices for native breeds in the marketplace, and the processors should pay not just for the high-quality product but for the job that farmers are doing to sustain the environment. I commend DARD's promotion of focus farms, but there needs to be more of them in the hill areas such as the Mourne. Farmers need to be encouraged into sustainable systems of farming that provide for the ecosystem and, at the same time, provide raw material for the meat industry.

Finally, Minister, I did not hear you mention the amendment during your speech, but I will summarise a number of points. Farmers need money out immediately —

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

**Mr Rogers:** — and a scheme to repair sheds and fences. We need to ensure that CAP is reformed, incentivise the promotion of native breeds and create more focus farms.

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

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Unsurprisingly, I, too, support the motion, which is very timely on the back of the Minister's very positive comments at the Balmoral show. It is a pleasure to take part in tonight's debate.

First, I will outline some of the key points that were made before wrapping up with a few points of my own. My colleague Ian Milne outlined the current hardships being endured by our local farmers, including the rising cost of

feed, and he paid tribute to their efforts in maintaining our beautiful countryside. It is vital that we do all that we can to help them, and we should use any opportunities created by CAP reform to support our farmers.

Joe Byrne, the Deputy Chair of the Committee, supported the motion but wanted the inclusion of grant-aid schemes for buildings. He used the example of the 1980s when up to 40% in grant aid was available for that, and said that we should look to explore a replication of that scheme. He also said that 77% of land in Ireland is classified as LFA, which highlights the need for a regional approach to CAP reform.

The Chair of the Committee, Paul Frew, said that it is important to support all farmers. Indeed, that call was issued by all his DUP colleagues, who said that we should look across the board, not just at the hills but the lowlands. He said that agrifood growth should be the driver for prosperity for our farmers and outlined a lot of the realities that hill farmers face: a very harsh life. Indeed, he mentioned the impact on mental health, and that point was well made.

Jo-Anne Dobson outlined the unique experiences of hill farming and the recent hardships but went on to commend the Minister for doing a great job in responding to that hardship. Kieran McCarthy was keen to support the motion and glad that the Minister responded in a positive manner. He appealed for farming to be made sustainable and future-proof.

William Irwin, as a farmer, is well aware of the difficulties. He said that everybody was shocked and that the hardship payments were greatly welcomed. He was critical of the de minimis settings and outlined that point well. He said that our agrifood and rural crime unit was to be welcomed and that primary producers need help. He said that the prices of feed are very worrying and that, going forward, the farmer must be the most important element in the supply chain.

Declan McAleer said that hill farmers are the custodians of our beautiful countryside but that it is a very harsh living not least because the weather can play havoc and the conditions are not easy. He welcomed the Minister's proactive and decisive action in supporting our rural communities in this time of hardship and spoke of the emotion and trauma experienced by our farming communities. Tom Buchanan said that all sectors in farming were under pressure and that the Minister should not neglect lowland farmers. He also talked about the potential of diversification.

Robin Swann called for all-party support for tomorrow's farming motion, which he said was very important. He talked about the loneliness of hill farming and said that hill farmers deserved special mention through the motion. He welcomed the fact that they were being singled out for attention. He contrasted the reduction in net income with the stereotype that farmers are sometimes known by and their callous portrayal by some. He talked about the real impact of net incomes reducing, the importance of environmental schemes and said, once again, that farmers are the custodians of the countryside.

The Minister, Michelle O'Neill, outlined the vital role that hill farmers play in maintaining our beautiful countryside, recognised the hardships that they face and spoke of the need for flexible and appropriate help from the

Department. She mentioned that 94% of tranche 2 expenditure went to hill farmers and said that that was real and tangible support when needed. However, she warned against complacency, committed herself to continue to protect the interests of our local farmers and looked towards help for farmers in replacing sheds as we go forward.

The Minister was out with me in Kilcoo during the trouble, so she knows only too well what it was like.

#### 8.45 pm

Sean Rogers spoke of the need and outlined the realities on the ground. The money has to be out quicker, and we need more than just a task force. It would be right to criticise the European approach to de minimis, but if it were not for de minimis, any route would have been far longer than what we are faced with now. Indeed, the Minister said that we will get more than just a task force. It is probably right to point out that such proposals need to go in front of the Committee first for it to have its say. That needs to take place.

As I said at the start, I support the motion. As has been outlined tonight, recent statistics and anecdotal evidence alike illustrate quite graphically the financial pressures that farmers are experiencing across the North and, indeed, across much of Ireland. The importance of the CAP direct payments in protecting and supporting local farmers has been well known for years, but perhaps it is fair to suggest that the recent arctic conditions in places such as the Mournes, the glens, Slieve Croob and the Dromara hills have reinforced the need for an appropriate and flexible reformed CAP system to meet the needs of local hill farmers. Therefore, I am very heartened to hear the words of the Minister here tonight.

It is important to stress that we need to be optimistic about the future opportunities for farmers, including hill farmers. Future developments, such as those that are outlined in the Agri-Food Strategy Board's report and the upcoming rural development programme, should be viewed as opportunities for growing the local industry in tandem with off-farm opportunities for farm families.

The key driver of change will be our ability to ensure that the local industry, and particularly young farmers, are best placed to capitalise on any opportunities. As was referred to earlier, speaking at the Balmoral show last week, the Minister revealed that at least £50 million is provided each year under axis 2 funding to assist farmers with improving the environment and countryside. The less-favoured area compensatory allowance is claimed annually by some 13,500 farm businesses, and, in 2012, around 12,000 farmers carried out environmental enhancement work on 440,000 hectares of land under agrienvironment scheme agreement. That highlights how important this sort of work is.

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

**Mr Hazzard:** Yes, indeed.

**Mr Swann:** On the environmental schemes, will the Member agree that the field boundary restoration work that has been undertaken and the fact that anyone who has undertaken field boundary restoration work is nearly at 100% inspection are also slowing up anyone who has done the environmental schemes and therefore is actually putting more farmers off completing those?

**Mr Hazzard:** I thank the Member for his intervention.

That highlights some of the difficulties in dealing with this and shows the importance of always looking for ways to improve the existing schemes. As I said, the Minister and the Department have shown themselves to be flexible recently in doing that.

The Minister also revealed that over £73 million has been committed to almost 1,500 projects under axis 3, assisting nearly 300 farm businesses in diversification. Additionally, investments have supported 241 microenterprises and created almost 308 new jobs, providing a further economic and quality-of-life stimulus in rural communities. This is the type of strategic investment that has given rural Ireland a real boost, providing vital investment in our countryside.

If we are to successfully attract young farmers to remain on the land in areas such as the Mournes or Slieve Croob, the attractiveness of the industry as a place to forge a long-term career will be driven to a significant degree by its inherent profitability and long-term prospects. Many of the realities that we have talked about here tonight show the importance of why we need to address them. Thankfully, these long-term prospects are regarded as being much more positive now than they have been for many years, and I look forward to seeing this being rolled out in the future.

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

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly recognises the particular and unique difficulties experienced by hill farmers; and calls on the Minister of Agriculture and Rural Development to earmark grant aid support for the improvement of farm buildings and bring forward additional measures to support the sustainability of farming on lands classified as less-favoured areas.*

*Adjourned at 8.49 pm.*



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# Northern Ireland Assembly

Tuesday 21 May 2013

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

*Members observed two minutes' silence.*

## Ministerial Statements

### Teacher Education Infrastructure

**Dr Farry (The Minister for Employment and Learning):**

In November 2011, I made a statement to the Assembly concerning the issues relating to initial teacher education which affect my Department. I am a strong advocate of increased integration across our education system, including the training of teachers, and recognise that there are strong economic, financial, social and educational reasons for that. In my previous statement, I outlined my concerns that the system for the education of teachers in Northern Ireland was not sustainable. To best achieve longer-term improvements in education outcomes, it is important that Northern Ireland has a system of teacher education that is both financially stable and sufficiently flexible to address the needs of an increasingly shared society.

Therefore, I announced a two-stage study of the teacher education infrastructure in Northern Ireland. The first part of the study was to carry out an objective analysis of the financial stability and sustainability of the two university colleges. The intention was that the first stage of the study would: consider the costs and affordability of the current system as compared to benchmark provision elsewhere; outline the rationale for the various funding streams; and seek to forecast the degree to which, all things considered, the institutions are sustainable into the future. The second stage of the study will set out options for a more shared and integrated system for the delivery and funding of teacher education.

The work on stage one has been carried out by independent consultants Grant Thornton. It was factual in nature, and I would like to share some of the findings. However, before I move on to those, I must say that I have no doubts as to the quality of the teaching carried out by any of the five providers of initial teacher education. Indeed, all the providers received good reports from the Education and Training Inspectorate (ETI). Also in the past year, the providers, particularly the two university colleges, performed well in the national league tables. St Mary's University College performed exceptionally in the last national student survey and is to be congratulated for that. My concerns are directed at the fragmented nature of the initial teacher education sector and at the direct and opportunity costs that are consequently borne by us all. I do not believe that any change in structure will impact on quality. Indeed, it may well add to it.

The study found that the cost of training teachers in the university colleges is significantly higher than elsewhere.

The current method of funding on a per capita basis was introduced in 2008 and linked to the unit of funding used in England by the then Training and Development Agency. However, that unit of funding was then enhanced in Northern Ireland by several premia to bring it to a level that it was assumed would sustain the colleges. The result is that the base unit of funding is enhanced by 32%. The premia were intended to compensate the colleges for the unavoidable additional costs incurred as a result of their small size and other diseconomies of scale. Let me be clear: the primary objective was to ensure the sustainability of the two colleges.

The research completed in stage one shows that Stranmillis and St Mary's are the only teacher training establishments in the UK that receive premia additional to their core funding. In 2011-12, that amounted to £2.16 million, and it has led to significant differences in the costs incurred in training a teacher here compared with elsewhere. In 2011-12, the cost of training a teacher in the colleges in Northern Ireland was almost 40% higher than in the comparator English institutions cited in the report. Excluding fees generated from the students themselves, the colleges here received grant funding of £6,412 per trainee teacher, while the English comparator institutions received £4,590.

The annual cost of training a teacher in our university colleges is also significantly higher than the average cost of training a teacher at our local universities. One year of a Bachelor of Education (BEd) course at St Mary's and Stranmillis costs the taxpayer 32% more than a one-year Postgraduate Certificate in Education (PGCE) course at Queen's or the University of Ulster. I recognise that there are always difficulties in comparing the costs incurred by institutions in Northern Ireland with those incurred elsewhere. Costs are gathered and categorised slightly differently, and it is always difficult to come up with an agreed comparator. However, one can examine the level of funding being provided to institutions to train a teacher.

Under the new tuition fee regime in England, comparator institutions are offering initial teacher education courses at fees of between £7,500 and £8,000 in the current academic year. No further funding for initial teacher education is provided by government. The university colleges in Northern Ireland are paid £5,886 per student and receive a further £3,465 by way of tuition fees from each student. That totals £9,351, which is 15% to 25% higher than the comparator institutions in England receive.

Some will argue that that is a reasonable price for the taxpayer to pay to sustain the two university colleges. However, those differential costs are not the full story. The

report also highlights that the teacher training activities in the two university colleges are further supported by income from my Department for non-teacher training courses in other areas. St Mary's offers a Bachelor of Arts (BA) in liberal arts, and Stranmillis offers a BA in early childhood studies and a Bachelor of Science (BSc) in health and leisure.

The colleges were permitted to diversify their educational offerings in the late 1990s as a means of generating additional income to underpin their financial position. Those places were initially offered on a fee-only basis to students. However, in 2008, the Department for Employment and Learning (DEL) agreed to provide additional per capita funding, including a premium of £560 per student per annum to help the colleges balance their books.

St Mary's currently has 286 diversified places, while Stranmillis has 277 places. In the current year, the funding provided to the two colleges for those places amounts to £1.9 million. Although I acknowledge that those courses are of good quality, they are primarily funded to ensure that both colleges remain financially viable and can continue to deliver their initial teacher education courses.

Notwithstanding their inherent value, there is clearly a substantial opportunity cost attached to them, particularly in light of the economy's need for more graduates in science, technology, engineering and mathematics (STEM). Should we simply ignore that to preserve the financial viability of the institutions? Should we, at least, consider whether the future interests of our young people and our economy might be better served through the direction of some of those places and some teacher-training places towards STEM?

I put that question in the context presented by the report, which clearly indicates that we are spending more to train a teacher, for what can best be described as an uncertain employment market, than to train an engineer. Under our current system, it costs £23,500 to train a teacher, and, arguably, we are training too many; and it costs £21,000 to train an engineer, and, arguably, we are training too few.

Statistics produced by the General Teaching Council for Northern Ireland indicate that around 1,500 people who graduated in the past five years, and who are registered with the council, are not currently employed in the teaching profession in Northern Ireland.

I hear some say that a teaching degree, in the same way as other degrees, provides general employability skills. I acknowledge that, but it takes four years to obtain a BEd and three years for BA, which is another difference in cost.

As regards the cost of initial teacher education in Northern Ireland, I will conclude from the work carried out that the cost is higher here by almost £2,000 per teacher when compared to the colleges' comparator peer group. The higher cost is directly attributable to the premia paid to the colleges on a per capita basis. Those premia are not paid to teacher training institutions anywhere else in the UK and amount to £2 million per year.

Northern Ireland also provides funding to the colleges of education for non-initial teacher education courses to the value of another £2 million in order to ensure that the colleges remain viable. The case for funding the number of non-teacher-training places at current levels rests largely

on their contribution to sustaining the colleges' initial teacher-training activities, rather than the wider interests of the economy. Of the public funds they receive from my Department, given the various premia and the non-initial teacher education (ITE) places, only 47% and 54% of that is directly for the training of teachers in the respective colleges.

That is the back drop against which we must assess the current and future sustainability of our colleges of education. In tackling this issue, the consultants engaged with the institutions and looked at their financial projections for several years ahead. The two colleges readily shared their financial forecasts and assumptions, and I thank them for their willingness to do so. The consultants found that both colleges are currently financially stable and that both forecast that they will earn surpluses up to the year ending in July 2015. Both have managed their expenditure levels downward as a result of a decline in income in recent periods.

The work also entailed an examination of the longer term position over the next 10 years, based on the assumptions put forward by the colleges. It was found that St Mary's is forecast to maintain a positive income and expenditure reserve and cash balance, but the trend towards a deficit position each year post-2018 will eventually deplete its reserves and cash balance.

Similarly, Stranmillis's longer term projections, based on its assumptions, indicate that it will maintain a positive income and expenditure reserve and cash balance, but, again, the trend towards a deficit position each year post-2021 will eventually deplete its reserves and cash balance. However, Stranmillis will remain vulnerable to any additional requirement for capital expenditure across the forecast period over and above its existing backlog maintenance requirements.

The immediate outlook for the colleges, therefore, seems to be not too bleak. However, the assumptions used by the colleges are heavily dependent on future levels of initial teacher education core funding, which includes the premia, the associated tuition fees from students and the number of non-initial teacher places. Therefore, the current financial position is heavily dependent on continued disproportionate subsidy.

The consultants examined the colleges' sensitivity to changes in those factors, and a rather more concerning picture emerged. Eight different scenarios were examined to assess the colleges' sensitivity to change. Those ranged from a 10% decrease in per capita funding, a 15% decrease, the removal of the premia, funding at the comparator English rates, a 10% reduction in the non-teacher training numbers over a three-year period, and combinations of several of those scenarios.

In each case, the results indicate that both colleges are unlikely to be financially viable unless significant efficiency savings can be obtained or additional income earned. The point at which they would begin to sustain annual deficits would come much earlier than anticipated.

#### 10.45 am

To argue that those scenarios are unrealistic shows a misunderstanding of the economic context in which we operate. For example, over the past two years, both colleges have had to sustain efficiencies amounting to

12%, and we cannot say that, over time, further reductions of that order will not be required again. The removal of the premia alone would have the greatest single impact on the colleges. That change would also bring the cost of teacher training more into line with the rest of the United Kingdom. The work demonstrates that the colleges are heavily reliant on maintaining intake numbers and grant levels per student to remain financially viable. That will not be news to the colleges, which have acknowledged that in their strategic documents.

The overall conclusion that I draw from the work is that Northern Ireland is paying too much to educate its teachers. Our main teacher education providers — the two university colleges — are highly vulnerable to changes in funding rates and student numbers. The quality of teaching and the educational outcomes for our children depend on a financially sustainable and stable environment in which our educational leaders can concentrate on the training experience offered to their students, rather than the bottom line of their organisations. Therefore, we need to examine and understand the case for the reform of teacher education provision in Northern Ireland. This covers five institutions: Queen's University, the University of Ulster and the Open University, alongside Stranmillis and St Mary's.

Teacher education elsewhere in Europe and further afield has moved away from small, specialist teacher education institutions. Comparable teacher education institutions in England are significantly larger than in Northern Ireland. In Scotland and Wales, initial teacher education provision is wholly delivered in universities. In the Republic of Ireland, a recent international review of the future provision of ITE recommended the merger, collaboration or closure of the 19 existing ITE providers down to six providers linked to universities. The trend is towards educating teachers in larger institutions where training can be informed and supported by ongoing research in the field of education. I am not an educationalist, nor do I intend to stray into the realm of my colleague the Minister of Education on the content of teacher training, but I believe that some change is required in the institutions that we employ to deliver that training.

Some of our current institutions have traditionally serviced different sectors in our education system and had enrolments derived predominately from particular sections of our community. That has begun to change to some degree in recent years. However, our education system and pupils will be best served through a significant step change in the extent to which our teachers of the future are trained alongside each other.

I believe that the training of teachers in Northern Ireland within the current system is inefficient, and the report on stage 1 of the study provides substantial evidence to support that view. The funding being provided for teacher education could be used better by the teacher training institutions if they were prepared to move towards a more shared or integrated system. The second stage of the study of teacher education infrastructure in Northern Ireland will set out options for a more shared and integrated system for the delivery and funding of teacher education. Everything should be on the table. Matters to be considered for greater collaboration between the institutions could include services, facilities and, in particular, joint teaching. At institutional level, alternatives to the current arrangements may include models such

as some or all institutions coming together through some type of confederated arrangement between a number of providers, through to a fully integrated single teacher training institution with one or more campuses.

I would like the issues regarding equality of opportunity and equality of access to be considered. This includes the admissions systems deployed by the institutions and the opportunity to acquire the certificate in religious education. I congratulate the Council for Catholic Maintained Schools for amending its previous requirement so that teachers who have been made redundant can seek employment in a maintained primary or nursery school even if they do not possess the certificate but undertake to obtain it within three years of appointment. In turn, wider liberalisation of the circumstances in which the certificate is required or the removal of the teacher exemption from fair employment law may overtake this aspect of the review. I acknowledge that faith-based schools may have a particular ethos, but I argue that all qualified teachers should be recruited on the merit principle only and should be capable of teaching in any environment.

The second phase of the study will be led by a person with an international reputation in education. It is my intention that the individual who will review our teacher training infrastructure will bring forward worked-up options for further consideration. I plan to make an appointment in that regard within the next few weeks. I will want to ensure that the person is given scope to develop his or her own methodology for taking the initiative forward. I would envisage, however, that he or she will wish to engage in a very meaningful way with representatives of the five teacher training providers. Once that aspect of the review has been reported, my officials and I will enter into further dialogue with the various institutions, with the intention of finding an agreed way forward.

The process I have outlined will, hopefully, bring about change on a consensual basis that will benefit the teachers to be trained in the future and, in turn, the children whom they will help to educate. Teacher education must contribute to a world-class education system. It must be financially efficient, sustainable and affordable, and it must reflect our vision that children are educated through a system that is open, inclusive and shared.

**Mr Swann (The Chairperson of the Committee for Employment and Learning):** I thank the Minister for his statement. Minister, your statement refers very much to cost. I hope that quality is not degraded against cost, because the quality of our teachers in Northern Ireland has been held in high regard. You referred to teachers versus engineers. I hope that you agree that, without the good teachers getting the principles right in primary school and secondary school, we will never have the world-class engineers that we need to take that step forward. So, I think it is crass to compare the cost of training a teacher with the cost of training an engineer in the first instance.

You say that everything should be on the table, but, by doing that, you introduce even more uncertainty into our already uncertain education and teacher training systems. St Mary's is sustainable until 2018, and Stranmillis is sustainable until 2021, and that is with the status quo. Introducing any degree of uncertainty would make that sustainability even more uncertain, put those colleges in an uneven place and make it harder for them to maintain that sustainability. Will the Minister comment on non-

departmental public body (NDPB) status and how that would affect that sustainability? If you took a decision there, would it affect the further sustainability of those colleges?

You referred to your appointee for the second stage. It comes across very much that this will be a headhunted ministerial appointee. Can the Minister give the House a reassurance that that appointee will have the freedom to act for the good of teacher training in Northern Ireland and will not be appointed solely to deliver the ministerial decision and ministerial political will that your party has with regard to teacher training? Will he have the freedom to deliver that? Will the Minister also give us the terms of reference? I know that he said that the appointee would have the freedom to choose his own methodology, but can the Minister give us the terms of reference that he will be able to apply to that methodology?

**Dr Farry:** I thank the Chair for his comments and congratulate him on probably packing in a record number of questions into an intervention. I will do my best to work through all of those.

At the outset, it is important to say that this is not something that we should look at simply in terms of cost. The Member is right to make that point. First of all, however, we cannot escape issues of cost and, indeed, opportunity cost. We have scarce resources available to us, and it is important that we make the best use of those in the wider interests of the economy overall.

I also reject the supposition that it is a case of cost versus quality. Through a reform of the system, in which we will place the structures on a much more sustainable basis, we may, in fact, end up improving educational outcomes. Let me go back to the former proposal to merge Stranmillis and Queen's University. That was primarily driven by educational outcomes rather than simply being an issue of cost savings. There was a view that linking in a specialist teacher training college with a wider university would actually enhance the ability of teachers to be educated in a much wider environment and to link in with quality emerging research. We made particular reference to some best practice in that regard, the merger of Peabody College with Vanderbilt University in Tennessee being a prime example. In some respects, it is the world leader in teacher training.

Are we making a false analogy between the cost of a teacher and that of an engineer? I certainly respect the fact that we need to invest and invest properly in the training of teachers. However, the wider point that I was making in that regard is that, at present, we spend more to train a teacher and, arguably, train too many teachers in Northern Ireland, with employment figures suggesting that teachers struggle to find work. In contrast, we spend less to train engineers. Often, the training of an engineer requires investment in significant equipment. We clearly have a need to invest more in engineers. Engineering is a growth area of the economy, and we have significant opportunities for indigenous growth and to attract inward investment on the basis of the quality of our engineering students and graduates.

I reject the suggestion that we are creating more uncertainty for institutions. We are in a most uncertain situation. The point that the report is trying to get across is that the institutions are in a perilous situation. On the

surface, their figures may be fine for the next number of years, but those figures reflect significant subsidy that is above and beyond what happens anywhere else in these islands. They are also based on current teacher training numbers. That decision is made by my colleague the Minister of Education, and it is an issue that has been subject to significant debate and comment. Some people are of the opinion that we put too many people through the system at present and that the employment opportunities do not warrant the current numbers in training.

The House will be aware that, recently, the Office for National Statistics, which is entirely separate from the Executive and, indeed, the UK Government, reclassified Stranmillis and St Mary's as non-departmental public bodies. There is a strong argument for appealing that with regard to the particular governance of St Mary's. My Department, alongside the Department of Finance and Personnel (DFP), is endeavouring to do that, though I have to confess that it is proving to be a difficult and uphill struggle. We are seeking to do it nonetheless.

The issue with Stranmillis is more complicated, given its particular nature of governance, not least because the chair and the board of governors are ministerial appointees in the main. We are, nonetheless, prepared to look at that. In the short term, we have to look at end-year flexibility as, perhaps, the most practical thing that we can do in that regard. However, changing the classification is on the agenda and may well be captured in a wider review.

The final point that the Chair made was on the nature of the appointment. I am seeking to appoint someone of international standing. We are in discussion with a number of individuals and hope to make that appointment in the near future. The Member is right to highlight that they will have considerable freedom to shape their discussions. I want them to sit down with the colleges and other stakeholders and talk through the options, individually and collectively, and see what emerges from that. When we have a number of options that have been drawn together as part of that process, I, in turn, with my officials, will sit down with colleges and try to find agreement on the way forward.

I appreciate that that was rather a long answer. Hopefully, I have addressed all the comments that the Member raised.

**Mr Speaker:** I know that the Chair of the Committee for Employment and Learning had some latitude and time in framing his questions to the Minister. Quite a number of Members want to make contributions on the statement. From here onwards, I expect only questions.

**Mr Buchanan:** I have only one question, Mr Speaker, you can rest assured of that. I thank the Minister for his statement. The thrust of the report seems to be a move towards a more integrated, single teacher training system. I note that the Minister said that, irrespective of a particular ethos, all qualified teachers should be recruited only on merit and be capable of teaching in any environment. Does he, then, agree that one of the main barriers to that is the certificate in religious education? Can he advise the House what discussions he has had with the Minister of Education to remove that discriminatory element completely from the system so that it leaves a more level playing field to move to a system such as the one that he talked about in his report?

**11.00 am**

**Dr Farry:** I thank the Deputy Chair for his comments. I have not had direct discussions with the Minister of Education on that point, but he is well aware of my personal views and those of my party. Indeed, we had a very useful debate about it in the Assembly only a matter of weeks ago.

I certainly respect the fact that different schools will have a different ethos and we are likely to have a number of sectors in our system for the foreseeable future. It is important to stress that teachers are professionals. We are training high-quality professionals in Northern Ireland who should be adaptable and be able to move and teach in any environment.

The key reform that we need is a change in the fair employment legislation to remove the teacher exemption. That will unlock everything. Beyond that, there could be circumstances where, under existing equality law, we had the option to make some knowledge about diversity a genuine occupational requirement to teach in schools. However, it may be that, rather than having a certificate in religious education for the Catholic sector, all our teachers could be trained in the ethos of the whole range of schools in Northern Ireland so that they are completely adaptable and flexible and can teach in any environment.

The final aspect is the differential access to the Catholic certificate, which is the most immediate area that falls under my remit. The certificate is embedded in the curriculum of St Mary's, so all students who go there will get that as part of their degree and are therefore able to apply to virtually any primary school in Northern Ireland. Students in other institutions have to get it by distance learning, so, while the opportunity technically exists, it is slightly further out of reach for them. Those students are potentially more restricted in their ability to apply for jobs in what is a very competitive job market, as all Members know.

**Mr F McCann:** Go raibh míle maith agat, a Cheann Comhairle. I thank the Minister for his statement to the House this morning. Is it not the case that the university colleges are financially viable as long as the student numbers are maintained and the funding model is not changed? In other words, like other higher education institutions, they require supportive government policy to develop. St Mary's and Stranmillis will become non-viable only if the Minister takes actions to make them non-viable. Do you propose to take such actions in the face of opposition?

**Dr Farry:** I thank the Member for his questions. At this stage, I am not proposing to do anything other than what was announced in my statement: we are undertaking the second stage of the review, with the objective of placing the system on a sustainable basis.

I have my personal opinion: I want a single integrated system in Northern Ireland, which should not be a surprise to anybody. However, I appreciate that I have to work with institutions and other Members in the House and we need to explore the issues to see whether we can find consensus on a different way forward.

I appreciate the Member's argument that the institutions are viable today, but it is important that we reiterate the point that they are viable because of significant subsidy.

Members may wish to justify that, but, if they do so, they are making a decision that that is more important than spending that resource on other aspects of education and training in Northern Ireland or, indeed, on other aspects of public policy. If that is the case, so be it, but we have a very clear evidence base to suggest that we train too many teachers in Northern Ireland. To me, simply asking the colleges to train a certain number of teachers to make them financially viable seems a rather strange way of going about it. What we are doing, in essence, is training people in subjects that we know the economy does not particularly need, with the result that their jobs prospects will be extremely tight.

Members quite rightly identified the need to invest in areas such as ICT, agrifood and engineering. We are doing wonderful work to develop our local economy. We are reaching out to businesses elsewhere in the world and telling them to come to Northern Ireland. I have the job of trying to quality assure that and telling investors that we are training people in Northern Ireland in the right skills for the jobs of the future and will have a critical mass of people coming through. However, there is clear evidence today that, in that regard, we are not using our money as effectively as we could. If Members want to maintain that situation, so be it, but they cannot then come back and say that more needs to be done in other areas to boost the economy because we will be making choices that may not make a terrible amount of sense.

**Mr P Ramsey:** I welcome the Minister's detailed statement to the House this morning. I acknowledge the significant contribution of St Mary's and Stranmillis as diverse and faith-based institutions and the high quality of teaching that they provide. Does the Minister acknowledge that universities and colleges have put in place economic packages and cost reductions? Will he outline to the House whether those measures have been successful?

**Dr Farry:** I thank Mr Ramsey for his comments and join him in praising St Mary's and Stranmillis for the quality of their teaching and the wider student experience that they offer. Both colleges have been asked to achieve 12% efficiency savings over the first two years of this comprehensive spending review (CSR) period. That is precisely the same requirement as was passed on to the rest of the higher education system, so they have not been treated any differently in that respect. They have been treated neither more nor less favourably. They have demonstrated an ability to operate on a more efficient basis, and I recognise that they strive constantly to do that. That has, to a certain extent, extended their viability by a number of years, but I do not want Members to get the impression that that suddenly makes them sustainable in the long term. As things stand and all things being equal, even if we do not touch the funding arrangements, both colleges will move into deficit in the next decade. In the shorter term, if we make decisions based on the value for money of what we do currently, the immediate prospects of both become much more questionable.

**Mr Lyttle:** I thank the Minister for his statement and join him in recognising the high quality and hard work of our teachers across Northern Ireland. I thank him for the decisive action that he is taking to develop robust evidence to inform decisions on a way forward for a shared and integrated system. What are the key merits of an integrated system of teacher training in Northern Ireland?

**Dr Farry:** I thank the Member for his question. It is important to understand that this is not simply an issue of cost. Clearly, there are important steps that we should take to ensure that we spend our resources as efficiently as possible, but a much more shared and, in particular, integrated system will benefit teacher training. Although the experience of our students is good, putting them into a much wider framework can make that experience even better. The linkage to quality research as part of the teacher training experience would, in particular, be a major beneficial outcome and produce even better teachers than we have at present in Northern Ireland.

People comment that it is bizarre that, in our current situation in Northern Ireland, our teachers are trained separately. I appreciate that Stranmillis has moved over the past number of years and its enrolment has diversified, but Stranmillis still draws considerably more students from the Protestant section of the community and St Mary's draws its students almost exclusively from the Catholic section of the community. As we move towards a much more shared society in Northern Ireland — I believe that all Members are committed to that — training our teachers alongside one another and training people from different backgrounds beside one another will have a beneficial outcome for society as a whole and for the future of our education system in particular.

**Mr Ross:** I agree with the Minister that we train too many teachers and that there are not enough teaching jobs. We need to bear that in mind. What is the Minister's longer-term vision for teacher training in Northern Ireland? Is it for two institutions, one based in Coleraine and one at Queen's? If so, how will he ensure that he gets buy-in from Stranmillis and, perhaps more challengingly, St Mary's in getting around all the challenges surrounding ethos?

**Dr Farry:** I thank the Member for his question. He was right to acknowledge the context in which we operate. I have to be honest with the Member and the House: this will not be an easy task. These are institutions that are very much part of the fabric of the community in Northern Ireland. I appreciate how a lot of people feel about the situation.

People are aware that I have a personal desire to see integrated education much more developed across Northern Ireland. That would include teacher education. However, I have to take a step back and facilitate a process of engagement. It is important to stress at this stage that everything and any potential outcome should be on the table. We are not being prescriptive about what that outcome should be. It is possible to predict and speculate on a range of outcomes. They could range from one or more integrated systems, as the Member outlined, based around our two universities. We could also see a system in which we have a number of providers that perhaps come together through much closer collaboration, including joint teaching. We could see integrated systems that are based on a number of campuses. All that is up for discussion. It is important that we allow the process to develop over the next number of months. I certainly hope that the colleges will engage constructively with the process and understand that it is in their interests and the interests of the education system in Northern Ireland that they do so.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his statement. In your statement of November 2011, you told us that the situation that we have in the North for

the training of our teachers was not sustainable. That was before the independent report. Are you still definitive about that today? Will the Employment and Learning Committee have an opportunity to scrutinise the report and question the author?

**Dr Farry:** I thank the Member for her question. I absolutely stand by what was said in November 2011. What I am saying today is very much the same conclusion. That has been vindicated by the report from Grant Thornton. Our system of teacher education in Northern Ireland as currently designed and structured is not sustainable. Reform has to take place if we are to really capture what is in the best interests of teacher training and the wider economy.

We provided members of the Committee with a full copy of the report this morning. It will also be on my Department's website. We will be more than happy to engage with the Committee through detailed evidence sessions. We had discussions with the Chair of the Committee this morning about some items over the next number of weeks. We will ensure that there is a proper evidence session around this.

**Mr Douglas:** I thank the Minister for his statement. The Committee visited St Mary's college and was very impressed with the vibrancy and commitment. It is a college that is very much at the heart of the community. There is a lot of talk in the Assembly about diversity and ethos. The Minister has agreed about sustainability and quality, but what about diversity in this situation?

Another thing that came out of those discussions was that people in St Mary's told us that they were definitely not going away.

**Dr Farry:** I thank the Member for his question. I understand the perspective from St Mary's. No doubt I will receive plenty of representations in that regard over the coming days and months. There is no question or debate over the quality of the experience in St Mary's. It does extremely well in national student surveys, in particular, but also in wider inspections.

Diversity is very important. We do not have a one-size-fits-all approach in Northern Ireland; we have a very diverse society, and it is getting even more diverse. That is something that we should embrace and welcome. We do not have to respect and acknowledge diversity through the fragmentation of our teacher education system or other aspects of our education system. We want to promote sharing in both respects, but sharing is not about some homogenised society in which we treat everyone the same. Under that umbrella of sharing, we have to respect difference and diversity. We have to ensure that we respect, acknowledge and embrace that diversity in the provision of teaching and teacher training, but that can be done in a range of formats.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. It indicates to me that this is a fait accompli and that he will force things to move in line with the social engineering policy of the Alliance Party and against the wishes of the majority of MLAs in the House —

**11.15 am**

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

**Mr Flanagan:** — who wish St Mary's and Stranmillis to continue.

**Mr Speaker:** Ask a question on the statement.

**Mr Flanagan:** Does the Minister require the endorsement of the Minister of Education to move to the second stage? Has he sought any such endorsement yet?

**Dr Farry:** I thank the Member for his interesting comments. Let me reassure him that there is no predetermined outcome from this process. Like any Member, I come with my own views and reflect my party's views on a range of different aspects. That applies to every other Minister in the Assembly as well.

The Member should also not take it as read that everyone in the House has a particular view of what the future should hold. Members should be aware that the Programme for Government refers to the importance of developing shared education. Indeed, we had announcements in the past number of weeks from the First Minister and the deputy First Minister on a number of measures for building a shared future, which include education. Some of us do not believe that that goes far enough, but, nevertheless, that is a direction of travel out there.

In my relations with the Minister of Education, I am careful to ensure that what I do reflects my particular responsibilities as the Minister for Employment and Learning. It is my responsibility to fund and resource the training colleges in Northern Ireland alongside the universities. It is my budget — solely my budget — funds them, although there were some recent transfers from the Department of Education for some new, additional initiatives. Therefore, it is for me to ensure that we are using resources efficiently.

There is a very clear difference of responsibility. The Minister of Education has sole responsibility for setting the ITE numbers for the colleges. I may well have a view on the decisions that he makes, but I fully respect his right to make those decisions. In turn, it is for other Members to hold him to account for his decisions and to question him in that regard.

**Mr Rogers:** Thanks to the Minister for his statement. I particularly wish to look at the first paragraph on the third page of the statement. Minister, on the matter of costs, I am sure that you will agree that, for comparisons between institutions to be informative, we must compare like with like. If you take the cost structure of a BEd as opposed to a PGCE, you have only to look at the length of teaching practice as an example of difference. In the light of those comparisons, how useful is it to compare Queen's University and the University of Ulster, which offer postgraduate qualifications, with Stranmillis and St Mary's, which offer —

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

**Mr Rogers:** — undergraduate courses?

**Dr Farry:** I certainly understand the Member's point. Hopefully, the statement and the report, whenever the Member has the opportunity to read it, acknowledge that making comparisons is not an easy exercise. Nonetheless, I do not think that it is right simply to ignore the whole point about benchmarking. We have to benchmark what we do

in Northern Ireland. We are the custodians of the public purse, so we have a responsibility to do that.

The conclusions that we are drawing are incredibly clear: in Northern Ireland, it is more expensive to train teachers in the two university colleges than it is in the universities; and it is much more expensive to train teachers in Northern Ireland than it is anywhere else in these islands. We are also seeing a much wider trend in these islands and further afield of moving away from small, specialist teacher education colleges to teacher education in universities. In arguing for the status quo, the Member is very much going against emerging best practice in the immediate vicinity of Northern Ireland and further afield.

**Mrs Overend:** Will the Minister inform the House whether he prefers high-quality graduate teachers to be trained at home in Northern Ireland, where they can benefit our economy and then enjoy the opportunity to work here or elsewhere, or for even more of our student teachers to be trained outside Northern Ireland and then apply to return to teach here without any trained understanding of the curriculum?

**Dr Farry:** People obviously have the freedom to study in Northern Ireland or elsewhere and to return and register locally to teach here. The argument will be made that if we were to restrict the numbers of places locally, people would simply opt to study elsewhere and still wish to come home. The Member probably does make a case that studying in Northern Ireland is perhaps slightly more beneficial, in that people are trained in the particular sensitivities and understanding of the education system locally. However, I return to the fundamental point that we need to ensure that we take into account the wider interests of the economy. We need to train world-class quality teachers for our local market. We must also ensure that we use our resources to train in other specialities that our economy also needs.

**Mr Storey (The Chairperson of the Committee for Education):** I thank the Minister for his statement, in which he refers to the issue of science, technology, engineering and mathematics — the STEM subjects. During its visit to the science park at the Titanic Quarter just last week, the Education Committee had presentations on that issue. Will he inform the House what proactive steps he will take, with the Minister of Education, to resolve the issue of the lack of teaching of STEM subjects?

Will the Minister also inform the House what the situation is regarding the appointment of the chair of the board of governors of Stranmillis? Will he unequivocally state to the House that he will ensure that Stranmillis is not treated as second class to any other institution in Northern Ireland?

**Dr Farry:** I thank the Member for his comments. First, my Department and the Department of Education, indeed John O'Dowd and I, collaborate closely around the issue of STEM subjects. We have a STEM strategy for Northern Ireland, and great effort is being made to encourage more of our students to engage with STEM subjects.

On the issue of Stranmillis: yes, I can give a commitment that we are treating Stranmillis fairly and objectively. We have not sought any additional savings or efficiencies from it that we have not sought from other institutions, in line with the wider thrust of the current comprehensive spending review within which the Executive and Assembly are living. So, absolutely.

On the issue of the chair of the board of governors: I am not sure if the Member picked it up, but we announced the appointment last week of Professor Sir Des Rea as chair of the board of governors of Stranmillis. He is now in post and no doubt digesting the contents of the statement and the report. We now have a board of governors that is more or less at full strength with a newly appointed chair.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. Does the report provide definitive answers on whether the current system of teacher training in the North offers best value for money, and whether the two university colleges are sustainable in light of the forecast need for teachers?

**Dr Farry:** First, the report is definitive in what it states about the future sustainability of the two university colleges, and we should not deny what the report is saying. The report is objective and factually based. It was done by independent consultants appointed on a competitive basis by the Department.

The demand model is a matter for which the Minister of Education is accountable to the Assembly; he makes those decisions. The viability of the two university colleges is very sensitive to changes, going forward. No doubt the Minister of Education will want to make his own announcement on that in the coming days, but I have been in discussions with him around all of that to find a means of providing the situation with some degree of short-term stability. However, the wider point still stands, which is that even a small drop in current ITE numbers would have immediate consequences for the viability of the two colleges.

**Lord Morrow:** The one thing that seems to be omitted in this fairly lengthy statement is any indication of an indicative timetable for anything to happen. Is this more aspirational than anything else? Designation of these as non-departmental bodies, I suspect, will make your job more difficult. However, is there any indication of any timing, dates or anything else around this?

**Dr Farry:** I thank the Member for his question and the relevant points that he made. I would like to appoint the person to lead the second stage of the review within the next number of weeks — certainly before the end of June — and for that person to be in post by September. There may well be a panel of people to support him or her.

I envisage that the process of engagement with the institutions and other stakeholders and the development of a number of options will take about six to eight months. Therefore, perhaps this time next year we will have the outcome of that aspect of stage two. I will then want to have further discussions alongside my officials with the bodies to see what reforms we can find agreement on. This is very much dependent on what can happen through agreement, and we will see where that goes. If we were to come to some agreement on changes to the system, I envisage that those would perhaps commence from the academic year 2015-16.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas seo. Minister, the Committee for Employment and Learning published a report on teacher education in 2009. Do you agree with one of its main findings, namely that there is a need to take a long-term view of the sector and that value for money should be balanced with quality of provision?

**Dr Farry:** I certainly concur with the Member that we need to take a long-term view of that. The point I am making to the House this morning is that, in the long term, the current system is not sustainable. Even if we do nothing to change the current funding regimes and continue to pump in significant subsidies to the university colleges, in time they will become unsustainable, so doing nothing is really not a viable option.

As for what happened in the last Assembly, it is worth drawing attention to the decision to pump in additional non-ITE places to the university colleges. The main driver for doing that was to make the colleges viable. That was not driven by any analysis of the particular training and skills needs of our economy back then, or today. We have a situation in which over 30% of places at both the university colleges are not related to the training of teachers but are general academic degree opportunities. The primary purpose is to keep the colleges viable rather than to address the skills shortages of our economy.

**Mr Byrne:** Given that the Minister is going to appoint an international educational guru, what policy parameters is he setting for that post, considering that there is a big issue in Northern Ireland with the lack of literacy and numeracy among many adults? Will there be consideration of some change in the colleges away from liberal studies, childhood studies and health and leisure, and towards specialist training to address the numeracy and literacy deficiency?

**Dr Farry:** I thank the Member for his question. First, the content of the current non-ITE provision at St Mary's and Stranmillis is a matter for those colleges to determine. The provision of liberal arts, leisure and early childhood studies are the result of decisions that they have taken to date. There is a wider issue about whether it is right that they have been able to diversify to that extent from initial teacher education, given that the primary motivation behind that was simply to make the colleges viable.

A greater focus on literacy and numeracy is probably a question that relates more to the actual teaching content that trainee teachers will receive in the institutions.

The content of the curriculum is a matter for the Minister of Education to take forward. No doubt, he will take note of the comments that have been made. My review concerns the funding and how we structure the system. Aspects related to teacher training numbers and what they are trained in fall within the purview of the Department of Education.

**Mr Allister:** Sadly, the Minister in office has never been a friend of Stranmillis University College. He sought to destroy it through merger based on flawed financial viability figures. Now this audit shows that both St Mary's and Stranmillis are financially viable for many years to come.

### 11.30 am

Why, instead of trying to put the colleges down, does he not seek to liberate them financially by getting rid of NDPB status so that they can enhance their income? Is he still committed to the consultation to end NDPB status, because, in answer to the Chairperson of the Committee, it did not sound like it?

**Dr Farry:** I thank Mr Allister for his questions. First, I am a friend of Stranmillis and have always been its friend. I think



I might have been the first Minister to visit Stranmillis's board of governors in 90 years of the existence of the Northern Ireland state, which is an interesting state of affairs. I am not quite sure what happened under previous jurisdictions.

It is important to bear in mind that the issue of the merger between Stranmillis and Queen's University — it is interesting that Mr Allister is the first Member to refer to that — predates my time in office as Minister for Employment and Learning, was devised under the tenure of my immediate predecessors, and I inherited it when I took office. At that time, the working assumption was that the merger would proceed. However, a lot of Members decided that they did not want to support it. I took the view that although I potentially wanted the merger to proceed, it was more important to have a more holistic review of teacher education in Northern Ireland rather than to focus on the merger of two particular institutions and, perhaps, lose sight of some of the wider issues.

It is also important to remember that the merger was requested unanimously by the then board of governors of Stranmillis. It was not something that I, or my predecessors when they first proposed it, sought to develop over the head of Stranmillis. It was driven by the Taylor report on Stranmillis and was taken forward by the Department.

We are committed to looking at the NDPB status of Stranmillis and St Mary's. It may happen at different paces in the different colleges, which reflects the fact that their governance arrangements are not the same. St Mary's has been reclassified as an NDPB, but that is being appealed with the assistance of DFP. I am quite happy to advance that appeal, but I have to report to the Member and the House that it is not going well. It is a difficult challenge to get the Office of National Statistics (ONS) to reverse that. One factor — among many that we need to be aware of — is the sheer scale of the public sector support of institutions, which is something that the ONS takes into account when it looks at classifications.

It is not simply a matter of our changing the governance arrangements in St Mary's or Stranmillis in appealing those decisions. The ONS will look at a wider range of issues, including the level of public funding, when it makes its decisions. Even if we go through a lot of hoops locally to try to assist the colleges in that regard, there is no guarantee of a successful outcome. Stranmillis has a different type of governance and is much more closely linked to the Department because of the nature of its public appointments. Members will know that, had we wanted to progress the merger of Queen's and Stranmillis, there would have been a need for secondary legislation in this House, and, again, that reflects the degree of tie-up with the public sector.

There are practical steps that we may be able to take in the short term. Those will give Stranmillis the flexibility around resources that will allow it to generate additional income short of moving ahead with the legislation that would be required to make a good case to ONS for reclassification. However, I imagine that we would be in a position to make that case as part of the outcome of the review that I have announced today.

## Primary Schools: Computer-based Assessments

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Cheann Comhairle. A Cheann Comhairle, ba mhian liom ráiteas a dhéanamh faoi na chéad chéimeanna eile maidir le measúnuithe ríomhairebhunaithe i mbunscoileanna. I wish to make a statement on the next steps for the computer-based assessments in primary schools.

I will start by setting out the context in which the computer-based assessments (CBAs) were conducted last autumn, but I do so in the knowledge that the experience of many children and their teachers was unquestionably negative. I do not underestimate the impact of that, and I am determined that lessons will be learnt and that we do not have a rerun of this unacceptable experience.

The benefits of pupil assessment for diagnostic purposes are almost universally accepted by our schools. There are tremendous examples of good practice to be found throughout the North. Teachers want to know what their pupils can and cannot do to inform their teaching over the coming period. The statutory computer-based assessments were, and are, intended to deliver diagnostic assessments tailored to our curriculum to support our teachers and pupils. International evidence from the trends in international mathematics and science study (TIMSS) and the progress in international reading literacy study (PIRLS), for example, demonstrates how well our primary pupils are performing compared with those in other jurisdictions. That provides the rationale for developing an assessment tailored to our needs.

CBAs are not intended to be high-stake tests. They are assessment tools provided to inform teaching and learning. For that reason, data from CBAs is not collected or collated centrally. CBAs are intended to support assessment for learning rather than of learning. Assessment outcomes should provide teachers and parents with information on a pupil's strengths and areas for improvement.

Computer-based assessments provide greater flexibility than paper-based methods and have the potential to minimise the impact on teacher workloads. Common assessment also offers primary schools a consistent basis for assessment that is tied to our curriculum and information on outcomes. A common tool that is used by all schools allows outcomes to be standardised against the population here and gives parents and teachers a view of how individual children are doing compared with others in the same education system. An adaptive computer-based assessment adjusts the sequence or difficulty of questions in line with a pupil's ability, which makes it easier for children to perform at their best. Since it is centrally procured, unlike commercially available assessments, computer-based assessments are free at the point of delivery.

The introduction of the new computer-based assessments in autumn 2012 presented significant challenges. Those challenges were faced by schools, and a significant number reported difficulties with the operation of the new assessments. If the Department makes it a legal requirement for schools to use an assessment, it places a requirement on the Department to ensure that it works. Clearly, that was not always the case last year. A policy

that was intended to help and support teachers had the opposite effect in many cases.

I also recognise that changes enforced by procurement rules have created their own difficulties. With the five-year contract for the interactive computerised assessment system (InCAS) coming to an end, those rules required a competitive tendering process to be launched. Many school principals have told me that, just as they were getting used to the InCAS, it was withdrawn. That created difficulties for schools that benefit from continuity.

Of most concern were the experiences relayed to me directly by teachers about the pressure that they felt in administering the assessments and, in some cases, the distress felt by pupils when they faced technical difficulties. This is clearly not good enough, which is why I instigated reviews of the implementation and operation of NINA and NILA, the numeracy and literacy assessment packages.

What did not work? In short, a range of things. Alongside a specific set of technical difficulties, user experience was often reported as poor, and there were real issues for teachers with the ease of set-up and compatibility of hardware. The reports that I commissioned have identified several things that could have been done better.

A review by the Council for the Curriculum, Examinations and Assessment (CCEA) on the operation of the new assessments reported widespread dissatisfaction, with many questioning the link between assessment outcomes and their own professional judgement. An Education and Training Inspectorate (ETI) review that looked at how effectively schools make use of this assessment information broadly echoes those findings.

An independent gateway review identified a number of factors that contributed to last year's difficulties: the impact of the procurement process; poor communication amongst the delivery partners; the restricted timescale for adequate testing; the lack of appropriate authority and technical expertise in the project team taking forward implementation; the absence of end-to-end load testing across the C2k network; and difficulties with hardware and software set-up in schools.

The gateway review report made 10 recommendations, which my Department has accepted. However, I also felt that it was important to widen the scope of the reviews to look beyond last year's difficulties and ensure that CBA legislation and policy continue to support good practice in schools and my wider policy agenda.

Since the making of the 2007 regulations, which made the use of computer-based assessment a statutory requirement, my Department's policy agenda has moved forward considerably. Statutory CBA must now be seen in the context of a range of policies. We have Count, Read: Succeed, which is central to the development of literacy and numeracy throughout post-primary learning.

Tá Gach Scoil ina Scoil Mhaith againn, rud a aithníonn ról tábhachtach na múinteoirí i seachadadh torthaí oideachais ardchaighdeán do gach uile dhalta. We have Every School a Good School, which recognises the essential role played by our teachers in delivering high-quality educational outcomes for all our pupils. Of particular importance is the increase in our focus on the needs, aptitudes and aspirations of all our children through, for example, the

special educational needs (SEN) review and the review of Irish-medium education.

A common theme across my policy agenda is the importance of using assessment data in helping to improve outcomes for young people, particularly in closing the gap between the highest and lowest achievers. That includes promoting and strengthening parental involvement in a child's education. Effective use of CBA data by schools is intended to support that wider strategy. I therefore commissioned a fourth review of CBA policy by the Department to determine whether the policy continues to support my Department's wider objectives.

That policy review of statutory CBA held 10 workshops, with every primary school invited to participate. The consultation found that, almost without exception, school principals accept and support the need for diagnostic assessment but wish it to be supported in a more flexible way than the current CBA legislation allows.

Although engagement with school leaders on medium- and long-term options for the way forward has been extremely constructive, I have been informed that a key message at each of the workshops has been the need for communication from the Department of Education on what is happening in the coming term to allow schools to plan and prepare.

To address that concern, I am announcing the arrangements for computer-based assessment in 2013 earlier than I had originally indicated. On the basis of the findings from the reviews that I detailed, and, most importantly, in recognition of the concerns expressed by schools, I have decided that the Department will not specify the literacy and numeracy assessments — NINA and NILA — for mandatory use in the forthcoming term.

There will be no legislative requirement on schools to assess pupils for diagnostic purposes using CBA or any other assessment or to update parents with diagnostic assessment results in the autumn term. However, I know that schools value diagnostic assessment early in the year and plan to conduct assessments voluntarily, using a range of tools. Consequently, I expect diagnostic assessment to take place in a form that is convenient for schools, and that information will feed into engagement with parents. The NINA and NILA assessments remain unique: they are designed to reflect our curriculum and are standardised against our pupils. I accept that there were major issues last year, and I have said many times how unacceptable that was, but it would be a real shame and a missed opportunity if those bad experiences led us to losing that potential.

There is continued benefit for schools in using bespoke assessments, and for that reason, NILA and NINA will be available to schools on a voluntary basis. As was planned from the outset, NINA and NILA will continue to evolve. I am informed by CCEA that it has listened to schools' concerns on the operation and outcomes of those assessments and that significant improvements have been made, for example, to their usability and reporting.

One of the first things I will be seeking later in the year is feedback from schools on the extent to which CCEA has listened and the extent to which real improvements have been delivered. The voluntary use of those assessments on a pilot basis will generate lessons for future policy and practice. My Department will contact primary schools over

the next few days with more details on how that pilot will operate and will seek nominees for participation.

Although I am not specifying an assessment for use in 2013, the CBA legislation will remain in place until we repeal it or amend it. In moving forward, I am determined to recognise and learn from the mistakes of the past and not to replicate them. I recognise, for example, the importance of sound public procurement requirements, but they should not be allowed to override sound educational policy and practice in our schools. Even more importantly, rather than developing an assessment policy for schools, I am committed to my Department working with them.

#### 11.45 am

The independent gateway review team had a specific task and did an excellent job with the time and resources available to it. In making arrangements for next year's pilot, I have tasked my officials to take forward each of the recommendations in the final report. However, I believe that a more detailed analysis of the two- to three-year period of CBA development and implementation is needed. It is clear to me that there are lessons to be learned from policy development through to implementation. Members may also wish to note that my Department has provided key documentation to the Audit Office for its information.

In conclusion, I will make a more detailed announcement on the way forward on the further review on CBA policy later this year, and, of course, changes to the legislation, if any, will be subject to public consultation. Mar fhocal scoir, bheinn sásta uasdátú a thabhairt don Tionól i ndiaidh an phróisis seo. I will be happy to update the Assembly following that process.

**Mr Storey (The Chairperson of the Committee for Education):** I thank the Minister for coming to the House today. The computer-based assessments have been the subject of considerable anxiety for the Committee and schools since the autumn.

When as yet unresolved technical issues were reported by many schools, they were initially completely and absolutely disputed by the Department. The lack of access for deaf children was not satisfactorily addressed, and the nature and lack of utility of the results generated by NILAs and NINAs was inexplicable.

However, the most striking aspect of this debacle is not the technical failures, the £900,000 of public money spent in the first year, or the time and energy that schools have had to waste on trying to make the tests work. It is not even the stress and anxiety that the tests have caused many of our primary schools. I suggest that the key to the mystery is the Department and the Minister's abject failure to listen to schools. We could say, "So what?," but we are in a very serious situation. We have gone through this whole process, and the Minister has had to come to the House today, despite telling us on 6 November 2012:

*"we do not have wide-scale problems with the computer-based assessments; we do not have a shambles; we do not have a crisis."* — [Official Report, Bound Volume 79, p56, col 2].

It does not sound like it this morning.

The Education Committee did listen to schools. We wrote to the schools that the Department had identified as

having no trouble with computer-based assessment, and a number of them told us that, in truth, the reverse was the case. We listened to primary school principals who told us of non-Irish-speaking children who inexplicably managed to score extraordinarily well in the Irish-language version of NILAs. The Committee also heard from other school principals who claimed that they had been threatened with a visit from the Education and Training Inspectorate if they complained about CBAs.

Will the Minister today explain to the House why it took him so long to press the delete button on computer-based assessment? Will he also confirm what arrangements he will now put in place to deal with the procurement issue? Procurement is at the heart of the problems that led to a situation in which InCAS was brought to an end, NILAS and NINAs were introduced and the process is the shambles that it is today.

**Mr O'Dowd:** The Member has produced a question that was nearly as long as my statement. It will be quite difficult to respond to all his points, but I have taken note of a number of them.

At no time did the Department dispute that there were technical difficulties with the programme. Once the programme was rolled out in September, my Department and CCEA started getting reports of problems. Within weeks, I issued to all schools a letter saying that, if they were having technical difficulties with the programme, they should set it aside and not cause further stress to pupils or staff. That was done.

I called together all the main players in the programme within weeks of the first reports of problems. I sat them down and told them straight that the issue needed to be resolved, that they needed to start working with the schools and that they needed to get the problems under control. That work was carried out, and there was an improvement in the service after that. At that time, I committed to carrying out a number of reviews. I am reporting back on those reviews, which are evidence-based reviews. They are, quite rightly, critical of how this programme of work was rolled out by the main players.

The Member said that the Department failed to listen to schools. That is partially true, but it is partially true across a number of delivery agencies. As Minister in charge of the Department, I have to take a certain amount of responsibility for that. I assure you now, Chair, that no one in my Department, and no one in CCEA or any of the other delivery agencies involved in this, are under any illusions about who they should be listening to. They should be listening to the schools, and they should be learning from the experiences around this. As I said in my statement, the next programme of work that is rolled out in respect of this will be based on the experiences of schools in the first place.

I do not accept that we disputed with schools, either at the Education Committee or anywhere else, about what happened in this case. The Member said that a number of schools were threatened with a visit from the training inspectorate. Provide me with a list of schools that were threatened with a visit from anyone, and I will look into that matter personally. It is not how my Department works, and it is not how the training inspectorate works. If any school believes that it was threatened, I would personally like to look into that matter.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I welcome the statement, which, as outlined by the Minister, demonstrates definitive and swift action. When the review took place, he said quite publicly that, if NINA and NILA were found to be not fit for purpose, the delete button, in the words of the Chair, would be hit. That is exactly what we are seeing here today, so I welcome such swift action. In the light of this decision, what lessons can be learnt?

**Mr O'Dowd:** As I said to the Chair of the Committee, listening to people is a good lesson to learn. If the experiences of the schools had been listened to during the pilot programme, I do not think that we would have been as far down the road with this difficulty as we are.

One of the key findings from the gateway review, as it states quite clearly, is that the problem started with the procurement process. That is where the problems first started and it is where they were embedded in the process. The procurement process, for whatever reason, was delayed. It caused a time frame that did not allow for full testing of the system to be resolved.

I want further enquiries into how the specification was drawn up. I want the communications between the main providers in this programme, C2k and the delivery partners, to be further investigated. I want to ensure that, in two or three years' time, we do not again run into a procurement deadline instead of an education policy. I want the education policy to take precedence over it all.

So, several lessons are to be learnt. I am happy to share my reports with the Education Committee on this, and, as I said, I want to bring in a further independent review to burrow down into this further to ensure that all lessons have been learnt.

**Mr Rogers:** I thank the Minister for his statement. I welcome the statement, and I also welcome the fact that the Department is holding its hands up to having got this wrong. It is increasingly frustrating that a pilot was carried out last year and a report produced that was looked at. I believe that NINA and NILA are fatally flawed. As we move on, will the Department now work with all schools that use bespoke assessments, including NINA and NILA and others, to ensure that, in the future, we have an effective assessment-for-learning tool in our schools?

**Mr O'Dowd:** This is not an attempt to pass the buck, but it is not the sole responsibility of my Department. Perhaps, as Minister, it is my sole responsibility, but CCEA is the responsible body for the delivery of this programme. I have spoken to the current chair of CCEA and expressed my frustrations to him about how this was dealt with. He is going away to study the reports again to ensure that all lessons have been learnt by CCEA in moving this forward. I have further work to do in my Department, and, as I said, I am bringing forward an independent review.

A number of schools use bespoke assessments, and I want to talk to schools about those. I want to see whether those systems can be adopted to the curriculum. They are commercial entities, so, if we are going to go out, I cannot say that that is the commercial identity that we should use, because we would run into the procurement problem again.

If schools use those, they pay for them out of their own resources. That is how the system currently works.

Let us look at the computer-based assessment policy and how it was delivered. An integral part of that will be talking to schools about their needs, what systems they used in the past and what their experiences of those systems were. That will be part of drawing up the new specification. Schools will play an integral part in drawing up the new policy.

**Mr Kinahan:** I welcome the statement. Last year, it should not have been a case of hitting the delete button but of sticking it in the trash. I very much welcome the changes that the Minister is bringing forward. Last year, we had indications that the pilot was not working as far as the assessment was concerned. Will the Minister ensure that, this time, enough time is provided, that parents, pupils and teachers are all very much part of it, and that we all learn together?

**Mr O'Dowd:** I thank the Member for his question. Last September, October and November, when we were working through this issue, I was not in a position to hit the delete button for several reasons. We had to garner the evidence. We did react to the schools, and I issued a letter within weeks of the problems being identified, as I said to the Chair, asking them to set aside the assessments if they were causing difficulties. The situation improved over time, and around 90% of our schools completed the assessments. A significant proportion of those that completed the assessments still experienced difficulties, so I am not using that figure as a justification or in admiration of the system.

I can only reassure Members that one of the key lessons that has to be learnt from the computer-based assessment is that schools should have been listened to during the pilot scheme. One of the difficulties identified by the gateway review was the skills base within the management team that was looking after the scheme. The team may not have understood the technical difficulties that were identified by the schools or how far-reaching those difficulties would be. Furthermore, the lack of communication between CCEA and those responsible for the delivery of NINA, NILA and C2k is a matter of concern for me. I also have to look at the communication between those four bodies and my Department, and vice versa. I am bringing in an independent body to look at that.

**Mr Lunn:** I also welcome the statement. Since we are all using computer terminology, I suggest that the recycle bin could come into play. The Minister has taken a sensible decision to take the pressure off this year. It seems strange, all the same, that we will end up with no statutory requirement for a year. Does the Minister envisage a situation in which there may be a statutory provision requiring schools to conduct an assessment process in the autumn term each year, but that there may be more than one option and no mandatory system?

**Mr O'Dowd:** There is one button that a computer does not have and that is a common-sense button. Sometimes, common sense is the best way forward on a lot of these issues.

I think that there is still value in a common system being used across all schools — a system that works, delivers the outcomes and information that teachers and parents require, and facilitates a child's enjoyment of learning. That is the system that we require, and we have not yet reached that point. As we review the policy and how it is

implemented, all these questions can be further debated and, indeed, answered. I am still in favour of a common assessment programme across the board that reflects our curriculum and puts the assessment information back into the system.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. What assurances will be given to those in mainstream schools who are visually impaired or have hearing difficulties that future tests will be suitable for them? Will there be consultation with teachers of pupils who are visually impaired or have hearing difficulties in mainstream schools?

**Mr O'Dowd:** One of the themes that came through as the programme was rolled out was the difficulties faced by the visually impaired and those with hearing difficulties. The schemes were not matching their requirements. That is totally unacceptable.

Any new system that is put in place will have to be equality proofed to ensure that it meets the needs of all our pupils, especially those with learning difficulties, whether that be due to visual impairment or hearing difficulties. All our schools will be invited to take part in the discussions on how we move forward from here, and how we bring forward a system that meets the needs of all our pupils. I assure the Member that the pupils she refers to, those who have hearing and visual difficulties, and their teachers, will be central to those discussions.

#### 12.00 noon

**Mr Byrne:** Like other Members, I welcome the Minister's statement, and it is good that he has withdrawn the compulsory CBA. What policy advice was the Minister given before it was introduced? What advice has he for parents who feel that their children who went through the CBA had a bad experience and that damage has been done?

**Mr O'Dowd:** The policy advice I was given was that we had reached the procurement deadline. The procurement process had been gone through, and I was presented with the winners of a tender process whose bid had met the specifications of that process. I signed off on that. An independent review will look at how that policy advice was collated, whether it was accurate and whether I was right to sign off on it.

I have no doubt that there was upset among pupils in a number of schools as they went through the computer-based assessment. However, I do not believe that any long-term damage was done. This should never have happened, but I do not think that, given the nature of the assessments, the professionalism of the teaching staff in our schools, etc, long-term damage was done to a child's ability to learn.

However, we should not present a child with a tool which does not allow it to enjoy learning. Learning has to be about enjoyment. The child has to enjoy it to get the benefits of it and become interested in it. Even if it were short-term, or whatever it may have been, it should never have happened in the first place.

**Mrs Dobson:** Minister, I suggest that, rather than hit the delete button, you would prefer to use the escape one. How can you restore confidence among teachers and parents, following this morning's statement, that computer-based assessments will work in all schools without the

utter chaos and disruption for pupils that occurred last year?

**Mr O'Dowd:** As I said, I have set aside the mandatory nature of the computer-based assessments, the NINAs and NILAs. I hope that a significant number of schools participate in the pilot scheme. Through the pilot scheme, we continue to learn lessons that allow us to develop a better policy for the future. A number of schools use their own assessment tools which are commercially available, and those schools purchase them from their own resources. If schools wish to continue to do that, so be it.

However, an interesting thing came out of the workshops. There was widespread agreement, with the odd exception, that, as a general principle, computer-based assessments are a useful tool for teachers. Let us not throw the baby out with the bath water in these circumstances. Let us move to a point where the Department provides a usable, efficient and effective tool to give to schools, rather than the experience that schools went through last year.

**Mr Speaker:** Members, that concludes questions on the ministerial statement. I ask the House to take its ease as we move into the Final Stage —

Sorry. I call Jim Allister.

**Mr Allister:** Thank you, Mr Speaker.

I welcome the U-turn on mandatory computer assessments. Can the Minister tell us how much this debacle has cost and will cost? Is the commitment to pilot schemes because of contractual obligations? Given that, thankfully, he now acknowledges that teachers should be able to use that which is convenient and suitable to them, will he fund the purchase of standardised tests, which many schools have been using and have had to fund themselves up to now?

**Mr O'Dowd:** I thank the Member for his question. The system set-up, including procurement and all the associated issues, cost around £900,000. Next year, the cost of running the system would be somewhere in the region of £300,000. I would much prefer to have seen that system running, if it were running properly, all schools were using it, etc. However, we are involved in contractual obligations with the providers, and, if we were to seek buyout of those contractual obligations ahead of the end of the contract, I am advised that there may be significant further costs to it. I have to say that I have not approached this from a financial position; but I have not disregarded the financial situation, because it is quite serious in this matter. However, I think that the best way to approach it at this stage is to look at the needs of our education system and the needs of our pupils.

The Member asked whether I will fund the resources for the use of other commercially available computer-based assessments. I will take that under consideration. I suspect that there may be some difficulties around procurement and contractual obligations, etc, but I will discuss that matter further with my officials to see whether we can facilitate such requests if they come in.

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

## Executive Committee Business

### Marine Bill: Final Stage

**Mr Attwood (The Minister of the Environment):** I beg to move

*That the Marine Bill [NIA 5/11-15] do now pass.*

I am pleased, as I am sure we all are, to have reached Final Stage. As Members well know, the legislation will enable us to manage activities in the marine environment so that we can get more benefit from its use and provide better protection for our rich natural heritage. This is defining legislation in our domestic law: it defines how we will better manage that part of the marine environment that falls to our responsibility, both for marine planning and marine conservation.

Quite a number of people from schools in Northern Ireland are watching down on us in the Chamber today. My strong sense is that, whether it is on issues around our seas and the marine environment, or whether it is issues around our land and our natural heritage, the younger generation has a much greater appreciation of all those wonderful assets and the need to keep them clean, protect their quality and positively develop them for its generation and future generations than, perhaps, my generation would have had. That is my very strong sense from visiting schools, especially through the Eco-Schools programme. We have a responsibility to the generation looking down on us today to get the Bill right.

Before talking briefly about some of the content of the Bill, I again acknowledge all the people who contributed to getting it to Final Stage. First, I acknowledge my predecessors in the Department of the Environment (DOE). Before I took up my responsibility, there were a number of predecessors in DOE who initiated and led the consultation and processes around the Bill before First Stage.

Secondly, I acknowledge the work of the Committee; it did the heavy lifting with the content of the Bill, the interrogation of the draft clauses and the bringing forward of new clauses. I also thank all the other contributors: DOE staff; Assembly staff; the Office of the Legislative Counsel; the Attorney General; my Executive colleagues; and, in particular, the marine stakeholders who were very much in the vanguard of support for marine legislation, even though it might not be all that they wanted.

As I said, the Committee, in particular, undertook the detailed scrutiny of the Bill. The recommendations in the Committee's report and the Committee's further scrutiny following publication of the report led to positive amendments at Consideration Stage. The Bill is better than it was at Second Reading because of the work undertaken at Third Reading, even though it is not all that some wanted in the processes around fourth and fifth reading. I thank Members for their helpful contributions. As I said, not everything that everyone wanted to be in the Bill is in the Bill, although, as we know, events conspired to see the sustainable development duty put into the Bill, which is a fine achievement by its proposer, Anna Lo. However, in the round, I believe that the Bill provides a sound, practical and balanced approach for the future.

The Bill will further our aim of having clean, healthy, safe, productive and biologically diverse oceans and seas. It will introduce a strategic and holistic approach to the management and protection of marine waters, based on the principles of sustainable development. That should be the approach going forward, and it needs input from the Department of Agriculture and Rural Development (DARD) and the Department of the Environment, given that DARD has responsibility for the marine environment and its fishing function.

As we go forward with the Bill and the management of the sea and the land, the relationship between DARD and the DOE will become more critical. It may be that, by the end of next week, the European Union will have signed off on the CAP review and the budget line for agriculture. If DARD and the DOE do not work intimately together in managing that process and taking forward our shared priorities action framework, we will not serve the interests of all our people, including our farmers, to the maximum.

The new marine plan, which is a big part of the Bill, will assist in the achievement of sustainable levels of economic and social activity through the adoption of a more strategic approach. It will be based on a balanced consideration of economic, social and environmental factors, while taking account of the costs and benefits of marine activities. The marine plan development process will encourage broad public participation in addition to the involvement of local communities, marine industries, councils, interest groups and others.

The fact that we had a consultation on the statement of public participation is representative, in my view, of how the Bill has been managed heretofore and how the process must be managed hereafter to build in a deeply inclusive participative process to ensure that all sectors and interests bring their views to the table so that, on the far side of that discussion, we have a marine plan that measures up to the needs of our marine and all those who have an interest in the marine environment.

Previously, the key reforms to marine licensing have been introduced through the Marine and Coastal Access Act 2009. However, the Marine Bill will allow for further streamlining of marine licensing and generating concepts. The Department is taking forward that principle through proposals that are being worked up for better regulation generally, whereby, on the far side of the Bill, integrated permits and integrated enforcement will be a better way to manage issues that fall to environmental regulation.

Under European law, we have responsibility to designate areas in our seas to protect certain species and habitats considered to be of conservation importance at a European level. That is clearly important. The Bill adds to the range of designations and contains provisions to protect nationally important species and habitats through marine conservation zones (MCZs). Those MCZs will be flexible in their level of protection. That will be determined by using sound scientific evidence on a site-by-site basis, which will allow for a range of management measures to be applied as necessary from a few minimal restrictions to areas with strict protection measures in which no activities will be permitted.

People know about the experience in Strangford lough and the requirement to establish a no-fish zone in the middle portion of the lough.

That may be appropriate in other places, but it may also be appropriate where MCZ designation arises and we have minimal protections on even a seasonal basis rather than across the year.

### 12.15 pm

Sites for MCZ designation will be selected following discussion and consultation with stakeholders representing all who use and enjoy the marine environment. The marine conservation provisions will ensure that there is space for biodiversity and nature conservation measures, and they place biodiversity commitments at the heart of planning regulation and management. That is the essence of the Bill, how the Bill should be judged and how we should be judged.

**Ms Lo (The Chairperson of the Committee for the Environment):** On behalf of the Environment Committee, I welcome the Final Stage of the Marine Bill. As is traditional at Final Stage, on behalf of the Committee, I thank the departmental officials and the Minister for the close working relationship that we maintained throughout the passage of the Bill. That helped to ensure that the Committee scrutinised the Bill thoroughly and was able to come to agreement with the Department on proposed amendments.

I thank the Committee staff who worked on the legislation and the stakeholders who responded to the Committee's call for evidence, particularly the Northern Ireland Marine Task Force (NIMTF) and the Anglo North Irish Fish Producers' Organisation (ANIFPO). We had to go back to them a few times to seek further information and opinion, but they were always quick to reply and helped to inform the Committee's deliberations.

This is important legislation. We are the last part of the UK to implement a marine Bill, so this will bring us into line with our UK counterparts and ensure greater protection of our marine environment. It will also go a long way to ensuring that our EU obligations are met, particularly the wild birds directive.

The Committee's scrutiny of the Bill led to recommendations for amendments. I welcome the Minister's agreement to those amendments, as I believe that they make the Bill stronger. On behalf of the Committee, I am, therefore, pleased to support the Bill.

With your indulgence, Mr Deputy Speaker, I would now like to say a few words in my capacity as MLA for South Belfast. First, I want to express how much I enjoyed the Consideration Stage debate two weeks ago, not just because my amendment on sustainable development was passed — more on that later — but because the nature of the debate was as it should be. Far too often, the Chamber witnesses the defensive or aggressive side of politics. Although there were varying opinions on what was most important in the Bill, I felt that, ultimately, we were united in achieving the best protection for the marine environment.

The Bill is not perfect, and the Alliance Party still has concerns, notably about the absence of an independent marine management organisation (MMO). I hope that the Minister will continue to work to gain Executive agreement on that. We maintain that an MMO would undoubtedly have strengthened the Bill, but we accept the preference of the House for the Department's amendment creating a new clause on arrangements to promote the co-ordination

of functions between Departments. I remain sceptical, though, about the effectiveness of that proposal and would have liked more concrete steps put in place.

I was disappointed to miss Further Consideration Stage last week as I was away on Committee business in Dublin, where I attended a meeting for chairs of EU environment and energy committees. I understand that Simon Hamilton, who is smiling, revealed to the Chamber that I told him I was so happy when my amendment passed that I could have kissed him. I probably could have kissed many of my Committee members at that stage. That is true, Mr Deputy Speaker; I was that happy.

The Marine Bill addresses environmental protection, but now we have an overarching core aim of achieving the sustainable development of our seas. I view that as being extremely positive and thank all the parties for supporting it.

**Mr Hamilton:** I note that the Chair said that she "could" have kissed me. As passionate as she was about marine management protection and looking after the marine environment, it was only "could" have kissed: she was not sufficiently motivated to actually do it. Even she could not go that far.

I welcome the Final Stage of the Bill and the fact that it will soon pass into law. A long, laborious process got us to this stage. It was a year ago, as we have said at other stages of the debate, that we, as a Committee, started to consider this piece of legislation, and many of us have had to completely refresh our understanding and knowledge of the Bill in the past number of weeks and months.

However, if there is one advantage to the fact that it has taken so long, it is that the Committee's understanding of the finer points of the Bill is much better now than it was a year ago. The delay in getting the Bill to Consideration Stage gave us a lot of opportunities to look at other issues, which, perhaps, we had unfairly skirted round under the time pressures of Committee Stage, and we were able to bring forward some amendments, including the amendment on displacement, which has passed into the Bill and will become law.

I said before, at various stages, that the Bill was very much about balance. It is not what every interest group associated with the marine environment would want or desire, but it is a good balance of those interests. I am glad that a piece of draft legislation, some aspects of which some within the fishing community, which, of course, I have an interest in as a constituency representative for the fishing village of Portavogie, had concerns about, now has the displacement amendment. The interests of the shooting fraternity, and concerns about how the Bill would impinge upon them, have been addressed by the inclusion of the word "cultural". Their interests, as well as those of the fishing community and those involved in energy, and all interests, now have to be considered in the designation of MCZs. It is now a "must" rather than a "may", and I think that that is a strengthening of the legislation and helps balance out some problems that were perceived to exist.

As a result, we look forward to moving towards the designation of marine conservation zones. I know that there is an imperative to designate Strangford lough as the first MCZ in Northern Ireland. I reiterate to the Minister, as others have done, the need to ensure that the process of designating marine conservation zones is done openly and transparently, and in a way that considers all the various

interests. Furthermore, there must be a balance between those interests. As important as environmental and marine protection is, other human interests must not be forgotten about as we designate MCZs, moving forward.

The Chairman touched on marine management. I will not get into the debate, again, that was had about the best form of marine management. We now have the mechanism that has been put there. Although it is undesirable, in the view of many, we have the mechanism that is there. Even though it is not, perhaps, what everyone wanted, I hope that it at least affords those in government the opportunity to learn from the lessons of the past, primarily those that have been learned in Strangford lough, which are that we need co-ordination and co-operation across public authorities if we are to protect our marine environment in the way that we want it to be done.

I welcome the Final Stage of the Bill, and I look forward to it becoming law in the coming weeks.

**Mr Boylan:** Go raibh míle maith agat, a LeasCheann Comhairle. Beidh mé ag labhairt i bhfabhar na céime deireanaí den Bhille seo. I want to speak in favour of the Bill at Final Stage. I will not comment on what the Chair and Deputy Chair would like to get up to while walking on the beach some night. I am glad that the hugs and kisses are over at this stage.

Unlike the Chairperson, I actually welcome the Bill. As they say in my native language, *tús maith leath na hoibre*. That means, "A good start is half the work." Any legislation on the marine environment is to be welcomed. Legislation brings new opportunities, new practices and best practices, which I would like to see protect and enhance the marine environment.

However, I would like to raise an issue with the Minister. The opposite end of bringing forward new, good and advantageous legislation on the marine environment is enforcement, fines, and all of that. Now that we have worked with stakeholders, it is vital that the message also gets out clearly to the public. There needs to be work and engagement with the public in order to get the message across about how they can contribute to developing, protecting and enhancing the marine environment. Perhaps the Minister would touch a wee bit on how he will engage with the public in moving forward on all of that.

Throughout the passage of the legislation, the major issue for me has always been the designation of MCZs. We look forward to working on that, but I reiterate the point that that work has to be evidence based. All the key stakeholders who need to play a role, including the public, need to be engaged with and informed. I would like the resources to be made available to support an evidence-based approach to protecting the marine environment.

I also want to put on record my thanks to all those who were involved with the Bill, including the Committee, its staff, and the previous Clerk to the Committee, Alex McGarel. I put on record my thanks for the work that she did to progress the Bill and support the Committee's work.

Finally, I ask the Minister what the time frames will be for subsequent legislation. Can he touch on what will come next and the time frames for all of that? With that in mind, I support the Bill.

**Mrs D Kelly:** I wish to be associated with the comments of other contributors in congratulating the Committee staff and, indeed, all those who contributed to this legislation.

As others have pointed out, there is greater clarity due to the wide stakeholder engagement in which the Committee was involved. I hope that, by bringing greater clarity to the protection of our seas through the legislation — in particular, through the mainstreaming of marine licensing and the generation of consents — we will enable greater hydropower resources to be made available to the people of this island and, hopefully, further afield.

The Minister has pointed out on many occasions that there are great opportunities in recyclable and renewable energy resources on this island. The Marine Bill will give greater clarity to those who might be interested in pursuing such industry on this island. The clauses that seek to protect the natural environment and, indeed, improve biodiversity in the marine environment are also important.

I do not want to detain the House by reiterating much of what has already been said. I commend the Bill. In particular, I commend the Minister, who keeps the Committee quite busy in the scrutiny of legislation and compares very favourably with other Departments.

**Mr Elliott:** I, too, welcome the Bill's progression to this stage and add my thanks not only to the Minister but to the Department and Committee officials.

It is quite interesting that, as Mr Hamilton explained, it has taken us so long to get to this position. However, as he indicated, perhaps that is a good thing. I do not think that, just because we have got here, it means the end of marine management, and I am not talking about the marine management organisation. In fact, it is probably only the beginning. This at least sets the context and basis for progression, and that is good. When we get into the designation of MCZs and protected areas, there will clearly be much debate, perhaps even more than there was about the Bill itself.

### 12.30 pm

The one thing that I would ask, or implore the Minister to ensure, is that no organisation or group of individuals be excluded from the process, because I do not want to go back to the stage where some people on the economic or, indeed, the social side of things are left out of consultations and discussions. It is important that everyone is included. I suppose that that was my one concern as we moved through the process — that the Marine Task Force did not include anybody from the fishing industry, which is one of the most relevant industries to the seas and could, therefore, have provided a lot of expertise. I am sure that that will be resolved and that those issues will be taken forward in a positive vein. However, I am just putting down that marker at this stage — I do not want to see any exclusion.

**Mr Attwood:** I thank all those who contributed to this debate and the way they contributed throughout the entire passage of the Bill. I want to capture some of the remarks made.

There are a lot of people in and around, for example, the Marine Task Force and the Anglo-Irish Fish Producers' Organisation, and if you put them in a room —

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



**Mr Attwood:** Yes.

**Mr Wells:** It is either the Anglo North Irish Fish Producers' Organisation or the Northern Ireland Fish Producers' Organisation. I think that only Ms Lo has got it right so far this morning.

**Mr Attwood:** That is obviously a comment directed not just at me but at Mr Hamilton, as he also called it the Anglo-Irish Fish Producers' Organisation. That may or may not be the case in the fullness of time, Mr Wells.

The point is that if you bring people from those organisations together, you will have a better outcome. Somebody is coming to this part of the world at the weekend — it is a private visit, so I will not name him, but he is an enormously successful businessperson and an enormous friend of Belfast and Northern Ireland — who provided a very simple but telling insight into the human condition when I spoke to him in Boston about 15 years ago. In that moment of great simplicity and great truth, he said that when you bring good people together, good things happen. I have always remembered that very simple philosophy and approach to life. I think that that also applies in other aspects of life, including how to manage our seas.

There are so many good people involved in the marine environment who have very different interests; nonetheless, my sense of those individuals — and I could name them — is that if you brought them together, you would have good outcomes. That is my response to Mr Elliott's point. The measure of all this work around the marine plan and MCZs heretofore is deepened inclusion, which will mitigate the impact of difference, with the result that you will come to a good outcome. I think that some of the people to whom Mr Elliott may have been referring are of the character that, when they are in the room with everybody else, they will come to the right outcome.

We are the last part of Britain and Northern Ireland to have a Marine Bill. We may be last, but we can be first when it comes to managing our marine environment going forward. That will be the measure of government and the Department into the future.

Anna Lo knows about my ambition to have an MMO. We will not give up on developing the business case or making the argument to the Executive that, in the fullness of time, that is the most appropriate model to manage our marine environment.

Anna Lo and Simon Hamilton referred to the need for co-ordination of functions between Departments. Anna Lo indicated that she continued to have doubts about whether that threshold is required in law. In real time, in the real world, and this refers to my earlier comments, the issue of co-ordination between Departments, and between DARD and DOE in particular, will be tested and will have to be proven.

I say that because, if there is a Budget deal in respect of CAP, and given the requirement of the European Commission that 40% of that money has to be spent on countryside management, and given the opportunities that will be provided by regionalisation on one hand and by the priorities action framework on the other, if that does not work itself through in a wise and mature way around how DARD and DOE work together to the maximum in order to benefit the land and benefit our farmers, active

and non-active farmers, we will not prove the challenge of co-ordination of function between, for example, DARD and DOE. I have to say that, from what I understand from government officials, there is, like no time before, an embedded understanding between DARD and DOE about how to take those things forward.

I very much travel in hope that because of some bitter experience around marine issues, acutely around Strangford lough, the ambition at a political and departmental level to have the co-ordination of functions for the marine environment and in respect of land generally will be tested and will be proven long in advance of the marine plan being adopted and the marine conservation zones being designated.

As Mr Hamilton outlined, we have had this difficult experience around Strangford lough; therefore, as we work through this process, I think the shadow of Strangford lough will be around it in that we were very close to infraction, we were very close to a very heavy financial penalty and we were on the wrong side of very severe damage to the marine environment and the modiolus modiolus in particular in Strangford lough. That should be a warning to us all, but as I indicated in previous contributions at other stages of the Bill, on the far side of all of this, Strangford lough should be designated an MCZ. The second MCZ should be that area of water identified by fishermen that is an incubator for crab and lobsters because of the ecosystem that lies on the seabed in and around Rathlin Island. That demonstrates that there is a new awareness of what we need to do and that we will be able to do it.

Mr Boylan is quite right: we have to get the message across. However, if there is a message that I try to put across, it is that the protection of our heritage is very much part of the character of our lives. Its positive development, which you can do through marine plans, MCZs, and so forth, is very much part of the future ambition of government, but you have to be relentless about it. That is why the Department has had these good beach summits that deal with marine issues and that is why we are going to have a heritage-led development summit in the next few weeks to profile even more how heritage in all its expressions, including the natural heritage, can have a role in driving forward opportunities into the future.

We need to have the best science, as indicated at Further Consideration Stage. The work done in the 1980s by the museum, the 'State of the Seas Report' in 2011, the ongoing research and science conducted by the Northern Ireland Environment Agency since 2006 and the new budget line that will have to exist to take forward new science will be very important so that we have exhaustive science or the best science for MCZ designation.

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

**Mr Attwood:** Yes.

**Mr Wells:** The Minister recently sent me a written answer that showed that it became legal to have an area of special scientific interest (ASSI) designation in Northern Ireland in 1985. Twenty-eight years later, we still have not reached the stage of coming anywhere near complete designation. In GB, the equivalent legislation was the Wildlife and Countryside Act 1981. GB had all its designations completed within 15 years.

**Mr Deputy Speaker:** I remind the Member that this is the Marine Bill.

**Mr Wells:** Moving on to the Marine Bill — *[Laughter.]* — what confidence can Members have that the designation of marine conservation zones, as outlined in the Marine Bill, will not be equally as slow? Will the Minister give us a time frame as to when we can expect the first designation? If the history is anything to go by, even I could be retired from the Building before they are designated.

**Mr Attwood:** I think that most of us anticipate that you will never retire from the Building, given that you are the father, the grandfather, and no doubt will end up being the great-grandfather, of the House. Unless the DUP intends to deselect you in the next election or something like that, I anticipate that you will be here for many a year, and the place will be the better for your being here.

Your question touches on Mr Boylan's last point: he asked about the time frame around the marine plan and the marine conservation zones. Members will be aware that the Bill has a saving provision to protect the appropriate work that has been undertaken by the Department heretofore to ensure that we do not come from a standing start on the marine plan.

I will finish very quickly, Mr Deputy Speaker; I know that you are under Business Committee pressure. The work on the marine plan has started, but we will not get ahead of our proper legal authority. It has started in order to ensure that we can move that forward as quickly as possible. However, it will have to go through the full process of public consultation, which will last for 12 weeks. On the far side of that, we anticipate that the marine plan will be available in 2015. I will write to the Member with the specific dates.

The Member wrote to me recently about ASSIs. We will not achieve the target of 440 by 2015, which is, I think, what we anticipated. On the current figures of 15 designations every year, our figures will end up being around 400 or 405, I think — I am not getting any consent from my officials, so those figures may be wrong, but I will come back to the Member about that. The point is quite right: are we going to slow down the process of designation on the far side of the Marine Bill, or are we going to accelerate it? If the Member's point is that we need to be judged by the standard of acceleration, it is a fair one. Slippages, delays or doubts are not the way to embed the Bill's protections for our marine in the life of this Government or the life of the North.

I hope that I touched on, in one way or another, all the other points that were raised. I am pleased that the Bill has come to its conclusion. The Chair of the Committee offered an invitation to all members of the Committee, but I note that she did not extend that invitation to me. All that I will say to her in that regard is that if she is willing, I am willing.

*Question put and agreed to.*

*Resolved:*

*That the Marine Bill [NIA 5/11-15] do now pass.*

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

*The sitting was suspended at 12.44 pm.*

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

2.00 pm

## Oral Answers to Questions

### Justice

**Mr Principal Deputy Speaker:** I inform Members that question 9 has been withdrawn and requires a written answer.

#### DOJ: Arm's-length Bodies

1. **Ms P Bradley** asked the Minister of Justice which of his Department's arm's-length bodies have moved to Northern Ireland Civil Service pay scales. (AQO 4084/11-15)

3. **Mr Eastwood** asked the Minister of Justice for an update on the proposals to transfer the terms and conditions of administrative staff in the Probation Board for Northern Ireland to those of the Northern Ireland Civil Service. (AQO 4086/11-15)

**Mr Ford (The Minister of Justice):** With permission, Mr Principal Deputy Speaker, I will take questions 1 and 3 together.

Since the Department of Justice (DOJ) was created in April 2010, three arm's-length bodies have received business case approval to mirror Northern Ireland Civil Service (NICS) pay scales: the Office of the Police Ombudsman, Criminal Justice Inspection and the Probation Board. The Probation Board has forwarded its pay remits to the Department of Finance and Personnel (DFP) for approval. I hope that, once the pay remits are approved, the Probation Board will make payments to its staff as quickly as possible.

**Ms P Bradley:** I thank the Minister for his answer. What progress has the Department made in addressing the disparity in pay scales between NI Legal Services Commission (NILSC) staff and equivalent positions in the Northern Ireland Civil Service?

**Mr Ford:** As NILSC is a separate body that is not strictly part of the Civil Service, its staff are not on Civil Service pay scales. Discussions are ongoing about pay remits because a failure to agree in past years resulted in the compulsory determination of a pay increase that did not match Civil Service pay scales.

Members may be aware that consideration is being given to incorporating legal services into the Department of Justice rather than an arm's-length body. It is my expectation that, in those circumstances, staff would move to Civil Service pay scales.

**Mr Eastwood:** Will the Minister assure the House that there will be no reduction in the equality of pay and conditions for staff being transferred from the Probation Board?

**Mr Ford:** I cannot give the House a categorical assurance at this stage, but I see no reason why the transfer of Probation Board staff, on the basis of the current pay remit, would result in detriment to any individual.

**Mr Dickson:** Minister, given that Northern Ireland Legal Services Commission staff have not had any adjustments to their pay since 2009, what action do you intend to take to address that issue prior to their incorporation into the Department?

**Mr Ford:** That issue is being examined. A number of factors have affected the work of the LSC in such a way that staff progression has not been as expected. That issue is primarily for the Legal Services Commission itself to work on. The Department of Justice is assisting where it can, but, while LSC is a separate arm's-length body, it is responsible for its own arrangements.

**Mr Elliott:** Has the Minister had any discussions with members of staff or unions representing the Probation Board about the changeover?

**Mr Ford:** No, I have not because it would not be appropriate for me to discuss the HR matters of an arm's-length body.

#### Northern Ireland Community Safety College

2. **Mr Easton** asked the Minister of Justice for an update on the progress being made on the Desertcreat training college. (AQO 4085/11-15)

**Mr Ford:** I advised the Assembly on 29 April that, following the receipt of tenders for the construction of the college, the project board had established a working group to seek cost reductions that would not significantly affect the overall operational functionality of the college. The final version of the business case addendum, with options based on this work, was presented to the Department of Health, Social Services and Public Safety (DHSSPS) and my Department on 29 April. The business case addendum has been reviewed by the two Departments and comments provided to the programme team for its consideration. If these points are adequately addressed and both Departments are content that the addendum demonstrates that an integrated college represents value for money and is ultimately affordable, it will be submitted to DFP for approval.

**Mr Easton:** I thank the Minister for his answer. Will the Minister give more detail on what has been cut from the Desertcreat project to make up the £30 million shortfall due to the incompetence of the design team?

**Mr Ford:** I am not sure that I could or should give a complete list of changes that are currently being worked through, given their nature. However, I could, for example, highlight that something such as the motorway training area was originally to have been constructed to full motorway standards. The reality is that its use in training will result in considerably less wear and tear than would happen on a motorway carrying several thousand vehicles a day. That is an example of where it has been possible to keep the core facility while reducing the cost of construction quite significantly. Those are the kinds of examples that have been worked through, all based on existing costs, in a way that will ensure that a robust case is being established.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire chomh maith. Will the Minister please assure us that there will be no further delay in the commencement of the training college at Desertcreat?

**Mr Ford:** It would be a foolish Minister who promised that there would be no delay in any project of this scale.

**Mr McGlone:** Further delay.

**Mr Ford:** Or even any further delay. The reality is that we are looking at a relatively short slippage in the time taken to complete the work. We are looking at a delay of something like four months, with an expectation that construction can begin by October. So, given the very significant cost change, I believe that to be a fairly reasonable position to be in, and I am optimistic that it can be adhered to.

**Mrs Overend:** Will the Minister outline what measures have been put in place to ensure that there is no further professional incompetence, as described to the Justice Committee by an official?

**Mr Ford:** The simple answer to that is that we have ensured by the replacement of staff among those providing professional advice that we have a much more capable team in place, providing a much more robust challenge function to the work being done. Certainly, the project board is well satisfied that the figures it is seeing at the moment can be stood over in a way that had clearly not been the case previously.

## Bangor Courthouse

4. **Mr Dunne** asked the Minister of Justice whether he would consider transforming Bangor courthouse into a venue for community use. (AQO 4087/11-15)

**Mr Ford:** Mr Principal Deputy Speaker, I was going to take questions 4 and 7 together, but Mr Agnew is not in his place.

The Northern Ireland Courts and Tribunals Service is working with Land and Property Services (LPS) to secure an alternative use for Bangor courthouse. To date, no government Department or agency, including North Down Borough Council, has expressed an interest in the building. My officials are working with the LPS to develop a marketing strategy for the property. I am happy to consider alternative community use for Bangor hearing centre, provided any possible use will be cost-neutral for my Department.

**Mr Dunne:** I thank the Minister for his answer. Does the Minister recognise that it is important that this building is not left to deteriorate, as we have ongoing considerable regeneration of Bangor town centre through the Department for Social Development (DSD)? Would he perhaps consider the building suitable for housing a theatre, with possible productions such as 'Jailhouse Rock'? [Laughter.]

**Mr Ford:** I am really not sure that I should give cultural advice to any member of North Down Borough Council on what may be suitable. The reality is that the building is currently surplus to requirements. The sorts of issues that have been highlighted by Mr Dunne and Mr Agnew would suggest something of a cultural nature that it would be more appropriate for him to discuss with the Department of Culture, Arts and Leisure (DCAL) or directly in his role as a member of North Down Borough Council.

**Mr Cree:** Following the closure of Bangor courthouse, is the Minister satisfied that the court in Newtownards is sufficient? If not, what proposals does he have to build a new one?

**Mr Ford:** I am satisfied that the current arrangements in Newtownards are adequate for the needs of the Ards and north Down areas. However, Members will also be aware that an estate strategy for the DOJ in general is under review, and issues may be highlighted in that in the future.

## Police Rehabilitation and Retraining Trust: Former Chairperson

5. **Mr McKay** asked the Minister of Justice why the private sector interest in the Resource Group of the former chairperson of the Police Rehabilitation and Retraining Trust was not declared and included in the register of interests previously provided by the Minister to the Assembly. (AQO 4088/11-15)

**Mr Ford:** The decision to declare and register an interest is a matter for the individual directors of the Police Rehabilitation and Retraining Trust (PRRT). It is not for me, as Minister, to direct the directors to declare any personal business interests that may conflict with their responsibilities as board members.

As stated in response to question for written answer 16107/11-15, the chairperson of the PRRT declared only his additional role as chair of Futures (NI) Ltd. The PRRT has confirmed that the chairperson has not declared his consultancy role with the Resource Group as an interest and does not see it as an interest to declare.

**Mr McKay:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for finally confirming that the chair of the trust, who is paid by the Department, is also a paid consultant to Resource. Does the Minister agree that that is a conflict of interest and that the attempt to conceal it fuels concerns that the police contract worth £180 million given to Resource is tainted by a perception of corruption?

**Mr Ford:** The simple position is that there is no connection at all between the PRRT and Resource Group. The Resource Group does not provide services to the PRRT and has not provided services to the PRRT. Therefore, I think I would agree with the chairman that it is difficult to see what interest there would be.

## G8 Summit: Security

6. **Mr Buchanan** asked the Minister of Justice for his assessment of the resources available for the provision of security for the G8 summit. (AQO 4089/11-15)

**Mr Ford:** PSNI plans for the provision of security for the G8 summit are at an advanced stage. As a result of the detailed planning of the policing and security operation, it has been decided that some 4,700 PSNI officers and 3,600 officers supplied under mutual aid arrangements will be deployed during the summit. All those officers will be under the direction, control and operational command of the Chief Constable throughout. In addition, 600 private security personnel will be contracted to work on security-related duties during the summit.

I am confident that there will be sufficient human resources in place to ensure that there is a successful summit and that any protests will be well policed. Other areas in my Department are developing plans to deal with any arrests with the Northern Ireland Courts and Tribunals Service and the Northern Ireland Prison Service. I am

confident that there will be sufficient human resources in place to deal with any eventuality.

**Mr Buchanan:** I thank the Minister for his response. Can he advise the House of what pocket the money will come from to pay for the extra officers and staff who are coming in from GB? Will it come out of the PSNI budget or some other budget?

**Mr Ford:** There are well-established arrangements in place for the payment of mutual aid officers. My Department is working with DFP and the Northern Ireland Office and then linking to the Home Office and the Treasury to ensure that there is no additional cost to the PSNI for the policing associated with the summit.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Will he explain why there is to be a moratorium on roadworks and what role his Department played in that? That has caused widespread concern that perhaps it is way over the top.

**Mr Ford:** I thank Mr McCartney for the question, but the simple answer is “No. I can give no explanation”. My Department played no part in that, and I suggest that he contacts the Minister for Regional Development.

**Mr Beggs:** Given the inability of the G4S security company to deliver at the London Olympics, can the Minister advise the House what steps have been taken to gain assurances that it will be able to deliver on any undertakings at the G8 at Enniskillen?

**Mr Ford:** The private security contract with G4S is a matter for the UK national Government and is not to do with my Department or any part of the Northern Ireland Executive. The Member may wish to write to the Secretary of State. I can give no help.

## Young Offenders: Early Intervention

8. **Mr Lyttle** asked the Minister of Justice how his Department is supporting early intervention programmes to prevent youth offending to ensure that all young people achieve their potential. (AQO 4091/11-15)

**Mr Ford:** The Member and I attended the launch of Realising Ambition on Thursday 9 May. It is a Big Lottery-funded initiative investing £3.7 million in Northern Ireland in early intervention projects that have been proven to help young people fulfil their potential and avoid pathways into offending. I welcome that very significant investment, which will support Extern, Barnardo's and Action for Children in taking forward important local initiatives that will improve the lives of vulnerable children and their families. I congratulate all concerned on that endeavour.

The community safety strategy supports efforts across government to intervene earlier to reduce the risk of individuals, especially young people, coming into contact with the criminal justice system.

Early intervention is also a key focus of the youth justice review and its implementation.

### 2.15 pm

My officials are working closely with officials in the Department of Health, Social Services and Public Safety and the Children and Young People's Strategic Partnership

to develop an effective early intervention initiative. Policing and community safety partnerships have been developing action plans that include programmes that support early intervention.

The Youth Justice Agency also supports early intervention services through the provision of funding to voluntary and community groups. Shortly, I will publish my strategic framework for reducing offending, which will cover the role of the justice system in dealing with offenders and working to reduce offending. It will also look across government, seeking to promote timely and targeted action to prevent people from becoming involved in offending in the first place.

**Mr Lyttle:** I thank the Minister for his response, and I welcome the good work that he is doing. How important are education and training opportunities in reducing offending? What work, if any, is he doing with the Minister for Employment and Learning in that regard?

**Mr Ford:** There is no doubt that that point is fundamentally correct. We know that the rehabilitation of offenders, particularly those who have been in custody, is largely dependent on a work experience opportunity or on further training, just as there are important factors relating to housing or personal relationships. That is why, for example, the Department for Employment and Learning is significantly involved in the work to convert Hydebank Wood Young Offenders Centre into a secure college in line with the review team's recommendations.

Significant work is being done, as there is in the Youth Justice Agency, to ensure a joined-up package to help young people who are on the verge of trouble to avoid getting further into trouble.

**Mr Newton:** I welcome early intervention. Where does it take place and what percentage of those who are part of that intervention scheme go on to reoffend at a later stage? Does the Minister regard the investment in early intervention as being good value for money?

**Mr Ford:** I thank Mr Newton for his question. I am not sure that I can give him the clear percentages that he has asked for. When we talk about early intervention, we are, in part, talking about engagement with young children in families that might have difficulties to ensure that they do not get into trouble. That will frequently involve joint working with health and social care trusts and education.

The issue that we are looking at more directly is that of young people who are at risk of falling into trouble where there is a more direct involvement with the Youth Justice Agency, on behalf of the Department, and some of the non-governmental organisations (NGOs) that specifically concentrate on that kind of work. There is absolutely no doubt that it is cost-effective. The cost of keeping a young person out of trouble is very small compared with the cost of, for example, one week in custody in Woodlands.

**Mr A Maginness:** In view of the Minister's previous answers — I support the valuable work that he is doing in the area of early intervention — it seems to me that there should be a focus in schools, because that is where teachers can identify vulnerable youngsters. Has he any comments to make on that? Is there anything else that he can do to help early intervention in schools?

**Mr Ford:** Mr Maginness has highlighted an important point, but as the husband of a former teacher, I am always reluctant to suggest additions to the school curriculum,

since teachers tend to feel that they get enough of it. However, there is no doubt that if early interventions are to work, they need to be joined up. In the case of younger children, the work must be done by the key agencies, which are the schools and health and social care trusts. I fully support that, and that is why, for example, my Department is a small funding partner of an early intervention project that covers west Belfast and the Shankill. Clearly, there are instances where we need to see a greater joining-up of responsibilities, but I hesitate slightly to say exactly what teachers should do for fear that the Minister of Education gets at me.

**Mr Kinahan:** What is the Minister's view on the Northern Ireland Children's Commissioner's criticism of the Belfast Policing and Community Safety Partnership and the Lisburn district command unit of the PSNI for their negative stereotyping of young people?

**Mr Ford:** Again, I am not sure that I am entirely qualified to speak on the commissioner's opinion. I hope shortly to be attending a function that will emphasise some of the positive work being done by and with young people on behalf of the Belfast Policing and Community Safety Partnership. So, I hesitate to say that they are stereotyping entirely.

We need to recognise that the vast majority of young people in Northern Ireland do not get into trouble. They are constructive and positive citizens, in the same way that most older people are. The small numbers who get onto the verges of trouble are frequently being diverted from serious trouble. As a result, we now have very few young people in custody because of criminal matters. Generally, it is around a couple of dozen, whereas, a generation ago, it could have been 300 or 400. So, those are all examples of good work being done, and we should recognise the positive work being done by many young people. Certainly, if people are stereotyping, I disapprove of that.

**Mr Principal Deputy Speaker:** Members will note that question 9 has been withdrawn.

## Historical Enquiries Team

10. **Mrs Dobson** asked the Minister of Justice when he last met with the Historical Enquiries Team. (AQO 4093/11-15)

**Mr Ford:** I last met with the Historical Enquiries Team (HET) on 18 August 2010.

**Mrs Dobson:** What assurances can the Minister give to former members of the Royal Ulster Constabulary George Cross who are sceptical of the work of the HET, believe that it is unfairly weighted against them and feel that it does not do nearly enough on investigating past atrocities committed by republican and loyalist terrorists, including the murders of members of the security forces?

**Mr Ford:** If former members of the RUC or the PSNI hold that view of the HET, I am not sure that anything that I say will counteract it. Certainly, from what I have seen of the HET, particularly in looking through the business case for the extension of its work, it has shown that it is robustly carrying out its duties. There is certainly no truth in the suggestion that it is focusing on members of the security forces or the police services in the way that it does its work. There is every indication that it is seeking to cover all the cases before it. The issue of perception is, of course,

something that cannot easily be cured by ministerial statements.

**Mr Anderson:** Is the Minister convinced that the inquiries are balanced across the community?

**Mr Ford:** I thank Mr Anderson for that point, but if he is talking about inquiries in general, he will find that very few of the inquiries that have happened in recent years have been anything to do with the DOJ. The issue of what inquiries have been ordered and how they have been carried out is much more a matter for the UK Government than for any part of the Executive.

**Mr McDevitt:** Will the Minister take the opportunity to assure the House that the HET has the necessary funding to be able to complete its programmed work and that its operational independence will not be jeopardised in any way because of the way it is funded?

**Mr Ford:** I thank Mr McDevitt for that point. The business case for the extension of HET funding was approved by my Department last month, subject to some further conditions being met. That would result in a potential extension of £13 million to its existing budget allocation. The secondary intention was that the HET would have completed its work by now. The business case estimates that its caseload will be completed by the end of March 2015, on a completion rate of 30 cases per month. Out of 2,555 cases within the HET remit, 1,837 have been completed, leaving 718 in the system, of which approximately 200 are works in progress, having been initiated. The business case will show that the list of outstanding cases can be completed by 2015.

## Criminal Justice: Registered Intermediaries

11. **Mr Lunn** asked the Minister of Justice to outline the rationale for the new registered intermediaries scheme, including how it will benefit victims and witnesses. (AQO 4094/11-15)

**Mr Ford:** On 13 May, I launched pilot registered intermediary schemes to assist individuals with significant communication difficulties to give evidence. Registered intermediaries will facilitate communication between a witness or defendant and others in the criminal justice process, during the police investigation and at trial. The schemes are new to Northern Ireland and, for the accused, will be unique in the United Kingdom. For victims and witnesses, they will improve access to justice and secure greater inclusion for some of the most vulnerable people in our society. Potential cases identified to date have involved very young children who had been subject to sexual abuse and adults with severe learning disabilities. The pilot schemes will assist those who previously may not have had their voices heard. A registered intermediary could make the difference between a case getting to court or not and could prevent a miscarriage of justice. The registered intermediaries schemes pilot will operate in the Crown Court sitting in Belfast and Belfast Magistrates' Court for committal for the most serious offences — those that are triable only on indictment — and is planned to run for 18 months. Ten registered intermediaries have been recruited by my Department and have received accredited training to masters level.

**Mr Lunn:** At least that proves that the Minister does not know what my supplementary question is, because he has just answered it. I do not have a supplementary question.

**Mr Principal Deputy Speaker:** Paul Girvan is not in his place.

### Prisoners: Pre-release Assessment

13. **Mr Allister** asked the Minister of Justice to outline the process and personnel involved in assessing the reoffending risks surrounding a prisoner convicted of terrorist offences prior to release on home leave or otherwise. (AQO 4096/11-15)

**Mr Ford:** Decisions on home leave are taken by home leave boards chaired by a prison governor. The governor takes a range of information into account, including the result of a formal risk assessment, which sets the level of risk that individual prisoners present of reoffending; the extent to which they have engaged with the progressive regimes and earned privileges scheme; results of drug tests; their disciplinary and adjudication records; any representations made by victims; and to what extent a prisoner has complied with and participated in programmes or other interventions to address offending behaviour.

In addition, a governor may also consider accommodation arrangements during the proposed period of home leave; the level of external family support; how prisoners have complied with previous periods of home leave and/or compassionate temporary release, if those have been granted; and, when applicable, relevant information from other criminal justice agencies and social services, including social history reports. In the case of prisoners who are members of a paramilitary group and convicted of terrorist-related offences, when no formal risk assessment tool can be applied, the home leave governor takes all other available and relevant information on a prisoner into account to inform his decision on home leave.

**Mr Allister:** Is the Minister confirming to the House that, in the case of terrorist prisoners, there is no home leave risk assessment of reoffending? If so, what is his assessment of the adequacy of that system, given the involvement of a prisoner in attaining a car that was subsequently used in the murder of prison officer David Black? If no one is doing the assessing, is it any surprise that incidents such as that are facilitated and happen?

**Mr Ford:** Members need to be extremely careful about making allegations of criminal behaviour against any person who has not been convicted. As I explained in my answer, although there is no formal risk assessment tool that can be applied in the case of those who have terrorist-related convictions, the application of the scheme by the prison governor depends, on a similar basis, on the evidence that is available in the prison and in agencies in the community and seeks to parallel as closely as possible the risk assessment that applies to other prisoners.

### G8 Summit: Police Accountability

14. **Mr Milne** asked the Minister of Justice for an update on the accountability arrangements in place for any police officers from England who are deployed during the G8 summit, County Fermanagh. (AQO 4097/11-15)

**Mr Ford:** Mutual aid officers are under the direction and control of the Chief Constable for the duration of their time in Northern Ireland. Arrangements are well under way to establish procedures that will facilitate an investigation

by the Police Ombudsman into public complaints brought against any mutual aid officer deployed in Northern Ireland. That will be done by way of an agreement made in accordance with section 60 of the Police (Northern Ireland) Act 1998 between the Police Ombudsman and forces providing mutual aid. That agreement will deal with conduct that has come to light as a result of public complaint. It does not address the issue of individual conduct that is not the subject of a complaint. In this case, such matters are internal disciplinary matters and are for the Chief Constable and the home force disciplinary authority to enforce. Officers will be accountable under their home force disciplinary procedures.

2.30 pm

## Regional Development

**Mr Principal Deputy Speaker:** As neither Fra McCann nor John Dallat is in his place, I call Mickey Brady.

### Narrow Water Bridge

3. **Mr Brady** asked the Minister for Regional Development what steps his Department is taking to advance the Narrow Water bridge project. (AQO 4101/11-15)

12. **Mrs McKeivitt** asked the Minister for Regional Development for an update on the Narrow Water bridge project. (AQO 4110/11-15)

**Mr Kennedy (The Minister for Regional Development):** I am grateful for the opportunity to answer. I am slightly disappointed that Members are not in their place to ask questions 1 and 2 because I had good news to convey to the House. There is no one called Jeremiah here.

With your permission, Mr Principal Deputy Speaker, I will answer questions 3 and 12 together as they relate to the same subject. My Department has no direct involvement in delivering the project, nor has it made any financial contribution to it. The Narrow Water bridge project is being taken forward by Louth County Council, in partnership with Newry and Mourne District Council, and has received planning approval in Northern Ireland and the Republic of Ireland. My Department's primary role involves the legislative orders required for the project. Following confirmation on 10 April from Louth County Council of the proposed operating procedures for the bridge, formal notification of these draft orders was published in the local press during weeks commencing 22 April and 29 April 2013. This is followed by a statutory consultation period of 30 days, which will allow time for interested parties to submit comments, letters of support and objections. Following consideration of all representations received, I will consider whether a public inquiry is required.

**Mr Brady:** I thank the Minister for his answer. Having been in Carlingford on Sunday and seen the number of visitors and tourists there, I know that there is an absolute logic in them being able to access south Down easily. When does the Minister expect a conclusion to the legislative order process?

**Mr Kennedy:** I am grateful to the Member for his supplementary. The closing date for the receipt of objections is 4 June. Depending on their number and nature, I will have to decide whether a public inquiry is to

be held and, of course, follow due process. No decision can be made on the need for a public inquiry until all objections received during the consultation period have been fully considered and responded to. Louth County Council and Newry and Mourne District Council must be allowed sufficient time to discuss and, if possible, allay concerns raised by objectors. The councils will then have to report the outcome of those discussions to my Department and what, if any, objections remain. The nature of any remaining objections will then need to be considered and a decision taken on the need for an inquiry. As this issue may be regarded as significant and/or controversial and as impacting on a number of Departments, I may, after the consultation period ends on 4 June, need to consult the First Minister and deputy First Minister on the need to refer the matter to the Executive for consideration.

**Mrs McKeivitt:** Does the Minister agree that this project is critical to tourism development in Northern Ireland?

**Mr Kennedy:** I am grateful for the supplementary question. Of course, there has been a significant political competition between the Member's party and Sinn Féin in the area: they have been competing to take credit or apportion blame for this project. This is not a roads project. It has never been a roads project, although my Department is involved in the legislative orders for the bridge. I can see tourism benefit from it, but, in strict terms, it is not and was never considered to be a major road infrastructure project.

**Mr Beggs:** The Minister said that 4 June was the closing date for the receipt of objections. Will he advise us whether there have been any delays in processing the draft orders needed to allow the bridge to continue?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I am happy to place on record, yet again, in the House — hopefully, some Members will begin to believe it; not, of course, that Mr Beggs disbelieves it — that there has been no delay on the part of my Department.

Every effort has been made to progress the necessary orders. Information on the proposed bridge operating procedures was finalised by Louth County Council only on 10 April 2013. I should say that, in Northern Ireland, the construction of a bridge over navigable waters quite rightly requires legislation. However, Louth County Council requires only the consent of the relevant Southern Minister. Therefore, timescales are different, given the significant differences between the processes adopted within the respective jurisdictions.

## Public Transport: Audiovisual Equipment

4. **Mr Nesbitt** asked the Minister for Regional Development to outline the merits of using audiovisual equipment on public transport. (AQO 4102/11-15)

**Mr Kennedy:** I am pleased to say that, as the Member is aware, train services here already have audiovisual systems in place, and they have proved a success. In order to assess the operation of these systems on my buses, my Department — sorry; on buses, not my buses. I sounded like Blakey in 'On the Buses'. Older viewers will recognise that.

Last year, along with Guide Dogs and Translink, my Department completed an evaluation of an audiovisual

pilot project on the Metro service in Belfast. The results from the evaluation highlighted the positive benefits of audiovisual systems on buses for all passengers, particularly for those with visual impairments and older people. My Department previously submitted a funding bid to implement audiovisual systems on buses. That bid was unsuccessful. I am committed to moving this issue forward, and my Department and Translink will continue to explore funding opportunities and other solutions that could be provided through advances in technology, including the use of smart phones, to complement the type of audiovisual systems used in the pilot.

**Mr Nesbitt:** The Minister said that a previous bid for funding was unsuccessful. Can he commit to renewed funding bids? Will he expand on the issues with funding?

**Mr Kennedy:** I am grateful to the Member for his supplementary question and, indeed, for his interest in this important issue. Yes, I have submitted, and will continue to submit, bids for audiovisual installation on buses. It is an important issue that I want to see progressed. I have a £6 million bid in with the Office of the First Minister and deputy First Minister (OFMDFM) for audiovisual as a signature project. I hope that that will be successful to allow Translink to enhance accessibility and encourage uptake of public transport by those who are impaired.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. The Minister is aware that the Committee visited the pilot scheme in the Braniel area last year and saw how successful it was there. The Committee met a number of visually impaired groups and other disabled groups. Has the Minister consulted the disabled groups, in particular the visually impaired?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. My officials have been in fairly constant contact with the various groups on that issue. As I have said about other issues, my door is always open for representations to be made. I am supportive of improving facilities for those with impairments, and I will continue to seek support from Executive colleagues on bringing that forward.

**Mr Principal Deputy Speaker:** As Mr Steven Agnew is not in his place, I call Seán Lynch.

## A5: EU Habitats Directive

6. **Mr Lynch** asked the Minister for Regional Development how he is addressing the issues relating to the EU habitats directive to advance the A5 dual carriageway project. (AQO 4104/11-15)

7. **Mrs Overend** asked the Minister for Regional Development whether additional funds will be made available to his Department to enable it to progress the Magherafelt bypass. (AQO 4105/11-15)

**Mr Kennedy:** With your permission, Mr Principal Deputy Speaker, I wish to address questions 6 and 7 together. At first blush, they may not appear strongly linked, but they both are absolutely and completely related to the A5 — the funding of the A5, and the issues related to the EU habitats directive.

The issues flowing from the habitats directive assessment relate to delay that has made funds potentially available for other projects. My Department has commenced work



on an appropriate assessment process under the habitats directive, the first step of which will be to consider the impacts on the River Foyle and River Finn special areas of conservation, and mitigation measures. That work will be subject to a public consultation exercise. The need for an addendum to the environmental statement is also being considered.

My Department received specific funding for the A5 dual carriageway project and, following the recent ruling on that scheme, I am obliged to declare a reduced budget requirement for 2013-14. However, rather than await the June monitoring round, I have already formally declared that reduced requirement to the Finance Minister to allow the Executive to give urgent consideration to how it can best be redeployed. In my view, it is essential that we quickly redeploy the reduced requirement to provide support to the construction sector and the local economy at this most difficult time. I consider expenditure on roads a specific example of activity that improves vital infrastructure and facilitates economic growth while providing much-needed local employment.

Looking further ahead, there may be knock-on implications for 2014-15, so I have provided options to the Finance Minister on other major road schemes. The Magherafelt bypass is one of those, and I await Executive consideration of that issue.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabham buíochas leis an Aire as an fhreagra sin. I thank the Minister for his question. I and colleagues met representatives of the Quarry Products Association (QPA) yesterday about the A5 scheme. They are very concerned about the delay. They are also very concerned about the moratorium on roadworks, which applies from 10 or 11 days prior to the G8 summit. The Minister of Justice told us, half an hour ago, that you took that decision. Have you spoken to representatives of the QPA about that decision and the A5 scheme?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. He thanked me for my question, rather than my answer. Regardless, I have taken the opportunity to meet a number of people affected, including contractors and other representatives of the road construction industry. I am very well aware of the current situation that is affecting them. As I have outlined, the A5 scheme is delayed. We are working through the processes that are necessary as a result of Mr Stephens's judgement. We will continue to do that without pre-empting it in any way, because to do so would further complicate things.

He raised the issue of the moratorium on roadworks in advance of the G8 summit. As a constituency representative for County Fermanagh, a Member of the House and Deputy Chair of the Regional Development Committee, the Member will know that the G8 summit is a very significant and important event for all of Northern Ireland. I am very pleased to offer my Department's support to the PSNI in managing arrangements for the summit. At the request of the PSNI, my Department has agreed to reprogramme planned works on key routes during the G8. The Department has brought forward a considerable amount of resurfacing work to improve the road network in the run-up to the G8. My colleague Mr Elliott told me that some of the locals in Fermanagh, instead of calling it the A4 road, now call it the G8 road. Nevertheless, those improvements will last well into the

future. The Department for Regional Development (DRD) has reallocated work during that time to areas that are not on those key routes —

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

**Mr Kennedy:** — which means that contractors' work will continue.

**Mrs Overend:** Given the Minister's positive response on the Magherafelt bypass, if the Executive decide to release funds to him in the coming days, how soon can work begin on that project? Will the Minister make his position clear on the application of the 10% top-up for those who may be required to release land for the purpose of that scheme?

2.45 pm

**Mr Kennedy:** I am grateful to the Member and thank her. I place on record her commitment to the Magherafelt bypass and other bypasses in her constituency area. The notice of intention to proceed and the direction order for the A31 Magherafelt bypass were published in September 2010. It is estimated that it may be possible to commence construction in the last quarter of 2014-15 if an early decision of funding is made.

With regard to her latter point, representations have been made to me by, among others, the Ulster Farmers' Union, on the 10% top-up compensation for landowners. I have written to Minister Wilson, who has responsibility for Land and Property Services, in relation to land values and compensation, clearly supporting the extension of the scheme to Northern Ireland, and I will continue to persist on that issue.

**Mr Spratt:** With regard to the A5, has the Minister initiated any investigation into officials for not carrying out the habitats directive work when the scheme was being dealt with prior to the court case? Given that the A6 will take a year of procurement, at what stage are the procurement issues for the Magherafelt bypass?

**Mr Kennedy:** I am grateful to the Member, who is also the Chair of the Regional Development Committee. He will know the detailed judgement that emerged from Mr Justice Stephens; however, it is important to give some of the background. As part of the environmental assessment, a screening exercise was carried out on behalf of my Department, as allowed by the habitats directive. It was concluded that it was unlikely that the proposed scheme would have an adverse effect on the integrity of the River Foyle tributaries and the River Finn.

The findings of the screening exercise were issued to the two relevant statutory bodies — the Northern Ireland Environment Agency and the National Parks and Wildlife Service. Both statutory bodies agreed with the conclusions of the screening exercise. The Loughs Agency was also consulted but did not respond. In reaching his ruling, Mr Justice Stephens preferred the evidence of the Loughs Agency in the context of its response to the environmental statement rather than the direct agreement with the findings of the habitats regulations assessment process provided by the Northern Ireland Environment Agency and the National Parks and Wildlife Service as the nominated statutory consultees.

The Judge dismissed 11 of the 12 grounds of challenge but held that there was a need to carry out an appropriate assessment, which we are now doing. I have asked for a

report to be prepared to address, among other things, the impact and proposed mitigation. That report will be publicly consulted on, and the findings of that exercise will allow me to undertake an appropriate assessment. I have also asked for a third-party review of the project consultants' work in respect of the entire appropriate assessment process, including the scope of the report referred to above, to assist my deliberations.

The Magherafelt bypass is procurement ready.

**Mr Byrne:** I thank the Minister for his answers on the matter so far. I appreciate his commitment to the A5 project. In view of the fact that there will be difficulty with the money for this year, 2013-14, and there is the question of reallocation to other potential projects — obviously those in the west would like as many projects as possible in the west to be started — what about the umbilical cord of roadway known as the A32 from Omagh to Enniskillen? Given all the relationships that are being built, can he give any assessment or assurance that the piecemeal approach can now be advanced to a more intensive capital investment?

Lastly, my colleague —

**Mr Principal Deputy Speaker:** Sorry, I am afraid your question is much too long.

**Mr Byrne:** — Mr McGlone also welcomes the Magherafelt comments.

**Mr Kennedy:** I have no doubt that that will read very well in the local press, and I would not dare to suggest that you are promoting it on that basis.

The situation is such that we now have to look at other potential schemes that can be brought forward. I have indicated that I am doing that in conjunction with Executive colleagues, principally the Finance Minister, and we will continue to do that. The schemes that are most procurement-ready include the A26 Glarryford scheme, which will be music to my colleague Robin Swann's ears, the A6 scheme, the Magherafelt bypass and the A55 scheme in Belfast. It is important that I, as roads Minister, offer alternatives as necessary in the current situation.

## Buses: Marble Arch and Florence Court, Fermanagh

8. **Mr Flanagan** asked the Minister for Regional Development what discussions his Department has had with the Department of Enterprise, Trade and Investment or the Northern Ireland Tourist Board about establishing seasonal bus routes in areas such as the Marble Arch caves and Florence Court house, County Fermanagh. (AQO 4106/11-15)

**Mr Kennedy:** I recall that the Member has previously asked what transport links are in place to facilitate visitors to tourist attractions in the Fermanagh area. My response at that time detailed the Translink services that are available to the Marble Arch caves, Florence Court house, Devenish Island — the House might be interested to know that some people believe that the prophet Jeremiah is buried on Devenish Island — and Aughakillymaude Mummery Centre. There is some controversy over the pronunciation of that; we had three variations. I have no doubt that the G8 will want to flock to the mummery centre.

Services are also available to the Janus figures on Boa Island and to Belleek Pottery.

Beyond existing services, Translink would, of course, consider how best to respond to a clear demand for additional services. However, my Department has not been approached by the Department of Enterprise, Trade and Investment or the Northern Ireland Tourist Board about the issue. Translink has also advised that there have been no discussions with its staff at local service delivery manager level or at area manager level.

**Mr Flanagan:** Go raibh maith agat a Phríomh-LeasCheann Comhairle. I thank the Minister for his answer and for his efforts to pronounce some of our finest townlands across the fine county of Fermanagh. Does he agree that, to grow the tourist economy in the North to what those in the sector want it to be — a £1 billion industry by 2020 — we need to have adequate transport links in rural areas, particularly to showcase places such as the Marble Arch caves? The only way for a tourist to get there at present is to hire a car, a facility that is not available in Fermanagh, or to take a £13 taxi out there, which is completely unacceptable for some people.

**Mr Kennedy:** I am grateful to the Member for the point that he raises. It is an essential point because, whether it is main roads, major roads, side roads or minor roads, it is clear that the key to economic success or economic benefit, at least, is improving the road infrastructure across Northern Ireland, including County Fermanagh. To that extent, even the G8 will have seen benefit to Fermanagh's roads at this point in time, and I am sure that the Member will want to acknowledge that. I have no issue with asking the Executive for further support for the roads budget so that we can improve the network and make it easier for tourists, local businesspeople and local users to travel safely on all our roads.

**Mr Elliott:** I am really interested in the Translink network that goes out to Devenish Island. Maybe the Minister can impart some of that information.

Is there any further evaluation or assessment of developing a rail network out to the west of Northern Ireland?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. He will know that we recently held a consultation exercise on the future of railways all over Northern Ireland. We have had very interesting feedback, even in my own area, where we had significant feedback on the possibility of reopening the old Armagh to Portadown line and the line that he mentions that starts in the Clogher Valley and works on through. There are, of course, huge issues of infrastructure and cost. We would have to look carefully before embarking on even a serious and more detailed study of the availability of finance and the practicalities of obtaining the necessary land and permissions to allow a rail network to be re-established.

I am a key supporter of railways. I proved that by my support in saving, effectively, the Coleraine to Londonderry line. I am also pleased to say that, in spite of some misplaced information in the 'Belfast Telegraph' last week about the Enterprise service, the numbers using that service have increased by over 10% this year. That is good news. It is also good news that there were over 11 million passenger journeys on the railways in Northern Ireland last year. So, I say to the Member and the House that the

future of railways and travel by rail and public transport is safe in my hands.

**Mr Storey:** Moving from the beauties of Fermanagh and all that it has to offer, I take the Minister to the premier tourist attraction in Northern Ireland: the Giant's Causeway. While the Minister is advocating his support for the bus network for tourist attractions, will he assure the House that he will provide park-and-ride facilities at Bushmills so that the premier tourist attraction of the Giant's Causeway will be properly facilitated, given the current deficit?

**Mr Kennedy:** I am grateful to the Member for his ingenious supplementary question, given that it is a long way from the causeway to the Marble Arch caves or even the mummies in Aughakillymaude. For all that, I will provide him with a written answer on the up-to-date position on park-and-ride facilities in Bushmills.

**Mr Principal Deputy Speaker:** That is very generous.

### Ballymagarry Lane, Belfast

**Mr Humphrey:** Carrying on the theme that all politics is local, question 9.

9. **Mr Humphrey** asked the Minister for Regional Development would he consider removing the traffic-calming measures in Ballymagarry Lane, Belfast. (AQO 4107/11-15)

**Mr Kennedy:** The traffic-calming scheme on Ballymagarry Lane was requested by the principal of Mount Gilbert Community College and was completed in April 2008. The scheme included the provision of road humps on Ballymagarry Lane, Lyndhurst Park and Lyndhurst Parade.

In the three-year period before the scheme was completed, two personal injury collisions had occurred, whereas, from the completion of the scheme in April 2008 until March 2012 — the period for which the latest data is available — no personal injury collisions have occurred. Similarly, there has been a significant reduction in traffic speed measured in the area. On that basis, the Member will appreciate that the scheme clearly contributes to road safety, and, therefore, I have no plans to remove it.

**Mr Humphrey:** I thank the Minister very much for his answer. He may not be aware that the school was demolished a number of years ago and no longer exists on that site. I am sure that all Members will be aware that road-calming measures in the shape of speed ramps are not universally welcomed by communities, particularly those who live beside them, and motorists. Is the Department looking at a viable alternative to speed ramps?

**Mr Kennedy:** I am grateful to the Member. I am, of course, aware of the position of the school. Officials inspected the road humps and found them to be in accordance with the road humps regulations, and no defects were noticed. No complaints or further representations have been received since 2009. Although road humps may not always be popular in areas, it seems that they are pretty hard to remove. Officials have advised that there is no record of road humps having been removed from any street in Belfast.

We continue to use a number of traffic-calming measures. We can, perhaps, look at that in that context. However, officials seem satisfied, the safety record seems good, and we are aware of no further representations about that

area other than the Member's question. That is the present situation.

**Mr Principal Deputy Speaker:** Order. That ends Question Time.

### 3.00 pm

**Mr McCartney:** On a point of order, Mr Principal Deputy Speaker. During Question Time, I asked the Minister of Justice about the road closures and the proposed moratorium on road construction. He informed me that it was a matter for the Regional Development Minister. This is not about having a go at any Minister, but, earlier today, we tried to table a question to the Regional Development Minister about who was responsible and who could tell the Assembly on what basis the decision was taken. To date, no one has offered any of us an explanation. None of us knows who took the decision, so none of us is in a position to hold anyone responsible for what has caused some public concern. Many people are saying that there have been too many proposed road closures, so we are trying to bring a bit of clarity. Perhaps your office could help us in doing that.

**Mr Principal Deputy Speaker:** Thank you for that. The Member may be aware that the Speaker has dealt with this previously. How Ministers address or answer questions is a matter entirely for them. The Speaker has made it clear that it is not a matter for him to get involved in.

**Mr Kennedy:** Mr Principal Deputy Speaker, this is slightly unusual and it is not quite a point of order, although it may be a point of information. My understanding is that the arrangements governing G8 remain a reserved power. Consultations with the Foreign and Commonwealth Office and, indeed, 10 Downing Street have put in place many and most, if not all, of the arrangements for the G8 summit, including those relating to justice and road closures. Therefore, if the Member's colleagues in Westminster wanted to ask a question on the Floor of the House there, I am sure that it would be very well received and fully answered.

**Mr McCartney:** Further to that, Mr Principal Deputy Speaker.

**Mr Principal Deputy Speaker:** I think I have dealt with it. OK, go ahead.

**Mr McCartney:** I thank the Minister for giving that explanation, but it was his Department that made the announcement. If it was a reserved matter, no person in the Assembly should be left wondering whether his Department, the Justice Department or other people have a role in road closures. We should be in a position to give an answer to the public, particularly the quarry people, who have asked legitimate questions and have come to local representatives with questions. People can make jokes out of it, if they like, or perhaps make political points out of it, but, when the people who are not working here next week are not bringing money home, none of us will be laughing or joking about that.

**Mr Principal Deputy Speaker:** I have made the Speaker's position clear, as previously set out. Quite clearly, your observations and the Minister's comments are now firmly on the record. We will proceed.

**Mr I McCrea:** On a point of order, Mr Principal Deputy Speaker. I did not get to my question; it was number 10.

Unfortunately, I suppose, I did not need the answer, given that the answer was published in a local paper yesterday. Can the Principal Deputy Speaker seek clarification of how the process for delivering answers to Members at Question Time is carried out in accordance with Standing Orders?

**Mr Principal Deputy Speaker:** I thank you for that. Clearly, I have set it out that these are matters for Ministers. I am sure that, if there is an issue there that you have put on the record, it will be up to the Ministers to respond. It is not a matter for the Speaker's Office.

## Private Members' Business

### Shared Future

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to two hours for this debate. As two amendments have been selected and are published on the Marshalled List, an additional 15 minutes have been added to the total time. The proposer of the motion will have 10 minutes to propose and 10 minutes in which to make a winding-up speech. The proposer of each amendment will have 10 minutes to propose and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes. Before we begin, the House should note that both amendments cannot be made, as they are mutually exclusive. If amendment No 1 is made, the Question will not be put on amendment No 2. I hope that that is clear.

**Mr Lyttle:** I beg to move

*That this Assembly notes that the development of a shared future and building a strong economy are inextricably linked; further notes the statement from the First Minister and deputy First Minister entitled "Together: Building a United Community"; calls for the individual projects announced to be subject to public consultation, where appropriate; and stresses the importance of the Executive developing a comprehensive shared future strategy which includes a clear vision, action plan, targets, budgeting and delivery mechanisms and which addresses issues such as integrated education, mixed housing, shared space, the regulation of the flying of flags, parades and dealing with the past.*

I am grateful for the opportunity to propose the motion. I remain convinced that there is no bigger challenge for our society than addressing its deep divisions. Of course, we have made significant progress, not least in establishing these democratic institutions. However, we owe it to the community to produce the most ambitious shared future strategy and plan possible to deliver on the Good Friday Agreement promise of sustainable peace and prosperity for everyone in Northern Ireland.

Fifteen years after the Good Friday Agreement and eight years after the original shared future strategy, people are right to expect more from government in tackling the human and financial cost of division in Northern Ireland. Of course, the scale and consequences of the problem should not be underestimated. We know that the financial cost of division to the public has been estimated to be in the region of £1 billion a year. Despite reports of progress and some level of agreement from the Office of the First Minister and deputy First Minister (OFMDFM), a failure to find compromise on contested issues at a political level has left many people disillusioned and disengaged. We have to set out a vision and a plan to tackle all unsettled issues that remain — patterns of segregation, intimidation and fear, all of which continue to have a serious impact on our economy and the quality of life of people across Northern Ireland.

*(Mr Speaker in the Chair)*

The Good Friday Agreement put the responsibility for leading reconciliation at the heart of government. The shared future strategy in 2005 stated clearly that there should be an approach of sharing over separation and that:

*“Separate but equal is not an option.”*

It said that parallel living and provision of services have been rejected as both morally and economically wrong. The strategy was accompanied by the requirement for all Departments to produce three-year plans that would plot actions against good-relations targets, which were to be measured every year, to achieve their aims.

We therefore have to decide whether we will settle for anything less than those standards that were set or listen to people who tell us that the ‘Together: Building a United Community’ document is the best that we can hope for at this stage. I am convinced that the community believes in better.

Reconciliation workers, victims and ethnic minority groups all responded in numbers to tell OFMDFM to get out of town when the first devolved draft community-relations strategy — namely, the cohesion, sharing and integration (CSI) strategy — was produced back in 2010. The Alliance Party worked hard and contributed significantly to the OFMDFM working group’s attempt to improve that strategy. However, when it became clear that key issues such as integrated education, flags, parades and dealing with the past were being dodged, we withdrew. Since then, we have come under attack, but as a party whose members have given their lives to the struggle for fundamental institutional and community change in Northern Ireland, we would never support such inadequate proposals. *[Interruption.]*

**Mr Speaker:** Order. Members, let us not debate across the Chamber while the Member has the Floor.

**Mr Lyttle:** Thank you, Mr Speaker. We did not sit on our hands. We published our own proposals in the ‘For Everyone’ document. We set out a clear vision of a shared and integrated society that is free from discrimination, intimidation and fear, and that is based on the values of equality, diversity and interdependence for everyone. We put forward specific proposals for a shared future policy-proofing tool that would have no public investment without testing whether it would be appropriate for good relations.

We put forward modest targets of 20% of children being educated in integrated education by 2020 to meet parental demand for new integrated schools and to simplify transformation processes. Indeed, in recent polls, we have seen that 80% of parents support a request for their children’s schools to become integrated, and 70% agree that integration is the best preparation for living in a diverse society. However, only 7% of our children are being educated in an integrated setting. We also made proposals on housing and flags. In particular, on flags, the Good Friday Agreement — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Lyttle:** The Good Friday Agreement recognises the sovereignty of Northern Ireland as part of the UK unless and until people decide otherwise, as well as the right of all people in Northern Ireland to identify themselves as British, Irish or both as they choose. Any future change in the status of Northern Ireland cannot affect that. We

believe that this unique constitutional arrangement is, therefore, best reflected in a respectful and balanced manner by the policy of designated days. That could be the long-term settled policy, whether Northern Ireland is part of the UK or Ireland.

We also proposed a meaningful consultation on symbols for Northern Ireland. There is no occasion on which one flag or one song is enjoyed by absolutely everyone, so that could be looked at.

David Ford also proposed an alternative all-party working group, with an independent chair and community representatives as well as political representatives, to try to restart a stalled process. Although the First Minister and deputy First Minister declined the invitation, they recently published the ‘Together: Building a United Community’ document, which is the name of an Alliance Party policy from 2003, and proposed an all-party working group to address a number of key outstanding issues. Any change in language and any set of initiatives that will address the symptoms of division in Northern Ireland should, of course, be acknowledged, but this appears to fall well short of the fundamental change and comprehensive framework that we believe is needed to tackle deep division, stabilise economic development and meet the aspirations of people in Northern Ireland to live in a shared society for everyone.

If the First Minister thinks that this is the most ambitious set of proposals ever, he is wrong; I am not even sure that it is the most ambitious this year. The proposals seem more akin to a political public relations exercise to appease certain Governments who complained about potential investment not being possible. There appears to be little detail on budgets, work with relevant Departments, action plans and monitoring. Of course, we await the publication of more detail on the strategy.

The First Minister, amid his ranting and raving and inaccurate biblical metaphors of recent weeks, did make one very pertinent point. He said that it was fundamentally wrong that we segregate our young people on the basis of religion at the earliest age, and I agree with him. I have to ask him, therefore, whether he really believes that proposals for 10 shared education campuses and two-week summer schools can credibly claim to tackle, and produce fundamental change in, a system that he says is so fundamentally wrong. There are serious concerns that this is a decisive policy change away from the commitments in the Good Friday Agreement and ‘A Shared Future’ to integrated education. The idea of a shared education appears to be an acceptance of a dual system, with work to increase co-operation. The shared education advisory group recommendations merit close consideration, and meaningful co-operation and collaboration across sectors should be welcomed. People must have choice, but surely we have to work towards the more meaningful integration of our young people’s education.

The “Building a United Community” document also makes housing proposals, with 10 shared neighbourhood schemes. It is my understanding that 30 shared neighbourhood projects already exist. With 90% of social housing thought to be segregated, is that really a proposal for radical change?

More detail remains to be added to the United Youth programme, which can be looked at as potentially positive.

The eye-catching headline on interfaces will be made possible only if there is an adequate strategy.

The First Minister, despite rubbishing our proposal in the Assembly and expressing his "incredulity", appears to have now accepted the Alliance Party position that the previous closed OFMDFM working group was inadequate and that any working group set up to adequately address those issues should have an independent chair and include members of wider society with relevant expertise. We need to make the search for a robust shared future strategy much more than a political process and ensure that it includes the wider community.

If we are to tackle unemployment, persistent deprivation, adequate childcare and nursery provision, health, investment and tourism, and build our economy, we have to tackle the costs of division and build long-term sustainable peace. People in Northern Ireland need to decide — we need to decide — whether we want to manage division or transform this society into a truly united community with a prosperous economy for everyone.

I ask the Assembly to support the motion.

### 3.15 pm

**Mr Moutray:** I beg to move amendment No 1:

Leave out all after "Community;" and insert

*"and that the good relations strategy was subject to full consultation; urges all relevant parties to fully and constructively participate in the all-party group to find solutions on the issues of parades and protests, flags, emblems and symbols and the past; welcomes the statement from the First Minister and deputy First Minister that all relevant Departments will be invited to participate in the detailed project design stage; and calls on all Executive Ministers to ensure their Departments fully and constructively participate, where relevant, in this process."*

I propose the amendment, as submitted in the name of my colleagues and me. I believe that the 'Together: Building a United Community' document has been a mammoth step on the part of OFMDFM. I believe it has been courageous and brave to take leadership and to demonstrate a clear vision for the House and the Province. Unfortunately, there are those who want again to point-score and who, quite frankly, are content to snipe from the sidelines but are not willing to take off the gloves and get in and try to make this work.

In this country, we are all too aware of where we have come from. Furthermore, we are all too aware of where we need to go. It is time that those who are in this Government started to play an active role in trying to make government work. I have this to say to those who continually pick holes and cause malice: stand up to the task in hand and put into practice what you were elected to do by creating a stable society and an environment in which investors are confident in coming to start business, expand or create a place in which people are proud to live and work.

The dissent amuses me somewhat because although they are willing to rubbish what has been proposed, they are yet to come forward with suggestions for real and meaningful action. We have heard much about a review here and research there, and consultation after

consultation. I believe that people now want to see action. I appreciate the work afforded to this document and the efforts made to bring forward these very real and very practical suggestions as to how to deal with the issues and move our society towards a better and brighter future. We do not need to go out to further public consultation for another five or six months, and still nothing is happening on the ground. We are elected to take decisions and that is exactly what the First Minister and deputy First Minister have done on this occasion.

Recent months have undoubtedly been challenging, and, that said, some thorny and contentious issues remain to be dealt with, particularly parades, flags, emblems, symbols and the past. However, this initiative, which has brought forward ideas concerning the all-party group and community relations strategy will, I believe, bring about real change in society if supported and fully engaged with.

We can have all the documents and strategies we want on good relations, but we need practical work on the ground. We need targets to work towards and we need people around the table who are willing to work towards them. I encourage all, as stated in our amendment, to work to that end and to participate fully in the all-party group that will consider and make recommendations. I believe that the makeup of that group is fair and equitable, and I welcome the fact that the chair will come from outside the political parties. I believe that this group can make a positive change and bring about some mature, sensible, practical suggestions. I, for one, wish it well.

I welcome some of the creative and practical initiatives in the First Minister and deputy First Minister's statement, such as the creation of 10,000 one-year placements in our new United Youth programme. I also believe that the summer schools initiative is an excellent way of integrating young people in a youth surrounding, with people of their own age, to get up to the things that young people love to get up to. I believe that the sporting programme is also commendable, and, if managed in the right and proper way, will assist in the overall aim. I believe this new —

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

**Mr Moutray:** No, not at this point.

I believe that this new shared future agenda is positive for Northern Ireland. It is one that, if all in this House commit to and work at it, can work and deliver a genuine shared future for our children and young people. The time has come to work to that end and strive to have a peaceful society in which people can live, work and do business.

I propose the amendment and trust that people will see beyond the political point-scoring and demonstrate, in the House today, a commitment to the future of Northern Ireland and that of our citizens from all walks of life.

**Mr Speaker:** I call Mike Nesbitt to move amendment No 2. The Member has 10 minutes.

**Mr Nesbitt:** Ten minutes? Thank you, Mr Speaker. I beg to move amendment No 2:

Leave out all after "Community;" and insert

*"expresses concern at the lack of consultation with other parties, the absence of detail and uncertainty over costing; calls for the individual projects announced to be subject to public consultation, where appropriate; and stresses the importance of the*

*Executive developing a comprehensive shared future strategy which includes a clear vision, action plan, targets, budgeting and delivery mechanisms and which addresses issues such as a single education system by introducing a statutory promotion and facilitation of shared education and learning from existing integrated education techniques as a means of achieving that, mixed housing, shared space, the regulation of the flying of flags, parades, dealing with the past and reconciliation."*

I am pleased to commend amendment No 2 to the House. Perhaps I will begin by explaining why we are unable to support the motion as proposed by members of the Alliance Party. It is very simple: there is no mention in the motion of the lack of prior consultation between the First Minister and the deputy First Minister and their Executive colleagues, which I find almost inexplicable given that just a few short days ago, their party leader was jumping on my colleague Danny Kennedy's bandwagon on BBC television to make much of the fact that there had been no consultation with Executive colleagues.

A few days later, however, they seemed to have moved on from the tribe of Jeremiahs to the "So what?"-ers when it comes to consultation. That is despite the fact that, on that programme, junior Minister Bell made it clear that we are talking about a set of initiatives that will cost the taxpayer £500 million between now and 2015. Nothing could be more important financially, not to mention to the social fabric of this society, therefore, than this initiative.

Clearly, from what we heard from junior Minister Bell and the Education Minister, Mr O'Dowd, over the past few days, it is an initiative that has serious cross-cutting implications. Therefore, it is too important to be dismissed with a simple, "So what?" However, in those two words — those two simple syllables — we hear, perhaps, all that we need to know about what is going on at the heart of government in the Office of the First Minister and deputy First Minister.

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

**Mr Nesbitt:** In a minute. We are supposed to have a five-party coalition. In those two syllables — *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Mr Nesbitt:** — what we hear is that those at the heart of government are operating a two-party carve-up.

**Mr Maskey:** I thank the Member for giving way. I did not want to interrupt his flow, but he made great play of the two syllables, as he described them, when referring to John O'Dowd's remarks on 'The View'. Does the Member not accept that, the following day, John O'Dowd made a very substantial comment publicly that addressed that issue? That was also followed up by comments from Martin McGuinness. The Member may not have liked the remarks on the night, but he heard subsequently from John O'Dowd and Martin McGuinness. Does he not take any comfort, or anything, from the remarks that were made after the programme?

**Mr Nesbitt:** I thank the Member for his intervention. If he wants to speak to Martin McGuinness, he will understand how I reacted. He also needs to bear in mind that I had been invited to an event that you were running. At the same time that Mr O'Dowd was, in your view, trying to be helpful on the radio, the news that I had withdrawn from

the conference was being tweeted on social media. Three of your Members —

**Mr Speaker:** Order. Let us have remarks through the Chair. Let us not address Members as "you".

**Mr Nesbitt:** I stand corrected, Mr Speaker. Three of his colleagues from his MLA team tweeted, "So what?"

We will not support the DUP's amendment No 1. It encourages parties:

*"to fully and constructively participate in the All-Party Group".*

I say to the Members to my left that we will, and I already have. I have started engagement and I have spoken to the deputy First Minister and the First Minister about the all-party group. We will play our part as positively as anybody possibly can.

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

**Mr Nesbitt:** Briefly.

**Mr Givan:** I appreciate the Member giving way. In his earlier remarks, he referred to the First Minister when talking about the "So what?" comment. Does he acknowledge that the First Minister has never used those words, and that, by virtue of offering those parties that initially walked away the opportunity to re-engage, he has demonstrated his commitment to finding a way forward, with all of us in this together?

**Mr Nesbitt:** I thank the Member for his intervention. I acknowledge that the First Minister may not have used the words "So what?" However, I have not heard him condemn those words. I believe that the invitation to get involved in the new all-party group came jointly from the First Minister and the deputy First Minister.

The difficulty that we have with the DUP amendment is that it includes no mention of education. I think that the Democratic Unionist Party, like the Ulster Unionist Party, believes that, in the long term, we need a single education system. That does not mean integrated education, which is currently one sector among many others. Shared education is not the endgame either. The endgame has to be a single education system in which all our children mix at the age of three or four, rather than waiting, in many cases, until they are 18.

Why is education so important to the Ulster Unionist Party? Let me give you just one definition of the problem. I am grateful to my colleague Jo-Anne Dobson for bringing this to my attention, as she is grateful to one of her constituents for bringing it to her attention. It is a teaching guide for the Northern Ireland curriculum for Key Stage 3 English for a book entitled 'Bog Child', so every 11- to 14-year old in our education system could be exposed to this teaching guide. Let me be clear: I make no criticism of the book. I cannot criticise the book, because I have not read it, and I am not like one of those people who stands outside the Grand Opera House with a placard complaining about a play that I have not even seen. I have not read the book, but I have read the teaching guide, and I am appalled.

The book is about the hunger strikes. The teaching guide gives advice on how to engage all our 11- to 14-year olds in studying 1981 and the hunger strikes. It states:

*"Engage with the situations... discuss how the pupils would have felt in their shoes."*

It also asks teachers to:

*"Discuss whether they would have made the same decisions"*

as the hunger strikers.

It goes on to state that teachers:

*"could explore texts about the Northern Ireland situation and others, such as:*

*- Nazi Germany;*

*- South Africa during apartheid".*

So, the document makes a clear link between Northern Ireland and Nazi Germany and South Africa under apartheid.

It advises teachers to explore other sources, and that they could:

*"read some of the factual writing from the time of the hunger strikes".*

I thought that, maybe, it would suggest a journalist of some repute like, say, David McKittrick or perhaps a historian of the stature of Lord Paul Bew. However, the first individual who it recommends for factual descriptions is Danny Morrison, the chief propagandist of the republican movement and the man who gave us an Armalite in one hand and a ballot box in the other. Factual writing.

At the end of the guide, there are not one, not two, but three testimonies. The document states:

*"The following accounts are from people who lived in Northern Ireland at various times throughout the Troubles."*

They are not identified and they are not named. One says:

*"One of the worst aspects of 1981 for me personally was that my father was a prison warden at... the Maze prison... I have often felt deeply ashamed of this"*

—"deeply ashamed" — this teaching guide from the Department of Education tries to imply that it was shameful to be a prison warden during the hunger strikes.

Again I quote from these unnamed testimonies:

*"I went to France...during the hunger strikes and met Moroccans who knew what was going on here. They supported Bobby Sands and laughed at the people they met from here who considered themselves to be British".*

It is an object of fun to be from this island and to call yourself British. This is an official document on the Northern Ireland curriculum website that is supported by the Department of Education.

I say to the Members of the Democratic Unionist Party that, if you agree with us that this is the most appalling document, drop your amendment and support ours.

**Ms McGahan:** Go raibh maith agat. I support the motion and amendment No 1 and oppose amendment No 2. I want to welcome the package of actions that were

announced by the joint Ministers despite the concerns that have been expressed.

Any shared future must also address the problem of the long-term unemployed and social exclusion and deprivation wherever and however it occurs. The 'Together: Building a United Community' document recognises the promotion of equality of opportunity as an integral aspect of building a better future for everyone.

Shared education is one of the core components of the 'Together: Building a United Community' document, and I want to welcome the announcements on the shared educational campuses. I am delighted that we have support from five of the schools for the Lisanelly campus. That issue is also pertinent to Moy and Dungannon in my constituency. I attended a meeting that was designed to work out a way forward for the two schools in the Moy area. The Moy Regional and St John's primary schools have decided to look at options that will allow both to maintain their own identity while securing their future provision of a first-class education to their community. I thank teachers and school governors in both schools for their responsible attitude. They are prepared to look at all options to secure a good education for the children. I will continue to give my support to both schools to work out the best option possible that will maintain their separate identities while meeting the requirements of the area plan to deliver a first-class education. Quite simply, this is about building bridges. There was no big analysis or any big theories around it; this was simply about people sitting down, talking and engaging.

### 3.30 pm

Sinn Féin, along with many others, has long lobbied for a bill of rights for the North of Ireland, on the grounds that a comprehensive bill of rights can serve as a guarantor of the vision of parity of esteem and equality of treatment of and for all that is contained in the agreement. It is our view that the bill of rights is about the harmonisation of human rights standards throughout Ireland, within an all-Ireland charter of rights that is central to the consolidation of the peace-building process. The Universal Declaration of Human Rights states:

*"recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world".*

Some have stated that the benefits of a bill of rights could create rich cross-community debate regarding a shared future. Equality, although not fully realised, is embedded in our Government's institutions. Developments, such as the section 75 equality duty, anti-hate crime legislation, and changes to policing and criminal justice to make the justice system more representative and human rights focused are important contributions to creating a shared future.

Many difficulties and challenges face us, but there are also many, many opportunities. Some people say that nothing has changed. Well, I think that we have travelled a very long journey since the Good Friday Agreement. The establishment of a power-sharing Government by parties from very different backgrounds, and with very different histories and ideologies, has not prevented progress being made on changing not only the political landscape but the economic, educational, cultural, civic and social



landscape. That progress is evident in the development of new schools, hospitals, transport links and tourism centres, such as the Maze/Long Kesh site.

Finally, republicans have always endeavoured to work in the interest of all citizens, irrespective of their background. We have succeeded in doing so, in spite of a very austere economic climate and against a backdrop of a Tory-driven cuts agenda at Westminster. We will not be hindered in playing our part in moving this process onwards to a shared future.

**Mr Eastwood:** Given that there was quite a lot of bluster in here last week, I say at the outset that the SDLP is 100% behind and committed to building a shared future. However, we are also committed 100% to getting it right. It is important to note that we will never shirk our responsibilities in scrutinising projects such as this that come forward and in asking what might sometimes be viewed as tough questions. Those questions are asked to try to ensure that we get the best possible government and chance to build a shared future for all our people, because God knows we need it.

It is unfortunate that the hysterics of the First Minister last week soured the tone of a potentially constructive engagement around a shared future document. His aspersions of “Jeremiahs” and “whited sepulchres” did, however, confirm one thing: Peter Robinson seems to be stuck in an Old Testament world, when people out there are desperately crying out for something new.

It is also clear that OFMDFM seems completely and utterly uncomfortable in responding to any measure of scrutiny of what were its own proposals. Kites were flown and figures were concocted; half a billion was mooted then withdrawn. The only thing that seemed clear was that junior Minister Bell seemed like not much of a source for accurate information. I hope that some of that information can come forward today.

Given all of that, we are committed to trying to engage in this process, and we will not allow the sourness of last week's debate to stop us in our attempt to properly scrutinise any proposals coming forward.

The true purpose of a comprehensive and workable shared future of government and people is to provide a new departure for all our people, especially our young people, because God knows we need it. So many people in this society have suffered through division, hurt and violence, and so many of them are still suffering to this very day. It is important that we all engage constructively to try to bring about a new future for those people.

In a spirit of constructive engagement, I want to ask a number of questions, and I hope that we get some answers. Will the British and Irish Governments be involved or be invited to be involved in the all-party group that is being proposed to deal with the outstanding issues of the past, flags, emblems and parades?

How will the 10,000 one-year placements for young people in the not in education, employment or training (NEET) category be assigned if demand outweighs supply? How many major employers did the Department approach before making its announcement?

With regard to the four urban village regeneration projects to be developed by the Department, why did we come up with a figure of four? Why not three or five? What kind

of body will be used to deliver that regeneration project? Will it be a body such as the Ilex organisation in Derry? We need to ask questions about whether that is the ideal mechanism for delivering on regeneration projects.

In an announcement that ran to about 2,000 words, only two sentences were dedicated to segregated housing. We have heard from every source that segregated housing is one of the most difficult nuts to crack and one of the most important issues that we deal with.

**Mrs D Kelly:** Will the Member give way?

**Mr Eastwood:** I will.

**Mrs D Kelly:** I agree with the Member that segregated housing is a difficult issue. However, will he acknowledge the work of the former Social Development Minister, Margaret Ritchie, who had 14 consultation workshops across the North on dealing with segregated housing and also introduced models of integrated housing?

**Mr Speaker:** The Member has an added minute.

**Mr Eastwood:** I clearly have no choice but to acknowledge that work, which, of course, I do. A lot of good work has been done to date, but in the 2,000-word announcement, only two lines were given over to segregated housing. That, along with the debacle around the Girdwood site, does not give us much hope that we are going to deal with that issue.

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

**Mr Eastwood:** OK, yes.

**Mr McCallister:** On the day of the announcement, I made the point that it is absolutely imperative that a detailed action plan flows from whatever strategy, and that that comes with the strategy or very shortly after it.

**Mr Eastwood:** Thank you for that, and I agree with you. I am trying to make the point that there are a number of questions. I asked a couple of those questions, but there are many more. A key question is around cost. How much will it cost? I do not think that that is too much to ask. I know that we will not be given an exact figure, but is it £500 million? Is it less? Is it more? Can we even have a guesstimate? I know that the First Minister does not want to be held to anything, be scrutinised or asked any difficult questions. However, a fairly obvious question to ask is: how much will all of this cost?

If those questions remain unanswered —

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

**Mr Eastwood:** — and many more questions remain unanswered, the cautions of Jeremiah will have proved appropriate.

**Mr G Robinson:** I am somewhat confused about the reason behind the motion, as it appears to be an opportunistic motion. It would be more beneficial if the proposers had put as much time and effort into building a shared future as they did in causing division by helping to remove the flag from the City Hall. I commend the Minister on his initiative to move Northern Ireland forward.

Other parties across the Chamber take delight in denying the unionist people the right to express their culture, even to the extent that, in Limavady, they opposed the flying of the RAF flag for two hours during a memorial service —

**Mr Speaker:** I apologise for interrupting the Member, but can he bring the mic closer to him?

**Mrs D Kelly:** Will the Member give way?

**Mr G Robinson:** No.

Mr Speaker, I will start that line again. Other parties across the Chamber take delight in denying the unionist people the right to express their culture, even to the extent that, in Limavady, they opposed the flying of the RAF flag for two hours during a memorial service.

If a shared future is on some parties' agendas, their actions do not follow their words.

The whole ethos of a shared future is everyone working together and respecting each other's traditions. That does not seem to be occurring with all parties. The positive thing in the 'Together: Building a United Community' proposals is the concentration on the education of our young people. They are the future generation of our country, and all our efforts in this House to ensure that they are able to live and work together will surely benefit the whole community.

*"No other generation of politicians has done more to move Northern Ireland from violence and division to peace and stability." — [Official Report, This Bound Volume, p55, col 2.]*

Those were the words of the First Minister about a week ago. I agree with them and welcome them. That is why the youth of today need to be given the leadership that is obvious in 'Together: Building a United Community' to create cross-community trust and tackle misperceptions. Many problems lie ahead, and everyone realises that, but all parties must fully and constructively participate, not just in an all-party group but in every elected Chamber in Northern Ireland. That is how we will show the leadership from all parties at a local and national level. It is also important to note that the document refers to "responsible citizens". What a challenge those words lay before us all, but we are all up to that challenge.

One of the points that has been discussed most has been the interface areas. It has to be noted that the community is at the centre of these proposals and that nothing can or will be done without the consent of the community. This is the most practical of approaches, as the awareness of the difficulties in these communities is recognised. Interface barriers will only be reduced and removed with local agreement and support. The message is clear.

We must all accept that nothing that this Assembly may propose will ever be perfect, but in order to build a shared future, leadership and a flexible set of proposals have to be produced. Therefore, I hope that all the relevant Departments, as well as Executive Ministers and Members, will fully and constructively participate in making a shared future a reality so that we can all live in respect and tolerance of each other's religious and cultural beliefs after all the years of mayhem and terrorism. I support the DUP amendment.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. Like my colleague Bronwyn McGahan, I support amendment No 1 and oppose amendment No 2.

When Chris Lyttle proposed the motion, it seemed to me that he was more concerned about the fact that the announcement was not an Alliance Party manifesto. He

complained that it does not go far enough, but also that it contains the title of a previous Alliance Party document and some of the measures that his party has previously proposed.

On that basis, I would have thought that the Alliance Party would have been well able to support the announcement and the initiatives that are contained in it. Even if, from their perspective, the proposals do not go far enough, they at least go some of the way. Therefore, I would have thought that the Alliance Party should have given the proposals more of a welcome and a commitment to work with them. I hope that it will do that in the time ahead.

In proposing his amendment, Mike Nesbitt, the leader of the Ulster Unionist Party, outlined a number of issues of concerns, but it was interesting to note that although his amendment shares some of the Alliance Party's opposition, he cannot agree with its motion. What chance does that give us? What indication does that give to the rest of us that his party is going to play a constructive role in the all-party working group, which, thankfully, he says his party will join? We will wait with interest to see how the all-party working group performs its work in the time ahead.

**3.45 pm**

Colum Eastwood's contribution on behalf of the SDLP concerned me because it seems that that party seems to think that all that is has to do around here is to ask questions. Colum said that his party is prepared to ask tough questions, but I am sorry; it also has to provide tough answers to tough questions, because it is part of an Executive. The SDLP has its Minister and all its MLAs here, so it has a responsibility in exactly the same way as every other party in the Chamber does. One of the questions that it asked was why the number picked for shared neighbourhoods was four. I would have thought that you could at least say, "We welcome the fact that there are four shared neighbourhoods or urban villages." I would have thought that that would be welcomed, even if you do not think that it goes far enough. In fact, we are told that Margaret Ritchie had 14 options, so why does the SDLP have to ask us how many we need? Perhaps it should just tell us that we need 14. At least put that proposition on the table.

I hear the party's representatives basically saying, "We were not included in the discussions", yet they were. I hear them saying that the announcement was made without any consultation with them or anybody else, yet they have had a week to say that they do not like the shared announcement details because they do not go far enough, or whatever their criticism may be. Perhaps some of their criticisms are even justifiable, but they need to put options on the table. I want to make it very clear from our party's point of view that it is simply not good enough for the SDLP to come here a week after the announcement was made to tell us that it is here to ask tough questions. We are all here to ask tough questions.

**Mr McDevitt:** I thank Mr Maskey for giving way. I am slightly curious about something, and if I have missed this, I apologise. Have the First Minister and the deputy First Minister actually published their paper yet? We will be very happy to respond to the proposals when they are published. Perhaps Mr Maskey will inform the House

whether something has happened today that I missed and a paper has been published.

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

**Mr Maskey:** Thank you very much, Mr Speaker.

That is very interesting, because if no announcement has been made by the First Minister and the deputy First Minister, there has been a hell of a response from the SDLP. Therefore, I do not know what it was responding to. We were reminded just a few days ago by the First Minister that that party's members were tweeting their opposition to the announcement before it had been made. Therefore, it is pertinent for people who come to the House or get up in the media and say that they are going to ask tough questions to put tough answers on the same table. It is not good enough not to do that. I do not accept that party's right to come here and ask our party or anybody else for answers to tough questions that it is not prepared to answer itself. That is simply not good enough, nor is it acceptable.

However, I did hear Colum Eastwood say that, notwithstanding the bad atmosphere of last week, his party is committed to working with the rest of the parties. That is what the people out there want to hear. There has been an announcement, and the First Minister and the deputy First Minister have a statutory obligation to make such an announcement to take the leadership initiative that they have done. It may not go far enough —

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

**Mr Maskey:** I am sorry, but I am going to run out of time.

There is an awful lot of work to be done. In the past several months, this society has seen a deterioration and violence on the streets around parades and flags, we have had a prison officer shot dead and we have had a lot of other violent incidents. Thousands of our young people have had to leave this country to get work, and the best thing that the parties around here can do is squabble. I have heard the comments about the two-syllable response from John O'Dowd last week, but none of the panel members nor the presenter, Mark Carruthers, covered themselves in glory. If I had been a member of the public looking to the future, I would not only have been switching off but I would have been looking at the Flybe flights to get out of here.

This announcement is a positive step for the future. I am urging all the parties to get around the table, work out the detail —

**Mr Speaker:** The Member's time is gone.

**Mr Maskey:** — and provide the good, positive future that our people out there desperately want from us.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. I apologise for missing the beginning of the debate. I came in halfway through Mr Nesbitt moving his amendment and thought that I had stepped into the wrong debate. I thought we were talking about the future, but we got a rehash of the events of 1981. We are supposed to be talking about a shared future at that, so I was confused to hear Mr Robinson's comments regarding flags. I welcome the announcement anyway.

The frustration, particularly among young people, at the little progress made on this issue is absolutely huge. A lot of good work has been done and is ongoing in

communities, but that requires, and always has required, political leadership. Therefore, it is important that whatever actions are taken forward are progressive and inclusive and that all programmes that are rolled forward have equality at their core. It is only right and proper in that case that OFMDFM is taking the lead, but it requires the input of all parties to work out the detail.

Recent events have shown that this society still has a long way to go and a lot to learn in dealing with difficult and emotive issues. The best way to deal with them is in a structured environment, so I welcome the announcement of the establishment of an all-party group to deal with issues of flags, parades and dealing with the past. It is important to have an independent chair because the issues could not be worked out last time.

It is clear that unemployment needs to be addressed if we are to truly become a united community. Deprivation and social exclusion need to be tackled, and job creation and economic growth are key to that. Although I welcome the United Youth programme and recognise its potential, I have some initial concerns. I sincerely hope that the positions created are targeted, focused and meaningful. I do not want huge companies to take advantage of the situation, or of vulnerable young people for that matter. Equally, I want a strict framework in place for whichever organisations or companies come on board. It needs to be made very clear that the programme cannot be used as a means to cut costs or replace existing staff.

There are a lot of models of good practice out there, and it may be an opportunity for them to expand their work in the NEETs sector. It is also important that whatever programmes are taken forward on youth unemployment work alongside current programmes in the Department for Employment and Learning (DEL). The commencement of 10 shared-education campuses within five years and, indeed, the summer schools are a good step forward. Early intervention is key to breaking down barriers at an early age and abolishing sectarianism. All of that is important for pupils and parents in building good relations.

I welcome the announcement of cross-community sports programmes. We see a return from education, and sport, particularly team sport, is also a fantastic way of breaking down barriers. As in the NEETs sector, there are a lot of models of good practice out there. We have seen excellent examples such as Football for All, which gave a presentation to the OFMDFM Committee recently, Sport Changes Life and Game of 3 Halves. I hope that the Department is taking some of these on board.

Not all of the projects need to go out to consultation as that is just a means of delaying progress even more. Some of the programmes came from ideas from the former all-party group. Some parties stayed in that group, which was good, but others chose to walk away. Other programmes are initiatives taken by the Department, which need to be welcomed.

This is about trying to move forward. We should also look at doing things in a new and creative way. I look forward to the publication of the document in the near future. I have every confidence, given the strong views that Members are putting across today, that the Committee response to the Department will be to robustly scrutinise and monitor its progress.

**Mrs D Kelly:** I am happy to support the Alliance Party motion on a shared future. It is notable that the Alliance Party accepted the post of Justice Minister on the back of a CSI document some years ago. It may be churlish of me to remind the Alliance Party of that. Nonetheless, we are where we are.

The motion makes a number of very strong points, including some on budgets, targets and action plans. All are reasonable, and the Assembly has every right to expect answers. I note with growing discontent that, although the First Minister and deputy First Minister made a statement to the House last week, they made their initial announcement to the media. That is a complete snub to Members and to the responsibility of the House to hold the Executive to account, particularly in the absence of an opposition. The House is supposed to be the opposition. All Members are supposed to scrutinise the work of Executive Ministers, and private Members' motions, such as the one before us this afternoon, are the mechanism by which that process should operate.

I am very unhappy that Sinn Féin and the DUP have again conspired to amend the motion in a way that reduces participative democracy and scrutiny. Those parties have the lead Ministers in OFMDFM, which has, in recent months and over the past year, a history of not wanting to face the public on a wide number of fronts, not least of which is responding to freedom of information (FOI) requests.

Some weeks ago, the House passed a motion in support of the Civic Forum, yet we have seen no movement on that. The Civic Forum, as other Members have pointed out, is an integral part of the Good Friday Agreement and is a way in which to engage wider democracy in the creation of a better and shared future.

If I might, I will refer to the Community Relations Council's (CRC) recent report on Northern Ireland peace monitoring. The CRC stated:

*"The new reality of Northern Ireland politics, as revealed by the census, is that dominance is not an option for either community. There is now a demographic equilibrium, with a 48/45 split between those from a Protestant background and those from a Catholic background. No community has more than a 50 per cent share. This is now a society made up of minorities."*

Although Mr Lyttle, in his opening comments, widened out the minorities beyond Catholics and Protestants, it is essentially the relationship between the two main traditions on the island that a shared future must tackle.

The SDLP has welcomed many of the actions and targets outlined by OFMDFM last week in the House. However, the action plan deals, essentially at this stage, with the symptoms but not the causes of division. Political leadership, most specifically in the past number of months in Belfast, has been woefully lacking. In fact, we have seen senior figures in political parties playing to the worst fears of people on the margins. Sometimes, I wonder whether that is because they do not want people who are marginalised and deprived and who are living in poverty to ask the difficult questions such as: what are you doing for us; how are you making our lives better?

It is only just a little over two years since the First Minister stood in this very Chamber and said that this term of office would be judged on delivery. Yet, we have seen no delivery. In fact, other contributors to this debate are right in their analysis that we had the statement two weeks ago because of the pressure that the British, Irish and American Governments were putting on OFMDFM. Although the First Minister and the deputy First Minister are being seen together in public, we have yet to see any real leadership in delivering for all of the people of the North.

I am very happy to support the motion, and I hope that, for once, some Assembly Members will question their consciences and not take part in the diktats from the —

**Mr Maskey:** I appreciate the Member giving way. There is an amendment to the motion. Will the Member give us some sense of whether the SDLP will be prepared to accept the essence of it? The amendment asks everyone to work together from here on in to resolve these very complex and difficult issues.

**Mr Speaker:** The Member has an added minute to her time.

**Mrs D Kelly:** The SDLP played a full role — a full role — in the subgroup that was set up to look at a shared future, and we stuck with it even when times were not good. Indeed, we put forward a number of reports on dealing with some of the most sensitive issues. I do not think that anyone can question the SDLP's commitment to working and dealing with the root causes of division and to tackling sectarianism. *[Interruption.]*

**Mr Speaker:** Order. Let us not have a debate across the Chamber.

**Mrs D Kelly:** I have some sympathy for the Ulster Unionist amendment, particularly what it says on the lack of consultation, but I was somewhat lost by some of the points that Mr Nesbitt made.

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

**Mrs D Kelly:** I felt that they were perhaps for another day.

**Mr Kinahan:** I rise to speak to our amendment. I feel that a shared future is probably the most important matter that we all need to resolve, because, without resolving it, we cannot resolve anything else.

Most of us welcome the idea and the basis behind 'Together: Building a United Community' but were sceptical of its intentions due to the lack of detail. We were especially so when no attempt was made to discuss it. As the debates went on, it certainly did not seem together, and it was definitely not united. I want to remind people of what many people feel outside this House. As I have said before, Northern Ireland is not as divided as we politicians often make it out to be. The onus is on all of us to find our way forward.

The Alliance Party motion is very laudable and puts so many of the right ideas forward, especially the idea of finding a vision. However, as I will go into later, the lack of shared education being mentioned in it made us want to table our own amendment.

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

**Mr Kinahan:** No, I would like to carry on, if I may. Thank you.

**4.00 pm**

The DUP amendment muddles and concerns me. We cannot support it. It starts with a red herring about there being consultation on the good relations strategy, yet that was two or three moves ago in the context of a shared future. It then brings back into the debate the flags, emblems and symbols that they had taken out of the debate when the announcement was made. I wonder whether that is a complete about-face. The amendment also calls on all Departments to fully participate and for us all to see ourselves as part of that. Yet, right at the beginning, they did not include any of us. Of course we should all participate. As you heard from my party leader, the Ulster Unionists will take our place. The UUP will do what is right for Northern Ireland and urges everyone else to do likewise.

There is one huge omission. The Alliance motion highlights integrated education as a small part of a shared future. Education is the keystone of a shared future. Without that, we cannot support the motion.

**Ms Ruane:** Will the Member give way?

**Mr Kinahan:** Not at the moment, thank you.

I want to concentrate on education. Last week, the First Minister — Mr Angry, as he was then — fumed at my criticism of his —

**Mr Speaker:** Order. I ask the Member to take his seat. Yesterday, I reminded Members in the House to call all Members by their proper name. That also goes for parties. The Member may continue.

**Mr Kinahan:** Thank you very much, Mr Speaker. I withdraw the comment. I normally wear my Mr Grumpy cufflinks, but I do not have them on today. The First Minister fumed when I criticised him for dropping the single shared education system. Today, in the DUP amendment, there is no mention of education. Education has been dropped altogether, yet it is the absolute key to a shared future.

**Ms Ruane:** Will the Member give way now? It is about education.

**Mr Kinahan:** I would like to carry on. I will give way in a second, thank you.

We have seen, through the education system and area planning, Protestant and Catholic schools being divided. We have seen, through the Education and Skills authority (ESA) Bill, those same schools being given priority over others. I really wonder what is going on. We have heard — the statistic has been quoted today — that 80% want shared education. That does not necessarily mean integrated education, although that is a very good part of the picture. Someone asked me the other day whether the DUP is giving everything away: the flag, our city, and now our education system. As a party, we will not give up on a single shared education system. We look at the 10 shared education campuses. As has been said, that is already happening, yet there are difficulties with them. We needed much more in the statement. The summer schools will last for just two weeks. It is a long summer, and there is much more that we could do. We have 1,225 schools, 7% of which are integrated. How many actually have meaningful sharing going on?

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

**Mr Kinahan:** I know of eight. What I am really putting forward today is this: we need to include in a shared future a single shared education system —

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

**Mr Kinahan:** I will.

**Mr Dickson:** I am somewhat at a loss to understand why the Member cannot see that the motion proposed by the Alliance Party aspires to a much higher standard than "single shared education", which I really do not understand. Does that mean that Protestants and Catholics share the same building, but nothing inside it? The reality is that integrated education is where this community needs to aspire to go. We need to aspire to a much higher standard than that which was delivered by OFMDFM in its proposals to the House. Its Ministers are notable by their absence today. They are not even willing to engage in the debate. With particular regard to what Mr Kinahan said, the reality is that there is a much higher standard than simply sharing educational facilities, and that is what the Alliance Party motion deals with.

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

**Mr Kinahan:** Do I not get another five minutes?

**Mr Speaker:** No, you do not. *[Laughter.]*

**Mr Kinahan:** I urge the House to support our amendment.

**Mr Speaker:** The Member's time is gone. Members who have the Floor decide whether they want to take an intervention. Members should be careful when they do that, because if it eats into their time, the Member who has the Floor is responsible.

**Mr McDevitt:** Thank you very much, Mr Speaker, I did not expect a call-up so soon.

**Mr Nesbitt:** Will the Member give way? *[Laughter.]*

**Mr McDevitt:** No. I will give it a minute, Mr Nesbitt, if that is all right.

This is a welcome opportunity to debate the bigger issue of reconciliation. I am not one to try to reduce this afternoon to some sort of competition to the point of publishing the next idea about what we should do to address the divisions in our society. I am, I think, relatively well qualified — having spent practically the past two years on the CSI working group — to talk about the issues that remain unaddressed and which will remain unaddressed unless, frankly, every one of us in this Chamber changes his or her attitude.

The opportunity to continue to publish stuff that deals with the symptoms of our division is right in front of us. If this House is happy and content to be seen as a place that does a slightly better job than the previous generation in managing our divisions, then fine. However, none of that will deal with the problems at the heart of our society. We will deal with those only when we find the political courage to enter discussions about the things that really hurt us: the past, and truth and reconciliation. Those are two sides of the same coin. You will not get to the truth without a spirit of reconciliation, and you will not find reconciliation without some sort of truth.

We need to face up to the fact that we are different, culturally, at certain levels and that our cultures are entitled to be more than just respected. They should be owned

by us all. Today, we seem to consider that tolerance is enough when, in fact, this society requires us to move to a state that is beyond tolerance — beyond living, thinking or trying to respect each other independently of each other. It requires us to move to a state of interdependence. We will only get to that place when we set aside some of what we today consider to be fundamental positions. That is a sad reality that every one of us in this House must reflect on.

We look forward to joining the working group that will be established soon. I apologise for being absent for the beginning of the debate, but I was at a meeting about the establishment of that working group. We will only see product from that group, and it will only succeed, if we are genuinely willing to change the terms of the debate. That means not reducing the debate to whatever big idea of the week the SDLP, the Alliance Party, the Ulster Unionist Party, the DUP or Sinn Féin might have. It means, with the greatest of respect to the Alliance Party, not saying that integrated education is the magic bullet that will solve every division in our society. Nor is it about saying —

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

**Mr McDevitt:** No.

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

**Mr McDevitt:** No. Nor is it saying — *[Interruption.]*

**Mr McDevitt:** Sit down.

**Mr Speaker:** Order. The Member should not persist.

**Mr McDevitt:** Nor is it saying that simply dealing with symbols, flags, or the huge issues that we have about parading will address the issues in our society. It is about understanding that we must go back and face up to some of the ghosts in our past, in order to find the reconciliation that will be necessary to work through to a future that allows our children to be educated in a way different from how they are today. It is about understanding that there are issues that are deep, festering sores in our society, which, if we continue to ignore them, will continue to haunt us.

It is so easy for all of us to camp out on a political position. It is so easy for all of us to say —

**Mr Speaker:** Time is almost gone.

**Mr McDevitt:** — “you know, we are just more committed to reconciliation than the others”, but the test of the process that we are about to enter into is not a test of whether one idea wins over another —

**Mr Speaker:** Time is gone.

**Mr McDevitt:** It is, Mr Speaker, a test about whether compromise with conviction —

**Mr Speaker:** The Member's time is gone.

**Mr McDevitt:** — and with integrity is possible in our society.

**Mr Allister:** What a remarkable impact a pending visit of President Obama can have. Suddenly, whatever it takes to please around social engineering is possible — housing, education or whatever is on the shopping list and the instruction list of the visiting president, the Secretary of State or whoever is presently pulling the strings. The First Ministers, of course, react with this package. Well, they call it a package but, of course, we still have not seen it. Almost two weeks on, nothing has been published. It is still being dickied up into a nice glossy brochure, no doubt, which, at

huge expense, will be presented to us as another triumph of form over substance. Fundamentally, however, this package, if we call it that, is testament to the lamentable and indisputable failure of the Belfast Agreement.

Fifteen years ago, the people voted in favour of the Belfast Agreement. It was supposed to be a charter for reconciliation, a charter for building a shared society. It was supposed to be the panacea for all our ills. The fact that today, 15 years on, we are scratching around to address the very issues that were supposed to be provided for in the panacea that was the Belfast Agreement is testament to the failure of that agreement.

How could it ever be otherwise? Some, mostly unionist, who voted for the Belfast Agreement thought that they were voting for a settlement. They thought that the moment had arrived when, together, the community was going to pull as one for the good of Northern Ireland. We were going to make Northern Ireland work. They thought that it was a settlement. Of course, others, principally from the nationalist community, who voted yes to the Belfast Agreement read it right. They knew that it was not a settlement; they knew that it was a process — a process that, little by little, was ultimately to deliver a change in constitutional arrangements as far as Northern Ireland is concerned. Because it is that divisive, disruptive process and not a settlement, its implementation has involved discord and disappointment every step of the way. Those who thought that they were getting a settlement have had the alarming wake-up that they were getting nothing like a settlement. What they were getting was a new means of agitation, a new agenda, a new forum for agitation — an agitation that, in order to protect the process, had to be sustained every step of the way with whatever concessions it took to keep the process moving forward.

Fifteen years on, we arrive at this situation where we are talking about suddenly producing a shared society. It was so shared that the ideas could not even be shared with other Executive members.

It was so shared that the announcement could not even be made to the House. It was so shared that the First Minister and the deputy First Minister had to be brought with bad grace and bad temper to the House to talk about their proposals and then berated anyone who dared to question anything that they said as Jeremiahs.

**4.15 pm**

**Mrs D Kelly:** Will the Member give way?

**Mr Allister:** Yes.

**Mrs D Kelly:** Mr Maskey gave an explanation of the “So what?” comment of his party colleague. Does the Member accept that as a bona fide apology?

**Mr Speaker:** The Member has an added minute.

**Mr Allister:** It is certainly not an apology. The “So what?” comment crystallises an attitude of arrogance and superiority that hallmarks the cabal that rules the House. The “So what?” comment put into words what is in their hearts and what they think about the rest of you. I have to say to Mrs Kelly that it undermines, to her party, to the Ulster Unionist Party and to the Alliance Party — not that it is likely to object — that your role in the Executive is as mere doormats. You are there to make up the numbers, and unless and until you regain the dignity and the

courage to stand up for yourselves outside the Executive, you will remain as doormats in the Executive.

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

**Mr Allister:** My time has gone, but I will just say this. The First Minister got it so wrong —

**Mr Speaker:** The Member's time has gone.

**Mr Allister:** In all his warnings, Jeremiah proved to be so right, and so it will be again.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** Before I respond to the debate, there seems to be some confusion so I want to clear up the difference between the actions that were outlined in 'Together: Building a United Community' and the strategy that is to be published.

The actions announced on 9 May are the seven headline actions that were worked up to accompany the strategy. They are things that we felt could be enacted quickly to support the wider policy framework in the document. They are a tangible expression of our determination not to simply produce another strategy and then sit back and do no more work. We want to see action, and, more importantly, people in the community want to see action. We intend to move very quickly from the design and costing stage to programmes being up and running.

The strategy, on the other hand, is a result of many years' work, and Members spoke about that. It is a policy and strategic framework for the delivery of good relations here. It is about how we move society away from division and hurt towards sharing and uniting in common purpose. The seven actions announced previously are in the strategy, as are many more, and they will all contribute to the goal of building a united community.

I welcome the opportunity to respond to the debate, and hopefully I will address some of the points that were raised. As Members know, and I have just mentioned, we intend to publish the new good relations strategy, 'Together: Building a United Community', later this week. That will be a significant step forward and will provide the basis of a comprehensive programme of work to promote improved relations and to tackle the root causes of community tensions.

On 9 May, the First Minister and the deputy First Minister announced a package of significant and strategic actions that will help to build a prosperous, peaceful and safe society that is enriched by diversity and is welcoming to all. The package includes a number of significant programmes that will focus on education; young people who are not in education, employment or training; regeneration and deprivation; housing; and learning from the past.

Working groups of officials and advisers from the Office of the First Minister and deputy First Minister and relevant Departments have been established for the projects that will deliver individual strategic actions. The Strategic Investment Board (SIB) will provide support in developing the programme of work. The working groups will report back to the First Minister and deputy First Minister on the detail of what will be delivered by each project, the timeline and the indicative costs.

The immediate costs associated with the delivery of the new projects and programmes are minimal. I anticipate that the initial design and set-up costs can be covered

from existing budgets and reallocations during this comprehensive spending review (CSR) period.

During the current CSR period, we have allocated £36 million to good relations work. We plan to bid in the next CSR period to significantly increase the funds available for good relations work. Since devolution, approximately £500 million has been spent on supporting valuable good relations work across the North. The Office of the First Minister and deputy First Minister, Peace funding, the International Fund for Ireland, Atlantic Philanthropies and the Big Lottery Fund are just some of the funders. We have come a long way, but we recognise that there is much more work yet to be done. We are determined to address issues of division and build a truly shared future.

The largest element of the cost of the new programmes is likely to be the capital cost of the 10 shared education campuses. We will consider all funding options available to us, including the reallocation of capital for the delayed A5 infrastructure project.

The 2012 update on the good relations indicators, which was published at the end of January this year, indicates that relations have improved between the two main traditions here. We are committed to improving relations. Although the statistics in the latest report are not the solution, they will inform policy decisions.

It is encouraging that the positive indicators in the report outweigh the negative. Significant positive trends include the proportion of adults aged 18 and over who believe that relations between Protestants and Catholics are better than five years ago. At 62%, that is 10 percentage points higher than in 2005. The number of people presenting as homeless due to intimidation decreased by 34.4% in 2010-11, to 462 in 2011-12. That is almost half the baseline of 880 in 2005-06. However, it is important that we do not become complacent, and we are committed to continuing to improve on that trend and achieve our vision of a united and shared community.

Despite the progress made, there continues to be intolerance and prejudice in our community that manifests itself in physical violence against people and attacks on property. We utterly condemn this kind of behaviour and are committed to tackling the attitudes and mindsets that can be manifested in such negative ways.

Through the finalised 'Together: Building a United Community' strategy, we will build a community based on respect, mutual understanding and trust. That will include tackling all forms of intolerance and hate crime, and working with the local community and relevant statutory agencies to prevent young people from engaging in such activities. There are still negative influences in our community who seek to bring us back to the darker days of our past. We are resolved not to allow those elements to detract from the undoubted progress that we have collectively made as a society.

Last week's announcement on 'Together: Building a United Community' followed several years of hard work. The proposals announced aim to secure a more positive future for all citizens. The issues and difficulties in bringing our community together are well known to all Members. Some have asked why the actions were announced to the press and not to the Assembly. To them I point out that the issue of good relations has been discussed many times in the Assembly. Many questions were raised on the issue, and

Ministers always answered in as full and frank a manner as possible.

On the issue of consultation, it is worth reminding the Assembly that the programme for cohesion, sharing and integration was subject to an extensive period of public consultation following its launch in 2010. The independent analysis of the consultation exercise was informed by a wealth of material, including 288 written responses and feedback from 15 sectoral events and 11 public meetings. The commitment of individuals and groups from across society to 'Together: Building a United Community' was made very clear through the consultation. We are determined to harness that commitment as we go forward with the implementation of the final strategy and the high-level action plan.

**Mr Lyttle:** Will the junior Minister give way?

**Ms J McCann:** May I finish this first? I will give way if I have time, but I want to get this out.

The analysis of all contributions made to the public consultation has formed an integral part of the work plan for the cross-party working group and informed its considerations. We do not propose to consult on the specifics of each action arising from this detailed strategy. To do so would significantly delay and completely frustrate the process of delivery. People want actions, not more consultation. People are clear about what they want, and they are clear about what they want us to deliver.

The ministerial code requires that we bring our proposals to the Executive, and we will do that later this week. The actions that we announce will go ahead to support the messages contained in the new good relations strategy, 'Together: Building a United Community'. What we announced last week were positive, tangible actions designed to improve good relations and provide opportunities for all our citizens. Those actions have the support of ministerial colleagues, whose representatives will be taking them forward in the design groups. The Assembly will have ample opportunity to discuss the actions and scrutinise their implementation.

Our vision is a united community based on equality of opportunity, the desirability of good relations and reconciliation — a community that is strengthened by its diversity, where cultural expression is celebrated and embraced, and where everyone can live, learn, work and socialise together, free from prejudice, hate and intolerance.

We have invited Executive party leaders to nominate two Members to an all-party group, which will consider and make recommendations on matters including parades and protests; flags, symbols, emblems and related matters; and dealing with the past. The all-party group will have an independent chairperson. It will want to hear from various stakeholders from across the community as to how best to address the issues that cause community division.

We have identified an initial set of seven strategic actions on which work to prepare for implementation will commence immediately. Those actions are important in engendering a real sense of ambition and pace into the process. Many Members have raised questions and points today about the 10,000 placements for young people who are not in education, employment or training. Those placements are designed to foster good relations and improve the life chances of those young people.

DEL, along with other Departments, already has implemented, or is in the process of implementing, a number of programmes to meet primarily the skills and work experience needs of those young people whom we say are in the NEET category. The programmes include the additional support provided by OFMDFM in October 2012 to improve family liaison. The new programme, while complementing that work, will go further by providing a wider range of opportunities to challenge, motivate and reward those young people. That will afford them the opportunity of better connecting with society and the community. They will learn valuable transferable skills, which should help them and us in our wider economic future.

The 100 summer schools initiative is also important. It will provide a range of opportunities for post-primary young people to come together for academic and leisure purposes. That is part of the shared education agenda and looks at the range of development needs for those young people delivered on a cross-community basis.

The four urban village concepts seek to revitalise urban areas by looking at the education, retail, recreation, employment and housing needs of communities together in a joined-up way. In doing that, a real sense of community and revitalisation will be forged, overcoming a legacy of piecemeal design and urban decay. Some Members have asked where those might be situated. We are looking at a number of options, but Colin, for instance, where preparatory work, led by SIB, has already been carried out, is an obvious candidate.

I move now to the 10 shared education campuses. We envisage a range of different types of campuses, ranging from large multi-school, multi-age campuses to more modest shared campuses that bring only a few schools together. The first flagship campus for the initiative will be in Omagh, where six schools from a range of backgrounds and sectors have agreed to come together on a spectacular site that overlooks the river there.

#### 4.30 pm

In July 2012, the Education Minister fulfilled a Programme for Government commitment by establishing a ministerial advisory group to advance shared education. The advisory group comprised Professor Paul Connolly, Dawn Purvis and P J O'Grady, and they presented their report to the Education Minister on 22 April 2013. The group engaged in a widespread consultation exercise with key stakeholders across the region as well as directly seeking the views of parents, children and young people. The advisory group has made 20 recommendations on shared education and its potential to provide a framework for creating a world-class education system here. The recommendations are now with the Department of Education for consideration.

The Department for Social Development (DSD) will take forward work on the 10 shared neighbourhoods, building on work that it has already done on social housing and responding to a strong demand for that. We see the new initiative extending that work and looking at housing issues, bringing together social and private housing and considering community background issues. Potentially, that initiative will also prove helpful in progressing the urban village concept.



There is already significant support for sports being played on a cross-community basis. Historically, support has come from a range of statutory and voluntary organisations. The purpose of the new cross-community sport programme is to take that to a new level, building on what has happened already and linking the new programme to all aspects of the good relations strategy and strategic actions programme. This is a comprehensive programme of actions that is underpinned by a substantive strategy. We will implement the actions set out in the strategy, and we are determined to succeed.

**Mr Lyttle:** I thank the junior Minister for giving way. She mentioned further consultation. Given that around 200 responses to the previous iteration, namely the cohesion, sharing and integration strategy, were so overwhelmingly negative, is she confident that the new Building a United Community strategy will address the concerns raised in that consultation?

**Ms J McCann:** I thank the Member for his intervention. Yes, we will consider what people tell us.

Recently, I went to an event in Fermanagh, where there was a group of young people from right across the island. In my capacity as junior Minister, and in my particular role with regard to children and young people, I have attended different events. When junior Minister Bell and I go on visits, we listen to people, and we hear what they say. That is very important. I am really glad that, apart from a few comments, today's debate was quite positive. We need to show the way to those young people because they are our future. They are the people for whom we are trying to build this new shared, better future. It is very important that we send out that message.

Members asked a couple of other questions. I will go over some of the more specific ones. I think that Colum Eastwood asked about the all-party group. There will not be representatives from the British and Irish Governments on the group, but there will certainly be two representatives from each party, and the chairperson will be independent. We will also listen to other stakeholders who want to become involved, so it will be a wide-ranging group.

Conall McDevitt asked about the past. As I said in my response, the past will be one of the main issues. It will be dealt with along with parading, protests, flags, symbols, emblems and related matters.

I thank Members for the debate. I hope that when Members have a chance to look at the strategy and proposals in detail, we can send out a message with a clear, united voice, particularly to young people, because they are the ones to whom we need to show leadership and direction. I hope that we will be able to send a positive response to young people through those actions and the strategy.

**Mr Swann:** I will make a winding-up speech on behalf of the tribe of Jeremiah. What a wicked misuse of Jeremiah's name, and I quote the former First Minister, Lord Bannside.

The opportunity to debate this topic is very welcome, given that the whole process around the CSI strategy so far has hardly been inclusive or successful. Following several months of talks, there was a statement from OFMDFM on 18 July stating that the CSI cross-party working group would conclude in September last year, despite the fact

that agreement had not been reached on a number of significant areas. Likewise, the two larger parties did not consult with the other parties in the Executive before the recent announcement of the package of strategic actions entitled, 'Together: Building a United Community'.

The junior Minister referred to confusion between actions and the strategy. Minister, the projects were announced two weeks before the publication of the actual strategy. To use an agricultural analogy, I would say that you have put the cart before the horse; only in this case, the horse is not even a foal.

The First Minister made a statement to the House on the projects only after the original announcement. The junior Minister did well to defend the First Minister, but that does not excuse the disrespect shown to the House and its Members by not making the announcement here.

The main issues, such as flags, parading and dealing with the past, have now been shelved and put back into the cross-party working group. Mr Maskey asked what it would take for the Ulster Unionist Party to support the motion. We made that clear: the inclusion of education.

In introducing the Ulster Unionist amendment, Mike Nesbitt made clear our concerns.

**Mr Dickson:** — *[Interruption.]*

**Mr Swann:** Sorry, do you want to make an intervention? Not after the last one. *[Laughter.]* In introducing the Ulster Unionist amendment, Mike Nesbitt made clear our concerns about the lack of consultation, which has been outlined in some of my previous points. The announcement was less about doing what is right for Northern Ireland and more about cobbling together some projects before Obama comes to town.

In highlighting the issue of education, which was left out in the DUP amendment, Mr Nesbitt also made an appeal to the DUP to withdraw its amendment, but I note that it has yet to do so. That is maybe because it has received the backing of Sinn Féin through Mr Maskey and because it maybe also needs its approval to be able to withdraw the amendment.

There is a real lack of detail. Take the proposal to provide 10,000 one-year placements for NEETs, which the junior Minister noted, and in which I, as Chair of the Employment and Learning Committee, have a particular interest: a number of questions still remain to be answered. How much will the stipend be? What proportion of the 10,000 placements will be in employment? How many of those will be in work experience? How many will involve volunteering for part of a week? How many will be in leisure? How exactly will these opportunities specifically foster good relations? What approaches have been made to business? Are there plans to consult the relevant Minister and Committee on the proposals? Those are some of the concerns that the Ulster Unionist Party has raised.

Perhaps the Alliance Party could inform the House later about how much its Minister knew prior to the announcement. It seems that the DUP is content to leak details of the proposals as and when it feels like it, without consulting or briefing others. For example, junior Minister Jonathan Bell claimed on 'The View' that £500 million would be allocated, yet the First Minister could not subsequently confirm that. He also cited £150 million of Peace money as an option, which certainly has not been

discussed. Further to that, Jeffrey Donaldson claimed on 'The Stephen Nolan Show' that the biggest company in Northern Ireland had been in touch to offer its help with the United Youth programme. Again, that is information that First Minister did not divulge to the Assembly, and nor did the junior Minister divulge that here today.

Mr Nesbitt also dealt specifically with the issue of reconciliation and why we as a party believe that that is so fundamental to dealing with the past. I cannot imagine any reason why other parties would not support that view.

When my colleague Danny Kinahan spoke on the amendment, he said why we wanted to insert the words "single education system". He would also have said that this is an area that the DUP First Minister once claimed to champion, but his party has now decided to settle for much less in respect of shared campuses. If they were serious about a single education system, they could have dealt with it in a cross-party working group alongside other difficult issues such as flags and dealing with the past. We do not want to settle for less. We want statutory promotion of shared education.

In conclusion, it is right that we express concern about various aspects of the shared future announcement. It is right that we include the phrase "single education system". Reconciliation is a key part of dealing with the past. For those reasons, I ask for support for the Ulster Unionist amendment, and I ask the DUP to withdraw its amendment.

**Mr Spratt:** I begin by welcoming last week's statement by First Minister and deputy First Minister. It is not surprising that all the naysayers have had their go around. To put Mr Swann's mind at rest right from the very start, we will not be withdrawing our amendment; we will be putting it to the vote. Let me be clear on that. The Chair of the OFMDFM Committee did his usual act of saying one or two headline-grabbing things and producing some document. That is typical of the leader of the Ulster Unionist Party. Nobody will be surprised by that.

In fairness to Mr Lyttle, who proposed the motion, he said that significant progress had been made. He went through various bits and pieces of the Alliance Party's document and seemed to suggest that some of those had been picked up in the announcement that the First Minister and deputy First Minister made the other day. He also said that the Alliance Party would be happy to take part in the all-party group and that he was delighted that it would have an independent chair. Again, he suggested that that was the good work of the Alliance Party. I would be surprised at that; I think that that decision was made elsewhere.

My colleague Mr Moutray, who proposed the amendment standing in his name, my name and Mr George Robinson's name, complimented the brave leadership of the First Minister and deputy First Minister. He asked everyone to get the gloves off and support the working group and the process as it moves along.

Mr Nesbitt, when proposing amendment No 2, gave us a mathematics lesson. He told us that the junior Minister had talked about half a billion pounds, and then he told us that half a billion pounds added up to £500,000. He then talked about the fact that education was not mentioned in our amendment. Other than that, he made very few substantive points, but that is not surprising from the leader of the Ulster Unionist Party.

Ms McGahan spoke about the shared campus at Lisanelly. She suggested that it was a first and that, already, agreement had been reached on that site in Omagh. Mr Eastwood said that the SDLP was committed to dealing with the past, but he had a "but". He went over some of the normal rantings that we expect to hear from the SDLP. He made comments about the First Minister's use of "Jeremiah" and "whited sepulchres" the other day. He said that the First Minister was stuck in Old Testament times. The First Minister is certainly not stuck in Old Testament times, because you will find that whited sepulchres are actually referenced in chapter 23 of Matthew's Gospel, so he is very much in the New Testament.

George Robinson complimented the statement. I will rush through a couple of others. Mr Maskey said that the Alliance Party complained that the announcement did not go far enough. He also noted that the Ulster Unionist Party could not support the Alliance motion, and stated that that did not give much confidence in what would happen in the all-party group.

Mr Kinahan was muddled on the DUP amendment, but most of us and most of the public know that the Ulster Unionist Party is a muddled party anyway. So, thank you for telling everyone that you are muddled today.

#### 4.45 pm

**Mr Speaker:** Your time is almost gone.

**Mr Spratt:** You are muddled on most days when you speak.

I commend the amendment in our names to the House.

**Mrs Cochrane:** I welcome the opportunity to make a winding-up speech on the debate. Judging by the number of people who have come in and out of the Chamber during the debate, it is clear that delivering a shared future is seen as important by many of us. The difficult part is whether we all have the same definition of what a shared future is.

My colleague Chris Lyttle very clearly set the scene and laid a challenge to OFMDFM that the vision must be for a plan to tackle all unsettled issues. Mr Eastwood clearly stated his party's support for delivering a shared future and its determination to get it right. Mr Kinahan also stated that building a shared future is the most important task, and I welcome that.

As someone who grew up with no interest in politics, I loved Northern Ireland as a place, for its people —

**Mr Kennedy:** No change there then.

**Mr Speaker:** Order. The Member has the Floor.

**Mrs Cochrane:** I loved Northern Ireland as a place, for its people and its potential. Perhaps not having deep-rooted ideas about politics is a good thing: it is fresh for here. Equally, I hated the division and tensions that were firmly rooted in the past. I wanted to live in a normal society in which the important things like education, health, jobs, etc came first, so I left Northern Ireland at the first opportunity when I left school. I was studying in Aberdeen when the Good Friday Agreement was signed, and I genuinely hoped that it would make a real difference for Northern Ireland.

Unfortunately, 15 years later, things have not changed as much as many had hoped. Yes, we have some sort of

stability, but we do not have real peace and reconciliation. That is why, when you scratch the surface, much of the bigotry and hatred still remains, and many of our politicians entrench these views with their politics of fear. It is fear that cultural identity is being eroded when they know full well that it is not, and fear that they assume will generate votes from their side in the future.

I know that there will be those who will watch this today and ask why are they talking about the past and flags, etc, up in Stormont again, and why are they not focusing on job creation? However, the reality is that the development of a shared future and building a strong economy are inextricably linked. Until we truly deal with these issues, the people of Northern Ireland will continue to be short-changed to the tune of £1 billion a year, because that is the cost of maintaining our divided society. That is money that should be used to encourage investment, create more job opportunities, improve educational attainment, invest in our healthcare system and develop a successful childcare strategy. Certainly, with welfare reform, having more jobs and affordable childcare would be a welcome move for the people of Northern Ireland.

We then come to last week's statement. Having failed to deliver on the CSI strategy, which I assume is still sitting on the desk where it apparently was last September, I was intrigued as to what the big announcement was. Thankfully, I have learned not to get too excited about these things, as to say that it lacked aspiration would be an understatement. Do not get me wrong: I welcome the fact that they are now using Alliance language, but to announce a set of proposals that they expect other Ministers to deliver for them, without having had the courtesy to discuss them at the Executive, does not really say much about their understating of the meaning of the word "united".

The contributions from other Members this afternoon suggest that we are not the only ones who feel this way. Indeed, Mr Nesbitt's reasons for proposing an amendment were based on that fact, although we thought that it went without saying.

In his comments, Mr Moutray suggested that some only wanted to swipe from the sidelines and are not interested in getting stuck into work on this issue. If the most that Mr Moutray can do to progress a shared future is to stick a Union flag sticker on his door in Parliaments Buildings, it says a lot about which parties are actually serious about delivering on this. *[Interruption.]* For years *[Interruption.]*

**Mr Speaker:** Order. The Member is summing up on the motion. The Member has the Floor.

**Mrs Cochrane:** For years, Alliance proposals have been rubbished by other parties, but we have been building firm foundations with the bricks that have been thrown at us. We have listened to many points of view and, from that, we have produced for everyone a strategy with a clear vision, action and targets.

I would like to say that I welcome the junior Minister's clarification today that the OFMDFM announcement was only about seven immediate actions, and that there will be many more in the strategy. I look forward to getting sight of that strategy, and no doubt there is a timescale for its publication. So, if there is indeed a genuine desire in OFMDFM to build shared future; yes, let us discuss its proposals and progress those that will lead to change, but

let us not short-change the people of Northern Ireland with a lack of ambition.

Just to be clear: my party leader has sought clarification on a number of issues about the working group, and that is what he will base his decision on about whether we will participate.

The people of Northern Ireland want and deserve to see a comprehensive shared future strategy with a clear vision and action plan that is properly resourced, and which addresses the really difficult issues, such as integrated education, mixed housing, shared space — *[Interruption.]*

**Mr Speaker:** Order.

**Mrs Cochrane:** — the regulation of the flying of flags, parades and dealing with the past.

I will finish by reading out a letter received recently from a school pupil:

*"I am the Head Boy of an Integrated College; I know we are not in your constituency however I wanted to note your personal and party support for Integrated Education. I firmly believe that this country needs integrated schools to secure a safe and prosperous future, to be educated in a college where one can express their own religious beliefs and cultures without fear of persecution is a great feeling. I ask that you and your party colleagues continue to support and promote integrated education and growing, caring and community based Integrated schools. Our school is massively oversubscribed each year which proves the need and support for Integrated Education in 21st century Northern Ireland."*

Those are the voices that must be listened to, and we must deliver for them. I urge Members to support our motion.

**Mr Speaker:** Before I put the Question on amendment No 1, I again remind Members that, if it is made, I will not put the Question on amendment No 2 because that amendment will have been overtaken by the decision on amendment No 1.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

*Ayes 60; Noes 31.*

#### AYES

*Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCreagh, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr McQuillan and Mr G Robinson.*

## NOES

Mr Allister, Mr Attwood, Mr Beggs, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Mr Ford, Mr Hussey, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McDevitt, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.

Tellers for the Noes: Mr Kennedy and Mr Kinahan.

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved:

*That this Assembly notes that the development of a shared future and building a strong economy are inextricably linked; further notes the statement from the First Minister and deputy First Minister entitled "Together: Building a United Community"; and that the good relations strategy was subject to full consultation; urges all relevant parties to fully and constructively participate in the all-party group to find solutions on the issues of parades and protests, flags, emblems and symbols and the past; welcomes the statement from the First Minister and deputy First Minister that all relevant Departments will be invited to participate in the detailed project design stage; and calls on all Executive Ministers to ensure their Departments fully and constructively participate, where relevant, in this process.*

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

## Farm Incomes

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

**Mrs Dobson:** I beg to move

*That this Assembly notes the recent publication of the 'Statistical Review of Northern Ireland Agriculture 2012' and 'Farm Incomes in Northern Ireland 2011/12'; expresses significant concern about the collapse in the total income from farming (TIFF), which fell by 50.6%, 52.2% in real terms, to £143 million compared to £290 million in 2011; notes that farmers have experienced an exceptionally difficult 12 months due to a multitude of aggravating circumstances; and therefore calls upon the Minister of Agriculture and Rural Development to detail the actions she has taken to alleviate the pressures which are faced by farmers and their families which are within her control.*

First, I declare an interest, as my husband is a beef and cereal farmer.

Local agriculture has been in the media in recent days. We have just witnessed an incredibly successful Balmoral show at its new home at Balmoral Park, and I commend the Royal Ulster Agricultural Society (RUAS) for its foresight and vision. It is therefore extremely timely that we have the opportunity this evening to discuss the future of the industry, given the very grave situation being faced by farmers across Northern Ireland. As the SDLP amendment points out, that includes difficulties in accessing credit from the banks.

The motion continues the Ulster Unionist mantra of, "Doing what's right for Northern Ireland". It highlights the drastic fall — 52% in real terms — in total income from farming between 2011 and 2012, and calls on the Minister to outline what action she is taking to alleviate the multitude of pressures that are faced by farmers and their families. That is not so much a fall as a plummet in income for farming that will yield serious long-term damage to farmers across Northern Ireland. However, many of the farmers whom I have spoken to recently would have happily settled for a 52% fall. For far too many, the situation is much worse than the statistics alone suggest.

No business would ever remain sustainable if it were forced to run at such a loss. However, farming is no ordinary business. Farmers cannot just resign from their job one day and start another the next. It is their livelihood; it is in their blood. That is why the statistics in the 'Statistical Review of Northern Ireland Agriculture 2012' are so important. They demonstrate to those who do not know what it is like to work in a farming environment just how dire the situation is for our farmers.

However, it is the human interest stories behind the statistics that are so important: the families struggling to make ends meet, and the worry and the stress of not knowing whether you will have a viable business to

hand over to your children. We must never forget that those children will be the next generation of farmers in Northern Ireland.

It is a sad reflection on our Government that it has taken a crisis such as the recent severe weather, to really expose, as the motion states, the “multitude of aggravating circumstances” faced by our farmers and the wider industry. It is a crisis that has stretched many of our families to financial and emotional breaking point.

If I may, I will give the House an example of one of the many farmers who contacted my office. The farmer phoned me on Friday afternoon to tell me that he was down to his last two wheat bales. After that, he did not know where he was going to get feed for his 100 cattle. He told me that his business was in dire need and that, to make matters worse, he had not yet received his single farm payment. Like many farmers, he did not contact any politician until he was in direst need, and I am sure that many in the House can give similar examples.

It is in the nature of farmers who live in isolated rural communities to struggle on in silence rather than giving in to the fact that they need help. Minister, I have contacted your office about that farmer and many others in recent weeks. However, the underlying problem remains. Farmers need our help, and they need to look to the Executive to be part of the solution and not part of the problem. They have enough problems running their business without further bureaucratic interference.

Farming is a deeply rewarding job, but we must never forget that it can also be a very dangerous profession. When farmers are forced, for a multitude of reasons, to work harder to increase their output, the risk on the farm increases as well. We have talked a lot about farm safety — indeed, numerous tragic incidents have been recorded in the House in recent months. However, if we are to avoid further tragedies on our farms, there must be a dramatic change in attitude across the supply chain; a move towards returning stability and profitability for all; and a move aimed at increasing farm incomes and stemming the looming tsunami of insolvency and financial hardship that too many farmers are facing.

The human stories make the statistics real. The 52% fall in incomes should be viewed by the Executive and the Minister as a wake-up call to help farmers, especially those hardest hit by the severe weather in March. I recognise that limited financial assistance is coming and acknowledge the importance of the fodder scheme, but waiting for up to 12 weeks after the crisis is far too long. It does not give farmers confidence that the Executive have their backs.

Long-term problems cannot be solved by short-term measures. These are knee-jerk policies rather than those of a strategist, and they do not tackle the root causes. The Ulster Unionist Party welcomed the ambitious targets in the Agri-Food Strategy Board's (AFSB) 'Going for Growth' action plan, and I again praise the work of Tony O'Neill and his board. They have laid out a road map that points towards real, effective change in the industry, but the proof of the pudding will be in the delivery. If the report is to deliver real results for the industry as a whole, the change must take place on the farm and in the factory. As we plan for the future, there must be fairness for all elements in the industry: for example, the target to create 15,000 new jobs

across the industry cannot be achieved without working directly with farmers to increase stability and return profitability to the supply chain.

The report recognises the need for a new approach and a change of mindset in the supply chain, and the Ulster Unionist Party has been calling for that for some considerable time. The answer lies in farmyards across Northern Ireland.

The House must never forget this simple truth: without farmers to produce, there would be nothing for local processors to manufacture and nothing for our retailers to sell. As 'Going for Growth' rightly points out, there is only one supply chain. That is why I encourage Members, when reading the report, to pay particular attention to sentences starting with “Government must”, and I would welcome assurances from the Agriculture Minister that her Department will act on those targets.

There are many challenges before the Minister, not least to ensure that the funding requirements, as laid out in the document, are met by the Executive; to engage with her Executive colleagues to deliver on the cross-cutting issues, including planning, innovation and tapping into overseas markets; to deliver cost-effective regulations that work with farmers rather than hampering their business operations; and to urgently reduce bureaucracy in all areas, which has been a dismal failure thus far.

In saying this, I recognise that there are an equal number of industry “musts” in the report. However, I urge the Minister to take the lead in driving forward this action plan as a vehicle to address many of the issues that my party's motion highlights. We now need to move from paper to action. I commend the motion to the House.

**5.15 pm**

**Mr Byrne:** I beg to move the following amendment:

*Insert after “circumstances” “, including restricted bank credit facilities”.*

The SDLP has put in a short amendment to the motion as presented by Mrs Dobson. We support the motion and are adding an additional element to it, which we think is relevant.

I echo the sentiments of the proposer on the new Balmoral show at the Maze. Everyone who was there last week will have been very impressed by what happened, and we wish the RUAS every congratulations for the future.

I welcome the motion and the opportunity to put forward the SDLP's amendment to include the words, “including restricted bank credit facilities”. Farming and the agrifood sector are our biggest private sector industries in Northern Ireland, and, for this reason, they need to be supported. They are interdependent: farmers need to sell their produce, and the agrifood industry needs produce for their businesses to operate. Meat-processing plants can survive and be profitable only if they have animals being killed. For that reason alone, we need to ensure that farmers can earn a realistic income from their businesses to support themselves and their families.

We are all aware of the difficulties that farmers face. They are dependent on weather, farmgate prices, food scares and rising costs. Feedstuffs are up 6.2% per ton, and, because of the circumstances, farmers have had to

purchase more. Thus, volume purchased is up by 5-6%. On top of that, fuel is up by 5% in the past year. The single farm payment that was used by farmers to supplement income dropped in 2012 by 8.5% due to an appreciation of sterling against the euro.

As the motion states, farm income fell by over 50% in 2011-12, and it is expected to decrease by a further 32% in the current year, 2012-13. If this is the case, farmers will have to seek work elsewhere to supplement their income. The question is, where will they get the alternative work? There was a time when the construction industry was good, and they could get part-time work.

The agrifood industry can survive only if we have a vibrant farming industry. We need to ensure that we have systems in place to support it. That is why it is very welcome that the Agri-Food Strategy Board announced the publication last week of a strategy on the way forward. It will require strong government intervention. Mr Tony O'Neill was with the Committee for Agriculture and Rural Development this afternoon, and he signalled the need for £400 million from government over three years, which includes £250 million directly into the farm business improvement scheme.

Besides having grants to help the industry, we need to ensure that they have banking facilities to support their farms. Many farms are tied by restricted banking facilities and ever-increasing bank charges. In Northern Ireland, there have always been four main banks: First Trust; Northern Bank, now Danske Bank; Ulster Bank; and Bank of Ireland. Unfortunately, during the boom, other banks came in to lend money for some schemes and investments that lacked real viability, particularly in property development. Anglo Irish Bank and HBOS, with their overenthusiastic lending, encouraged some of our traditional banks to lend recklessly, and we all know, saw and, indeed, felt the consequences of that when the crisis hit. It is well documented that Anglo Irish Bank and HBOS withdrew looking to recover moneys owed to them, putting many businesses into bankruptcy.

Our traditional banks, because they had lent too much money, had to tighten up, and they started to put pressure on their borrowers. The sad thing about it is that the banks that are still operating here are now pressurising good, viable businesses through increased charges and extra interest charges. They are making it more difficult for many of them.

Due to the nature of farming, many farm businesses operate on an overdraft facility that is charged at well above the base rate. By their nature, overdrafts are flexible and can suit farmers in that they allow them cash flow to work with.

The problem with a bank overdraft, however, is that it can be withdrawn by a telephone call from a bank manager. As an overdraft can be called in at any time, farmers and their business are always vulnerable.

Another issue that is causing a lot of concern in many rural communities is the closure of bank branches. I see Mr Hussey is in the Chamber. He knows about the closure of a bank in Fintona, two in Dromore, one in Newtownstewart and one in Castlederg. That is what the banks are doing, and it is adversely affecting the farming community. This is causing farmers great anxiety. Many are having to sell animals to keep the bank at bay, because they have used the family home and farm as security for their loan.

Traditionally, the banks were very happy to make loans to farmers because a loan leveraged on a farm was regarded as having good security. That is no longer the case.

Farming and the agrifood industry are vital to kick-start the economy in the current downturn. Food is the one product that we continue to export. Northern Ireland exports, on average, 75% of all food produced. Business has the support of Invest Northern Ireland to grow. The Department of Agriculture and Rural Development (DARD) needs to be more innovative in tackling the problems that farmers are facing, and delays in payments are causing farmers great pain.

The Agri-Food Strategy Board report offers a template for the way forward, but the current fodder crisis and the lack of bank credit facilities are adversely affecting farms. On 16 May this year, the Minister stated:

*"The banks are making credit available, and I would particularly commend the initiative by the Ulster Bank which has made up to £10million of additional funding available."*

Yes, the bank publicly announced an extra £10 million, but I know of many farm businesses that cannot get access to any extra credit facilities. It sounds good, but if you are at your limit and cannot pay for fodder, that £10 million does not mean much. I hope that the Government here and the Minister will go back to the banks soon and emphasise the need for extra short-term credit. Recently in London, the DEFRA Minister, Owen Paterson, called a summit meeting involving the National Farmers' Union, all the banks, the landowners and those with farming interests. He emphasised the need for the banks to be more lenient and helpful in the current situation.

This is not a day for kicking the Department or the Minister; it is a day for facing up to some of the difficulties that farmers are encountering. The Government cannot solve all problems, but they can sometimes help.

**Mr Frew:** I congratulate the Members who proposed the motion and I welcome the amendment, which adds to the motion by focusing on the issues around the banking sector and the problems that the farming community faces from that perspective.

We have talked about the farming industry a lot, even in recent days, in the House. It does not sit easily that we in the Chamber can debate to death the agrifood industry and how brilliant it is, and how it will take Northern Ireland out of recession. That has the potential to be true: we are good at producing, processing, promoting and selling food. We should and could be better, and we will be better in the coming years. I say that with regard to the published report of the Agri-Food Strategy Board. That is all well and good, but while we talk up the agrifood industry, how good it is and how brilliant the traceability system is — that is all true and right — there is a blind spot when it comes to how the primary part of that industry is suffering so badly, for a number of reasons, that, at the end of the year, we can record that farmers' incomes are so low, having fallen by over 50%. That is stark reading.

When we talk about agrifood — how good and brilliant it is, how it is going through the roof and how it will bring Northern Ireland out of recession — yet we see such a dramatic fall in the incomes of farmers, something has to happen and something has to change. There are a

number of factors, not just one. It is not just the supply chain and all the difficulties and complications around it and how everyone seems to fleece everybody to try to get as much profit as they can, whether at processor level or, as I suspect, more so at the retail level. Something has to change. It is stark enough reading that farm incomes have fallen by 50% and over, but I see the human side of all that when I have farmers and their families coming into my constituency office. They sit down in front of my desk. The wife, son or daughter comes in with the farmer. The farmer cannot look you in the eye. He looks down at his shoes. He does not want to be there, and sometimes he does not want to acknowledge how far down the system he has fallen. He cannot cope; he has to admit defeat; he has to ask for support, which is something he has maybe never asked for before in his life. He has to face the problem in front of his wife or his daughter, which is probably harder, or his son, which is probably harder still. You see tears in his eyes as we talk through his problems. Most of it — in fact, all of it — is financial, but the elements leading up to the failure in the business, at any given time, are, in most cases, no fault of his.

We can start stressing about effective and efficient farming and all that; but there are human beings involved who have been doing this for decades and have had to do it because of pressures from other ways and means. It is hard to listen to because, most of the time, when a farmer comes through the door of your advice centre, it is already too late to effect change to the greater good. We can still effect change. It is never too late to seek help, but we have to make sure to do it.

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

**Mr Frew:** I am keen to hear from the Minister as to how she can help to alleviate the pressures on the farming community at this time.

**Mr McMullan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The farming industry is going through its worst period in modern times. Globally, the weather is the same. Farming here has been hit by a toxic combination of poor weather, rising feed costs and the strengthening of sterling against the euro. America, one of the biggest producers of wheat and animal feed, is going through one of the worst droughts in its history, and that has forced up the prices of barley, wheat and soya to record levels. Wheat prices have already been agreed at £164 per ton for 2014.

At home, we have increasing fuel prices, bad weather and poor crops, which have all led to a drop in total income from farming from £290 million in 2011 to £143 million in 2012. That is just over 50% in one year. The farmer is facing rising costs. Unfortunately, his farmgate prices are not keeping up with the rising costs of production. It is forecast that average farm incomes across all sectors are expected to decrease from just over £34,000 in 2010-11 to £23,000 in 2012-13. That is a decrease of nearly £11,000, or 32%, per farm. With the decrease in value of some of the farming sectors at critical levels, some of the examples from the period 2010-11 to 2012-13 are as follows. The biggest fall, of 53%, has been in the dairy industry; pigs have fallen by 32%; cattle and sheep, under the less-favoured areas scheme, by 16%; and the general fall across all sectors is by 32%.

The motion calls on the Minister to detail the actions she has taken to alleviate the pressures on the farming industry, farmers and their families. Unfortunately, nobody can be blamed for the weather, global prices or the European exchange rate, although some people may think that they should be. That is outside the remit of the Department, but the Minister has brought forward programmes to help farmers with the competitive strand of the rural development programme. The Department has provided £45 million for a number of schemes, including the farm modernisation programme, which provides support for farmers to modernise their holdings and reduce production costs, and the focus farms programme, which promotes best practice, modern technology and new and innovative farming methods. Those schemes are all beneficial to the industry.

### 5.30 pm

Animal health is another issue that is draining the industry of millions of pounds a year. Bovine TB costs the industry here millions each year, and part of those costs are, ultimately, borne by farmers when their herd is locked down and they cannot move their cattle. The Minister has moved to set up two focused areas to look at the issue and, as you know, badgers in those areas will be captured, tested and released if negative or removed if positive.

The Minister has also brought forward the payment of the 2013 less-favoured areas compensatory allowance scheme three weeks earlier than planned. The Minister has told the Department that payments under the countryside management scheme are to begin in May 2013, four months earlier than last year. Critically, farmers will also benefit from the Minister's decision not to apply a further year of voluntary modulation for the 2013 single farm payments. The Minister took that decision because of the difference in the exchange rate between the euro and sterling. If the Minister had not taken that step, farmers would have been facing a reduction in single farm payments of somewhere in the region of €20 million. That move means that an extra £15 million a year will go directly into the pockets of the farmers, which will be able to be spent and regenerate the community.

During the recent snow crisis, we saw how the Minister moved in a short time with the hardship payment scheme, which is nearly ready to roll out to the farmers. Now, we have the fodder crisis, and we have moved very quickly on that. We heard that debate earlier, and some people said that we were slow to get that out, but we were told the exact time frame on that, so nobody can come back and say that we were not quick enough.

Basically, the Minister has moved. She has recognised the plight with regard to of the income of farmers and done all that she can. It is now up to the Assembly to move in behind the Minister —

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

**Mr McMullan:** — and help her all it can to help the farming industry.

**Mr McCarthy:** On behalf of the Alliance Party, I support the motion and the amendment. I thank Jo-Anne Dobson and Joe Byrne for bringing this very important issue before the Assembly. It could be regarded as a follow-on from yesterday's debate on the plight of our hill farmers, and it

could be said that it is a continuation of our debate in the Assembly from 8 October last year.

The motion asks the Minister of Agriculture and Rural Development to give us a detailed report of what she has done to ease the pressures on our hard-pressed farming industry since, perhaps, October 2012. We await her response with interest. I had to rush off yesterday evening, but the Minister will be delighted to know that I will be able to hang around to hear her response. However, given what her colleague behind her has just said, I may be able to go early, because Oliver expressed the work that she and her Department have done. We will see how we go as the time goes on.

In my contribution back in October, I said that we do not or cannot blame our farmers for the conditions that they are experiencing. Situations outside their control, such as rising feed prices throughout the world, severe weather, low prices for farm produce and high oil prices have remained for such a long period. Those conditions remain with us today, and, as a consequence, farmers' incomes have reduced substantially. Unless something is done urgently, the future remains very gloomy.

It is important for Members to acknowledge the excellent quality of everything that our farmers produce, despite the conditions that they often have to work in. I pay tribute to all farming organisations throughout Northern Ireland for their work in looking after and co-operating with the interests of the farming community. I continue to appeal to all householders in Northern Ireland to ensure that, when they do their weekly shop, Northern Irish produce is always at the top of their list. Apart from it being the best quality, it will ensure the continuation of local employment and of our vibrant rural communities.

The recently produced agrifood strategy was mentioned. We listened to the chief executive of the Agri-Food Strategy Board today in Committee. He has many detailed recommendations, and we wish the strategy a fair wind as it could reinvigorate the agrifood business, giving Northern Ireland up to 1,500 new jobs. Maybe it was 15,000?

**Mrs Dobson:** It was 15,000.

**Mr McCarthy:** Even the best can make mistakes. That is some ambition, and we hope that it can be achieved in the farming industry. We sincerely hope for a positive response from Brussels regarding the common agricultural policy in order to see a better future all round.

In conclusion, the 'Statistical Review of Northern Ireland Agriculture 2012' and 'Farm Incomes in Northern Ireland 2011/12' quite clearly point out in stark terms the dramatic fall in farmers' incomes. It is imperative that we reverse that trend at the earliest opportunity so that our farmers can secure a decent living off the land, and our young people can follow on and revive a once great industry. I hope that the Minister can give us all some encouraging responses at the end of the debate.

**Mr Irwin:** At the outset, I declare an interest as a farmer. I will make general remarks on the subject. However, I will comment with an acute awareness of the difficulties facing our farmers at this time.

The statistical review referred to in the motion confirms what many in the farming sector have experienced in recent times. The figures are a reality check, if one were needed, as to the importance of ensuring that farmers are

given a fair return for their produce. The drop in income from £290 million to £143 million is a significant issue for agriculture and means that thousands of farming families have a great deal less income to survive on. That has a knock-on effect in many other areas such as our wider rural communities.

The total income from farming is measured as the tangible returns for the labour, time, management and capital invested by the farming family. In an industry in which traditional farmers do not take a wage in the purest sense, those figures illustrate such an alarming drop that the impact of the collapse in income will be much more severe in real terms for those families.

The current fodder crisis is a case in point. In recent months, farmers have been unable to get animals to grass and have run out of fodder. Many farmers have had to resort to buying in feed at sharply rising prices at a time when, in normal circumstances, operational costs would reduce. That puts a great strain on farm budgets, and in many cases, it is obliterating any margin for profit.

The past year has been a particularly trying and difficult time for farmers, and, as I have said in previous contributions to the House and in the press, many of the issues are beyond the control of farmers. Issues such as cooler weather preventing growth, sustained wet weather preventing work on the ground and getting slurry sprayed, getting animals to grass, along with the misery of the recent snow for hill farmers in County Down and the continued rise of energy feed costs, all combine to paint a bleak picture. However, farmers are resilient by nature, and many possess a never-quit attitude. The farming industry is built on hard graft, and that grit and determination has seen us through many difficult times. However, working at a loss is obviously unsustainable in the longer term. Processors and retailers need to recognise that our primary producers are the bedrock of our agrifood industry.

I welcome the publication of the agrifood strategy and the recognition of the need to create a single and fully integrated supply chain, because the present situation totally disregards the primary producers, and the costs that they incur are not being recognised by those further along the chain.

I note the SDLP's proposed amendment regarding the inflexibility of banks to see farmers over this difficult period. I have had numerous discussions with various bank officials through my role as a public representative and have pressed the need for increased flexibility, especially in the agrifood sector, given how important it is to our overall economy.

The agrifood industry is worth around £4.4 billion to the local economy and employs almost 100,000 people in Northern Ireland. That is significant, and it is vital that the proposals in the agrifood strategy are fully developed and taken forward. The farmer must not be forgotten within the strategy. Although we often hear of innovation and success in the processing and marketing sectors, which is, of course, marvellous, we must also see the Department and Executive work to lessen the burden on the primary producer.

The motion calls on the Minister to tell the House the actions she has already taken. However, it would be prudent for the Minister also to inform the House about the



actions that she plans to take in the immediate future to relieve the pressure.

I know from speaking to farmers that there is a need for a much faster response from DARD in processing single farm payments, to name but one issue. That continues seriously to hamper the farm operation as farmers wait for months for their payments to come through. There is also the confusion and minefield of paperwork that has come with the new land parcel identification system (LPIS) map system. I will have an opportunity to question the Minister in the Chamber on that issue in the coming days.

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Irwin:** Those issues aside, I welcome the recent strategy put forward for the development of the agrifood industry. I hope that the actions that will stem from this report will improve the situation for farmers and their families, particularly given the difficulties of recent months.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. Most Members in the Chamber are from rural constituencies and know that farming is a way of life for many of the families that we represent. It is worrying that the aggregate income from farmers decreased by over 50% in 2012. We have heard some human stories around the Chamber this evening about the impact of that on farm families. We also heard that from the Rural Support charity when it spoke to the Committee recently.

At the risk of repeating what was said yesterday, there are many challenges, the weather being one. Farmers are also forced to house their cattle earlier, and they are eating into already depleted silage stocks. At the same time, farmers are prevented from carrying out second and third cuts due to the extreme weather. The recently introduced fodder release scheme, which we were told earlier has seen 1,000 tons of supplies delivered since the weekend, is no doubt very welcome in the sector.

As was said previously, the farmers' plight is made worse by the fluctuating strength of the pound against the euro. As Mr McMullan said, the exchange rate is set by the European Central Bank and is beyond our control. Last year, however, we saw a reduction of almost 8% in the single farm payment for farmers already under pressure. That resulted in a £20 million shortfall due to the exchange rate. On top of that, farmers had poor farmgate prices.

Dairy farmers, for example, are forced to accept a price for milk that is lower than the production costs, yet the supermarket chains can make a huge profit margin — as much as 250% — on the same produce. It remains to be seen what impact, if any, the appointed grocery adjudicator will have on that in trying to introduce some fair play.

#### 5.45 pm

I welcome the fact that, to date, the Minister has been working closely with the industry and, along with Minister Foster, has set up the Agri-Food Strategy Board. Through the Department, the College of Agriculture, Food and Rural Enterprise (CAFRE) and the Agri-Food and Biosciences Institute (AFBI), the Minister has highlighted the importance of education, training, technical support and research to help efficiencies.

At the risk of pre-empting what the Minister may say, I want to refer briefly to a number of important matters that

are in our information packs and that I have picked up from the press and departmental material in recent times. It is important to point out some measures that have been taken by the Department to help address the financial hardships experienced by our farmers, one of which is the issue of the agrienvironment payments four months earlier than last year. Indeed, the Minister has asked her Department to consider favourably any request for force majeure regarding the less-favoured area compensatory allowance (LFACA) payments to farmers who lost livestock in the recent snow.

As I said earlier, she introduced the hardship and fodder schemes and suspended the voluntary modulation on single farm payments in 2013. The single farm payments have gone out much faster this year than they did in previous years. In addition, she has allocated £5 million to rural broadband. There are many other examples, which, no doubt, the Minister will draw to our attention.

Earlier this afternoon, we heard from Tony O'Neill and his team at an Agriculture Committee meeting. They told us about some of the targets that they have set in 'Going for Growth'. They are looking at growing sales by 60% to £7 billion; growing employment by 15% to 115,000; and increasing sales outside the North by 75% to £4.5 billion by 2020. Those are very ambitious and bold targets, and they will have a very transforming effect on the industry and wider economy.

In conclusion, farming is the backbone of the communities that we rural MLAs represent, and the farmers and their families are experiencing a crisis that is not of their making. I lend my support to the motion and the amendment.

**Mr Clarke:** I have looked at the motion, and I do not find it difficult to support it. I have looked at its content and listened to what Jo-Anne said about the Ulster Unionist Party wanting to do what is right for Northern Ireland. However, if you actually look at the motion, you will see that it only asks the Minister what she has been doing. There are no suggestions in that. I find it easy to support the motion, as it stands.

I also find it easy to support the amendment and what Joe said. However, look at the amendment. Sometimes, we are in danger of building false expectations and hope for some people. The industry has had an income collapse. I am not here to compliment the Department, because you will know that that is not necessarily my form, but it has responded to some of the calls that were made recently, and I thank the Minister and the Department for that. Yes, we can criticise the Department sometimes and say that things do not happen quickly enough, but that has happened. Yes, incomes in the industry have collapsed, but so have incomes in many other industries outside of farming. That does not take away from the fact that we are here to talk about farming this evening.

I see from the motion that we are asking the Minister merely to tell us what she has done. If the Ulster Unionist Party is going to lead the way and be the farmer's champion here, I would rather see the motion tell the Minister what needs to be done to alleviate the problem and the problems of all the farmers who are suffering, and encourage the rest of us to act. I appreciate that the farmers are suffering, given that I live in a rural constituency and know many of them. They are suffering,

but the motion is not addressing any of their concerns. It merely asks what the Minister has done over the past number of months.

I also have concerns about the amendment. I support it, because it does not ask for much. However, it talks about including restricted bank credit facilities. Pardon the pun, but that is giving a blank cheque to a farmer who, in some instances, may already be struggling. That extra credit facility could be enough to finish the farmer off entirely. Are we being kind by saying that we should continually give someone extended credit facilities?

I suggest that we are not. Every case should be looked at individually. The business model should be looked at to see whether that would do the farmer justice or injustice. Adding it to the motion and saying that everyone should be given an extended credit facility does the farmer, or any business, an injustice.

**Mr Byrne:** I thank Mr Clarke for giving way. The point is that, at present, many farmers feel that they are at their credit limit. They feel that they are in a very difficult situation, with increased costs and cash flow problems. Some are begging for a little bit of leeway and time to ensure that they can get over the current fodder crisis.

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

**Mr Clarke:** I understand where the Member is coming from, which is why I can support the amendment, as it is worded. The point that I am trying to make is that leaving the wording too open could suggest that everyone should get an extended credit facility, which should never be the case. However, I accept the point, and I accept the amendment, as you have worded it, for the very reason that there is a crisis at present. In Committee earlier, we heard about the fodder crisis. I accept that because I have been getting phone calls about it, as have other Members. That is why I find myself able to support the amendment.

I must say that today's presentation from Tony O'Neill and the Agri-Food Strategy Board was, probably, one of the most encouraging that I have heard in the Committee. For the first time, I heard someone who is not directly connected to the Department and has an inside interest in agriculture come to the Committee with a positive message. I am not sure which member pushed him on whether he believed that the Executive were getting behind these proposals, but he gave a very guarded answer. Even so, I came away with some comfort that there was a positive message in what he was trying to say. He did not put any negative spin on his response, which encouraged me that there is, possibly, light at the end of the tunnel for farmers in what the Agri-Food Strategy Board, the Department of Enterprise, Trade and Investment (DETI) and the Department of Agriculture and Rural Development are doing. That is positive, and I look forward to it.

One thing that Tony O'Neill said was that he hoped that it would not take seven years. Maybe the Minister will be able to respond on how the time frames fit with the presentation that we received today and whether she sees that being rolled out in the future. Hearing something positive on this is probably the most positive thing that I can see coming from the motion. There is no point in regurgitating what happened during the winter crisis. Although there have been criticisms of the fodder package, it has already been put together and is in place. Today,

the Agri-Food Strategy Board spoke about not wanting to wait for seven years and about how much it can do. Any comfort from the Minister would be positive for me and for farmers. Tony O'Neill is outside the Department. He has an interest in the agrifood sector and indirectly represents 7,000 people employed in the poultry sector.

I look forward to the Minister's response on what the Agri-Food Strategy Board said and to hearing whether she can give us any further comfort on that. Other than that, I support the motion and the amendment.

**Mr Kinahan:** I support the motion and the amendment. I will start by making it absolutely clear that the motion is a call on the Minister, not only to tell us what she has done but to act more in future on what is in the report and to do so as quickly as possible. I note that the previous Member who spoke, although he criticised us for not coming up with any ideas, did not come up with any himself.

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

**Mr Kinahan:** No. I shall carry on, thank you.

It is time, as I have said many times, that the Assembly found ways to change strategies and put them into action. This debate is really about getting action to happen on the ground. It is no longer acceptable for action to be slow. In this case, we are talking about money, but, more importantly, about people's livelihood. That is what is at stake, and that is why we need things to happen quickly. We are very grateful for the fodder scheme and other actions, but they could have been done more quickly.

I will borrow Mr Clarke's earlier comment, which is that we have to be aware that it is not only farmers who suffer but the building trade and shops — the likes of Blockbuster, Woodside, Patton Group and many others. We need every Department to look at schemes and methods of having action plans in place for when hard times hit anyone.

**Mr Frew:** I thank the Member for giving way. You are quite right. I am steeped in the construction industry, having spent 20 years in it, so I know how the weather affects it. It also affects the fishing industry, the retail trade, in respect of footfall, and others. They all struggle, but does the Member agree that the very fact that farming has a social element to it — because it affects everybody; it affects what is on their plate, and what they eat at their kitchen table — makes it different from the construction industry and retail?

**Mr Kinahan:** Yes, I definitely agree. It is a good point well made, but I did not want to leave the Chamber having spoken just for farmers. I feel that many others are left out.

A year ago, I visited a pig farmer who had the greatest of plans. He was trying to build an indoor facility for 3,000 sows, but planning was holding it up at all levels, and the farmer was getting no help. However, what really shocked me — and this is behind many of the points in today's debate — was that the price of one of the key contents of his fodder had gone up by 450%. That is an enormous rise. If he used to pay £10,000 a year, he was now paying £45,000. That would be like a loaf of bread, which is something that is close to all our hearts, that used to cost £1.20 now costing £5.40. That sort of increase has been experienced in many areas, and that is why we have this problem today.

I urge the Minister to keep pushing the single farm payment. It needs to be paid as quickly as possible. In the past, it has taken far too long for that to happen. The CAP review is going on in Europe, and we need to make sure that the policy keeps its flexibility and is reformed in a way that helps farmers. We also need to keep pushing the agrifood industry in every way so that we make the most of our supply line, which is quite the best.

Having got tied up in the debate on burgers and horsemeat — as education spokesman for our party, I spent 24 hours talking about burgers when, I feel, our agriculture spokesperson should have been doing that — we realise how volatile the whole system is.

As I said at the beginning, I am pushing for the Minister to act quickly and to take the actions set out in the 'Going for Growth' document as quickly as she can. I take on board the SDLP amendment, which calls for banks to be more flexible. Banks do, of course, need to be more flexible to ensure that the farmer is not killed off altogether. Therefore, we need flexibility, but, most importantly, we need this to happen speedily in order to help people.

**Mr Buchanan:** I speak in favour of the motion, which again highlights the ongoing difficulties faced by the farming community. As this is again brought to the attention of the House, I trust that the Minister and her Department will take cognisance of the severity of the situation and continue to lead in helping the hard-pressed farming industry back on to the first rung of the ladder and encourage people to rebuild their businesses.

As my colleague said, I want to hear the Minister saying what she is going to do. I take issue with the sponsors of the motion. They ask the Minister to state what she has done but do not actually put forward any suggestions to the Department about what it should do to help farmers out of this situation.

The huge decline in farm income, which fell by 50·6% in 2011, is alarming and has the potential to see many farmers go to the wall.

**Mrs Dobson:** Will the Member give way?

**Mr Buchanan:** Yes.

**Mrs Dobson:** The Member sits opposite me in the Agriculture Committee, so he is fully aware that I am not shy about putting forward suggestions to help the industry and farmers. So, does he accept that many of the suggestions that I have put forward, such as the capital grant scheme and others, have been taken forward?

**Mr Buchanan:** I am not going to argue that point. What we are debating is the motion before the House today. It is a pity that all those suggestions and arguments were not put into the motion, given that we now have the opportunity to question the Minister and the Department about exactly what steps they are taking to help the hard-pressed farming community at this time.

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

**Mr Buchanan:** Yes.

**Mr Swann:** I am curious about something. When Mr Clarke spoke, it seemed that the DUP reluctantly accepted the SDLP amendment. It now seems to be almost critical of our motion. Where is the DUP amendment?

## 6.00 pm

**Mr Buchanan:** We came today to speak on a motion that was before the House. An amendment to it was tabled. We were certainly not going to re-amend it, because having a motion that is amended and then amended again does not really make for good decisions. When you propose a motion, if there are issues that you want to address, that is the time to do it. You can then put questions to the Minister.

Running a farm is more than just a job; it is a way of life. The work is constant and physically demanding. Now, more than ever, the job of the farmer is mentally demanding, with the added anguish that, despite all the hard work, the likely result is financial loss. Cash available to farming families generated by farm activity is estimated to have fallen by up to a third in 2012. The enormity of that collapse in earnings is disastrous, and it spells disaster for the future. The president of the Ulster Farmers' Union, Harry Sinclair, said that the scale of the collapse in farm incomes will leave many farmers questioning whether the food supply chain can ever deliver a sustainable income. The issue now facing farmers is just how long they will be able to continue to produce at below the cost of production. The implication of that for the economy and jobs is stark. The overall trend in agriculture in Northern Ireland over the past 10 years has seen a reduction in the number of farms and full- and part-time farmers.

As we heard today in Committee, farmers' fodder supplies are getting very low, and many have run out completely. Livestock has been indoors for much longer than usual this year. The hopes for a good spring did not materialise. Farmers are turning to meal and straw to feed their livestock, which is putting the cost of production through the roof. That is the last thing that farmers need when the cost of production is already outstripping the price that is paid at the farm gate.

The biggest concern for the farmer is the unfairness in the cycle from the farm gate to the supermarket shelf. Supermarkets want to be cheaper than their rivals but also have big profits. When we look down the chain to see who bears the brunt of that ruthlessness, we see that it is the farmer. There is one glaring reality when all things are considered: the farmer is being paid far too little for what he produces.

Much more needs to be done. Farming is our indigenous industry. It is the backbone of the rural economy. The farming industry is a substantial employer: in 2011, it employed 47,000 people. Food and drink processing and our farming industry is spread throughout Northern Ireland, creating jobs and wealth. It is vital that we do all that we can for the industry. Farmers are already concerned about the changes that are coming with CAP reform. That uncertainty, as well as pressure from the banks, is adding to the difficulties that farmers are facing. I support the call for initiatives to help to alleviate the pressures on farmers at this very challenging time. The Minister and the Department really need to get in there to ensure that we do not lose that major industry throughout Northern Ireland.

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Buchanan:** When is the farming community going to see real benefits and see a Department that is taking the lead —

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

**Mr Buchanan:** — rather than continually reacting to crises?

**Mr Allister:** It has been rightly said in the debate that farming and farmers can be very resilient, and so they need to be. However, there is, undoubtedly, a limit to that resilience. Sometimes, in tragic ways, we see that limit in the level of suicide in the farming industry, which, of course, is reflective of huge pressure. That causes me to want to use the few moments that I have to speak particularly about the matter that was introduced by the SDLP amendment, which concerns how the banks handle our farmers. I get a little perplexed and tired of constant problems with the banks when there need not be a problem. I am referring to situations in which banks are sitting with huge security over farm enterprises. The value of the deeds goes way beyond the farmer's indebtedness. Yet, when there is an opportunity to revisit and recall the debt and refinance it, it is taken every time to the gross disadvantage of the farmer.

I know of cases in which banks have increased, gratuitously, the charge for lending, way above the base rate and the original arrangement, in circumstances in which they have an abundance of security. Yet they take the advantage of maybe a single slippage of a repayment or a single default in some other minor way to renegotiate. That is exploitation of the farming community, and it is wrong. Happily, sometimes when you challenge the banks about it, you get some change. However, more often than not you do not.

I think that it is shameful that, in these circumstances in which farmers find themselves in extremis, there are those in the banking community who are prepared to exploit —

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close

**Mr Allister:** — and take advantage of that. That is wholly shameful.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Obviously, this is the second motion that we have had on agriculture-related issues in the past two days. I very much welcome the focus on this very important topic.

Without getting into the events of the past year and rehearsing the details that others have raised throughout the debate, I absolutely agree with Members. The past year, 2012, was absolutely horrendous and dreadful. For all the reasons that Members have outlined, a lot of things happened that were outside the control of the industry and government, particularly around the weather and exchange rates. I do not intend to rehearse all those issues, as Members have already pointed out the reasons.

Nevertheless, steps can and have been taken to counteract and mitigate these problems. In the short term, a key consequence for farmers has been the issue of cash flow. I have taken a number of steps to address this issue, which I will outline in detail in a few minutes. In the medium term, there is the education, training and advisory work that is undertaken by CAFRE, which seeks to improve efficiency in farming. In the longer term, we are going to have to build an industry that has the resilience to withstand the vagaries of nature and the markets and that has the ability to take advantage of the opportunities

offered by a rapidly growing and more affluent world population.

I know that some Members have commented on the wording of the motion and its looking to the past. However, I want to take a minute to reflect on the supports that have been taken forward. I will then move on to future plans, the future of the industry and what we can do to support it.

First, I have brought forward, by three weeks, the payment of claims under the 2013 LFACA scheme. Members will know that that scheme contributes about £25 million a year to farmers, and, obviously, I wanted to see the money transferred to farmers as quickly as possible. Secondly, I have brought forward payments under the countryside management scheme. I am pleased to say that the first payments for the 2012 year began in April 2013, some five months earlier than last year. We will continue to make payments to farmers under the older agrienvironment schemes throughout the calendar year. Thirdly, I have decided not to apply voluntary modulation to 2013 single farm payments. Members will be aware that I have done that over the past number of months, and it will add an additional £15 million to single farm payment funding at today's exchange rate.

Of more immediate significance — many Members have referred to it — was the recent snow storm that we had during the weekend of 22 to 24 March. Members will know how difficult that was and of the extreme weather conditions that it presented to the farming community, particularly in counties Antrim and Down and other areas. At that time, the priority was to address the impact on farmers. The Department provided emergency fodder to those most in need, and my thanks go to the DARD staff and all those who volunteered during what was an extremely difficult time.

Members will also be aware that, on the back of that and to support the farming community, I moved to establish a hardship scheme that paid for the cost of collection and disposal of fallen stock. I also introduced a second element of that scheme, and I am aware that the Committee discussed some legislation relating to that today. We hope to pass that legislation through the House as quickly as possible, with payments hopefully going directly to farmers' bank accounts by the end of June. We want to roll that process out as quickly as possible and get that cash to farmers.

I will return to the issue of single farm payments. Although, as I said, I am actively introducing significant changes to our control systems, I also remain committed to doing that in a way that minimises the impact on the farming community, particularly after the challenging year that we just discussed. As of today, 97.4% of single farm payments had been made — that is over £240 million paid to the industry — and it is anticipated that the remaining inspected cases will be paid out by the end of May. I remind Members that some of the remaining claims are again sitting because of some factors outside the Department's control, particularly around some farmers not wanting to give bank account details. I take this opportunity to say again that everybody should bring forward their bank details and not miss out on a payment that they should receive.

I want to assure Members again that I am fully committed to building on the improvements that have been made this

year in speeding up the processing of payments and to completing 2013 payments at the earliest practical date. However, I think that someone commented earlier that it is not just about cash. As well as addressing the cash flow issues that the farming community is experiencing, we have to look at ways in which we can help farmers to increase their profit margins in the longer term. We recognise that we cannot control the weather or the nature of all these external factors, so there needs to be a focus on issues that fall within the control of the individual farmer and the Department. So, a lot of the areas that we are involved in through the current rural development programme are around assisting farmers through the Farm Family Options programmes, which include skills training and business mentoring, and the Focus Farms programme, which looks at promoting best practice and modern technology. The more farmers who we encourage to get involved in those schemes, the more beneficial it will be for them. Other areas that we are involved in include benchmarking, the supply chain development programme and farm modernisation programme. All of those are practical ways in which we continue to assist the industry.

Some Members referred to CAP reform, on which I gave a bit of an update to the House in yesterday's debate. Things are moving forward on CAP reform, and we are, hopefully, still on target to reach an agreement by the end of June. That aim is ambitious but it is the one that we are all working towards. I will continue to be a strong voice for the local industry in all those negotiations. We have been pushing very hard for regional flexibility, so that we can tailor supports to meet our industry's needs. We will continue that work in the time ahead.

Many Members referred to the Agri-Food Strategy Board report that we published last week. I welcome the positive feedback and the fact that people are taking the opportunity to read that report. For me, that report looks to the future; it is not just a shiny document to sit on a shelf. When I secured the Executive's agreement to include looking towards this industry in the Programme for Government, the entire Executive recognised that the agrifood industry has a positive future. That is the Executive putting on record their support for this industry. So, for me, that is the vision for the future, but if we do not deal with the current challenges being posed to the farming industry, there is a shadow over that positive future. For me, that is why we have had to take all the initiatives that we have over the past year and why we have had to deal with all these issues put before us because of the weather and all the other factors.

That was our vision at the very start of this process, when the Minister of Enterprise, Trade and Investment, Arlene Foster, and I met Tony O'Neill and appointed him to that position. We put it to industry clearly: let us work together and challenge each other; go away and work with the industry and recognise that there is only one supply chain. For me, that is one of the most positive things to come out of that report. There is one supply chain. It is not farmers and then the others; it is the whole supply chain, and they are all equal partners. For me, that is one of the most positive pieces of work to come out of that report. As I said, it is not a shiny document to sit on the shelf. There can, I think, be report fatigue out there in industry and the farming community. That is not what this report is about. It is not a strategy; it is an action plan. It has clear targets for DARD, the Department of Enterprise, Trade and

Investment, the Department for Employment and Learning and for the industry right across the board. It about is how we can work together collectively and challenge each other.

The £400 million ask from the Executive is, I think, doable. I look forward to working with the Enterprise, Trade and Investment Minister and the entire Executive on how we can progress that. For me, it is a doable figure. It is something that is very positive. Given the wins that we would have from that — the fact that we would create 15,000 jobs, 60% growth in turnover and 75% in export sales — it is all very positive stuff. So, I look forward to the Executive discussion on that. I also remind Members that that £400 million from the Executive will lead to £1.3 billion of industry buy-in and investment. That is not to be sniffed at; it is a positive future. That is us, in the Executive and the Assembly, working with industry. So, that needs to be the future, but we have to deal with the existing challenges.

### 6.15 pm

I absolutely support the motion and welcome the fact that we have focused on it over the past two days. I support the amendment because I think that we need to deal with the banks and challenge them on their lending and the way in which they deal with farmers. I constantly do rounds of meetings with the banks, as do my officials. We will have to continue to do that to keep driving home the message that we need the banks to assist our farming community. The future is bright. Help them to get there. We will continue to put that message clearly to them.

Joe, the Deputy Chair of the Agriculture Committee, referred to the fact that I welcomed the announcement from the Northern Bank on the £10 million investment. I welcome that, but we need to see more. We need the banks to be flexible and lenient towards farmers who find themselves in difficult situations because of factors that are absolutely outside their control. There needs to be a bit of practical thinking. I support the motion and the amendment, and I thank the Members who tabled them.

**Mr Rogers:** I thank the Members opposite for tabling the motion. I welcome the Minister's contribution and her comment that the £400 million is "doable". Somebody referred to the fact that farming issues were being debated on two consecutive days. It is important that farming is at the heart of what we do in the Assembly because it is at the heart of the growth potential for Northern Ireland. The Balmoral show usually takes place at a time when, in rural areas, people are dealing with the first cut of silage, but in many parts of my constituency, the grass has not even started to grow.

The past 18 months will live long in the memories of many farmers, given that there was no fodder, and we had the snow crisis. We have to overcome the current difficulties to realise the industry's growth potential. Indeed, the announcement of the promise of many jobs in the agrifood sector acknowledges that. I will not go into the reduction in the total income from farming, but I will mention one little statistic about individual farm incomes, which are expected to decrease by £10,000 to £23,000. That is a decrease of 32% per farm.

Much has been said about high inputs and high food costs. The prices of feedstuffs, fertiliser and fuel are up. Farmers' economic welfare is down, and the value of the single farm

payment, which accounts for 84% of all direct payments, has gone down by 9%. When I see a dairy farmer sitting across the Chamber from me, I can start to illustrate the situation. The problem in Ireland is that we have plenty of rain. We can grow grass, but we need sunshine for decent sugar levels. If somebody like Mr Irvine, with 100 cows or whatever, has to put another 2 kg of meal into them every day, he would have to pay for an additional 6 tons of meal a month. That will put a hole in any milk cheque, even if he does get a few more pence per litre.

Cattle and sheep farmers, both lowland and upland, benefited from an increase in cattle prices, but that was insufficient to offset the combined effect of lower sheep prices, a lower single farm payment and higher inputs. Pig farmers experienced higher pig prices, but those are not enough to cover the increase in feed costs. It is a similar situation with poultry farmers. Cereal farmers and potato farmers in the horticultural industry have fallen foul of higher inputs and lower yield because of inclement weather. All that is happening in an economic downturn when banks are cutting overdraft facilities.

Mr Allister described the situation very well. The SDLP amendment recognises that restricted bank credit facilities are having a serious effect on our farmers and small and medium-sized enterprises (SMEs). I will address one of Mr Clarke's points. Tighter rules have resulted in farmers not even being able to address issues such as rural development funding because when people get 50% from the rural development fund for farm diversification, they need the other 50%. They are unable to carry out farm modernisations, unable to get loans to buy a few more acres and are forced to sell off stock at poor prices because they do not have enough feed, and they do not have the money to buy more feed. Farmers cannot seem to satisfy the banks' needs. Banks are finding every sort of excuse to refuse loans. Farmers are annoyed and frustrated by the banks' attitude and their refusal to provide finance.

Farmers and SMEs believe that they, as relatively small borrowers, are being victimised because of the people who owe millions. In fact, our farmers cannot afford to borrow. It was revealed lately that, of the £10 million weather fund launched by the Ulster Bank in March, only £300,000 has been lent out. That is not because farmers do not need it; it is because they cannot service their existing loans, never mind increase their borrowing.

Yesterday's debate is relevant to today's motion in that all farmers are suffering. However, in many cases, hill farmers are the primary producers. Without enough product in the food chain, it will be difficult to deliver the promised agrifoods jobs.

No matter what aspect of farming you take, the farmers get hit in every way. Some of the processors at the Balmoral show were advertising the fact that they pay on the day, but not all processors do so. If there is a reduction of 2p a kilo or, in some cases, 6p a kilo, it mounts up for a trailer-load of cattle.

I want the Minister, at a later stage, to clarify whether the rural development programme budget is likely to be slashed. It is important for Northern Ireland as a source of funding for various agrienvironmental schemes as well as grant schemes such as farm diversification and farm modernisation. To put things in perspective, the Republic

has a budget of £2.2 billion for 2014-2030, while Britain and Northern Ireland seem to have only twice that amount.

Farmers' penalties for non-farm-assured beef —

**Mr Principal Deputy Speaker:** Would the Member bring his remarks to a close.

**Mr Rogers:** Finally, we need a more robust defence of Northern Ireland farming with the Department of Environment, Food and Rural Affairs in Europe and we need greater flexibility in the CAP negotiations.

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

**Mr Rogers:** We need to address the issue of the banks, and we need good support for the rural development programme.

**Mr Swann:** I thank all the Members for participating in the debate and the Minister for her reply. It has been a well-spirited debate, which has been supportive of our farming industry. As big a shock to some of the farmers as some of the other aid and financial packages out there is just to know that this place is actually listening and trying to do something for them. We do not have all the answers. I do not think the Minister has all her answers, and I do not think her Department has all the answers, but the people in here are prepared to work to get answers and give farmers the support that they are asking for.

The motion came about because the total income from farming is down by 52.2% in the past year, from £290 million to £143 million. That was not a gradual decline; it was a complete collapse. Farm incomes are 40% below the average for the past 20 years, taking inflation and all the rest of it into account. Our industry has faced a dramatic year, and the industry out there does not see it getting any better. We are making the right noises and the right sounds, but it is about how fast we can bring forward solutions.

I welcome the presentation that we received earlier on from the Agri-Food Strategy Board. One of the most important things that Tony O'Neill mentioned was the £400 million that he hopes to get from the Executive. If he gets that over seven years, the markets may not be there in three or five years' time to help the recovery. If he gets it in one year he will be over the moon; if he gets it in two years he will be more than happy. I appreciate the Minister's comment that that is doable. I will take her at her word, because I think that she will do all that she can along with the Minister of Enterprise, Trade and Investment to bring that money forward.

I do not often quote the First Minister, but at the Balmoral show he said that to some and to many, foreign direct investment is sexy. That grabs the headlines, but we must get that £400 million investment for our indigenous businesses. That is what he actually said. Agriculture is the backbone of the economy in Northern Ireland; it has been here through the good times and the bad times. We are going through some bad times right now, but that business is indigenous. It is home-grown. We are not importing people to do those jobs. They are not jobs that can be easily exported or will be exported. We are actually looking to sustain and support a way of life for people who have been on the land for generations. That is where a lot of the pressures come from. In his remarks, the Chair said that a lot of the pressures, if not all, are financial, but they

are not. The pressures that I see being faced by farmers on a daily basis come from inspections, and from their age.

It has been said — I think it was even said in the debate in the House yesterday — that the average age of a farmer is 52, but that calculation does not take into consideration the men over 65 who have retired or taken their pensions but are still farming because there is nobody else left to do it. If we take those people into account, the average age of a farmer in Northern Ireland would be something scary. It could be older than the average age of a Member here.

The other problem that we face is the issue of succession. I know that the Minister mentioned the courses that CAFRE is offering. I am reliably informed that those courses are seeing an increase in uptake. I am glad that that is happening, but if we do not get the young people suitably enthused about, and suitably paid for, the job that they are coming into, we will see a dramatic effect on our industry. That is nothing in regard to the drop in farming income.

We have farmers and farm families out there who are making businesses sustainable. Sean Rogers, in his summing-up, referred to farm business incomes dropping in the past year from £34,000 to £23,000. That is a drop of £11,000. The only reason that those farms are still making that profit is that the farmers and farm families are not taking a living wage, never mind a minimum wage, out of that. If they were taking the working minimum wage, their incomes would be far lower.

There was a campaign started a few years ago by the Ulster Farmers' Union in regard to the three Fs: feed, fertiliser and fuel. The SDLP amendment has added the fourth "F", which is finance. That is the problem that farmers are experiencing. Bank borrowing for farmers in 2012 was £821 million, up from £804 million the previous year, which is an increase £17 million. The statistical report from the Department shows that cash flow in farming dropped from £237.3 million in 2007 to £158.6 million last year, which is a reduction of 25%. That shows that farm borrowing is running five times higher than the annual cash flow in farming in Northern Ireland.

**Mr McCallister:** I am grateful to Mr Swann for giving way. Does he accept that the figures that he quotes are based purely on bank borrowing and do not include borrowing from feed companies, cash-flow difficulties and how that is funded further up the chain? That is proving even more difficult for farmers. Therefore, the figure for overall debt on farms could be significantly higher.

**Mr Swann:** Those are the realistic statistics from the situation that we are in. I am glad that the Member is here to take part in the debate on this serious issue, as it is one that he is well aware of.

The Minister and Members from her party listed the schemes that have been brought forward. Those have been reactionary schemes to the hardships that we have faced. Mr McMullan said that there are a lot of things that are outside the Department's control, but how quickly we react and how we react are well within the control of the Department and the Minister. We need to move quicker if we are really to get the agri-industry moving forward through the billions of pounds and the 15,000 new jobs that the Minister referred to earlier. If we cannot get the primary producer supported to sustain the rest of the

agrifood industry, the processors and everybody else will not be able to meet that demand.

Minister, I thank you for the comments that you made earlier about the £400 million, because they were crucial. Tony O'Neill, at the Committee today, said that with finance we can move faster. If the industry is financed to the tune of the £400 million that you seem to think you can get from your Executive colleagues, I am sure that there will be plenty of entrepreneurs out there in the agriculture industry who will be willing to take that up.

I thank Members and the Minister for their input. I support the motion and the amendment.

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

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly notes the recent publication of the 'Statistical Review of Northern Ireland Agriculture 2012' and 'Farm Incomes in Northern Ireland 2011/12'; expresses significant concern about the collapse in the total income from farming (TIFF), which fell by 50.6%, 52.2% in real terms, to £143 million compared to £290 million in 2011; notes that farmers have experienced an exceptionally difficult 12 months due to a multitude of aggravating circumstances, including restricted bank credit facilities; and therefore calls upon the Minister of Agriculture and Rural Development to detail the actions she has taken to alleviate the pressures which are faced by farmers and their families which are within her control.*

*Motion made:*

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

## Adjournment

### Whitemountain Quarries Hazardous Waste Transfer Site, West Belfast

**Mr Principal Deputy Speaker:** The proposer of the topic will have 15 minutes, the Minister will have 10 minutes to respond, and all other Members who wish to speak will have approximately 10 minutes.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I am grateful for the opportunity to raise the matter here, which is one of huge concern in the constituency of West Belfast.

Tá mé an-bhuíoch as an seans an cheist seo a ardú, nó is cúis an-mhór buairimh é i mBéal Feirste Thiar i measc mhuintir na háite.

#### 6.30 pm

It was revealed earlier this year that a planning application was submitted by Whitemountain Quarries to store and treat potentially deadly materials in its landfill site in the upper Springfield area. When that story broke, local residents, politicians and lobby groups were really concerned because the thought of hazardous waste, particularly asbestos, fills people with fear. They raised concerns with the MP for the area, Paul Maskey, and me. So Paul Maskey requested a meeting with Whitemountain Quarries, and we spoke to the company to raise the concerns and let it know that local people were alarmed at the thought that the landfill site and storage for asbestos and other hazardous waste would be located there. Beyond that, Paul Maskey, a local councillor Gerard O'Neill and I spoke to the planners, and we were very surprised to discover that the amount of storage in the application was 250 tons. We were very concerned to hear that the amount was much greater than we were originally led to believe.

I will speak about the context. Black Mountain is one of a range of mountains in the Belfast hills. It provides a stunning backdrop to the city of Belfast and is recognised as an area of natural beauty. It is a fantastic community resource and a huge tourist attraction. The other side of the story is that, as far back as anyone can remember, there has been quarrying on the Black Mountain and, with that, health concerns for local people. There have been concerns about effects on the ecosystem and the visual impact. Over the years, there have been concerted attempts by lobbyists and campaigners to have the quarrying brought to an end. They never succeeded in ending the quarrying, but they succeeded in ensuring that restoration work was carried out, and that used inert materials to improve the visual damage. We are now faced with this situation, and those same lobbyists cannot believe that, after all the years of campaigning and having achieved the creation of a regional park, there are plans for an asbestos facility in 2013. The very mention of the word "asbestos" fills people with dread, and, even if it is stored in the way outlined in the planning application — in

sealed containers — people will still feel that their safety and security are not as safeguarded as they once were.

The 'Andersonstown News', the local newspaper, has dealt extensively with the issue. One of the lobbyists, James McCabe, spoke to the 'Andersonstown News' and said:

*"All it would take for asbestos to be set free in West Belfast is air spray, human error or bad working practice that could send asbestos blowing all over this district and beyond. It could happen as easily as that and the only way to stop it beyond doubt is to scrap the plans."*

The reality is that one speck of asbestos is enough to develop into some sort of serious disease.

Tá muintir na háite iontach buartha faoi sin agus go speisialta faoin bhagairt go mbeidh aispeist lonnaithe ar an Sliabh Dubh. We have to remember that this is a densely populated area. Tens of thousands of people live just below the Black Mountain where the site is located: in Andersonstown, the Glen Road, the Colin area, the Ballymurphy area and the upper Whiterock area, and there are plans for more housing on the mountain through the Glen 10 development.

So, there is a growing population that will be affected by this.

I cannot help remembering Terry Enright, who was one of the major campaigners for the end of quarrying on the Black Mountain. Sadly, Terry passed away a few months ago. He would be shocked to hear the plans that have been put forward in the past couple of months. Terry Enright was known for bringing huge numbers of people on to the mountain, encouraging them to enjoy it, explore it and use it as a facility for west Belfast. It is sad that, not long after Terry's death, we have this new environmental threat.

Our concerns have been expressed here today, and I am reflecting the concerns of the local residents. The MP, Paul Maskey, has requested to meet the Environment Minister several times, but he has not yet been granted a meeting. That is disappointing. Is cúis díomá é sin domhsa. It is also surprising, because the Minister has often said that he is making decisions on planning across the North; but, in his own constituency, he has, so far, not agreed to meet the local MP.

I will finish by reiterating my strong opposition to the plans to permit the storage of asbestos on the Black Mountain. Mar fhocal scoir, ba mhaith liom a rá go bhfuil mé dubh in éadan na bpleananna seo le haispeist a stóráil ar an Sliabh Dubh. I call on the Minister to use whatever influence he has to ensure that these plans are not allowed to proceed.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. Like Rosie, I welcome the opportunity to speak in the debate. I commend Rosie for securing the Adjournment debate. It is a very important topic, and I do not need to tell the Minister the impact that granting planning permission would have on the constituency of West Belfast.

It is appropriate that Rosie mentioned Terry Enright in her speech. I knew Terry from when I was a baby — no smart comments, it was a long time ago — and the legacy that Terry Enright and others have left behind in the constituency of West Belfast has instilled into its people



a love of the environment and of the Black Mountain. I grew up in the early part of my years at the foot of the Black Mountain, and, growing up, it was just there and meant nothing until people such as Terry came along and showed us how important it was to us, as residents, to the constituency, to the environment and to our lives.

It is important that we are having this Adjournment debate, and it is also important to acknowledge that the Minister is here and to use that opportunity. He is also an MLA for the constituency, so he is well aware of the issues and of the impact of any future planning proposals that talk about either the Black Mountain or the Divis Mountain. They generate a lot of campaigns in the constituency. We need to be real about this and accept this is not just a proposal for an extension of a, b or c. It is a proposal that is not only about bringing potentially deadly material on to the landfill site on the Upper Springfield Road but is, once again, one that erodes the Black Mountain.

In the past, we have had campaigns on quarrying that included local constituency representatives, the community and, indeed, as I said earlier, environmentalists, especially Terry Enright. When I was going over stuff for this debate, I saw a bit of information that, a number of years ago, when Joe Hendron was an MLA, he and Gerry Adams, who was the local MP, had a joint meeting with the then Environment Minister, Sam Foster, about quarrying on the Black Mountain. We need to get to this into perspective. Both parties in the constituency have concerns about quarrying, and both parties in the constituency have concerns about this proposal to bring hazardous waste on to the site.

Minister, I would appreciate it if you would take the opportunity in your address to answer some of my questions. The issue is that there was a proposal to bring this type of site to Kennedy Way a number of years ago. That proposal was opposed by almost everyone, if not everyone, in the constituency: political leaders, community leaders and residents. Thankfully, that proposal is no longer there. Now, another proposal is being brought forward by Whitemountain Quarries. Its application proposes a change of use that includes alterations and improvements to the previously approved waste transfer station to allow for the importation, storage and treatment of hazardous waste, including asbestos and other dangerous materials.

Are questions being asked as part of the application process? If they are talking about 250 tons, how will they import it to the site? Will the people of West Belfast have to deal with the fact that more lorries are coming through the constituency? If they are talking about 250 tons, how will they store it? Will it sit on that site in storage for years on end? How will it be treated? That is without even mentioning that the planning application should be knocked back from the outset.

As my colleague Rosie and I have said, the people of West Belfast have a love and an affiliation for the Black Mountain. We have fought campaigns over the years on these issues. I know that Whitemountain Quarries says that there will be no disposal of any hazardous waste on the site and that it will be used purely for storage, treatment and onward transportation. How does that fit in with the application?

The impact on health in the constituency is another concern for me, as Chair of the Health Committee, as an MLA, and as somebody who lives, works and socialises there. Throughout the years, we have heard — I accept that I have no scientific proof — about the possibility that the increase in asthma and other respiratory diseases was due to issues in and around quarrying on the mountain. First, is the Minister aware of whether any research has been done on the impact that quarrying has had on the health of the constituents of West Belfast? Secondly, does he know what the health impacts of the new proposal might be for the people of West Belfast, given that we are talking about 250 tons possibly being allowed to sit for however long — we do not know — on the site?

I appeal to the Minister in his roles as Minister of the Environment, as an MLA and as a representative of a party that has fought campaigns against the quarrying of the site to oppose and block the application, and to throw it where it should go. That should be the waste that is involved in this type of application: throw it in the bin.

**Mr Kinahan:** I will be very brief. Some of you are probably amazed and wondering why I am here. However, your constituency is just across from South Antrim. I used to be on the Belfast hills when I was a councillor in south Antrim. During my time there, I saw what a beautiful and stunning part of the world it was. I also have family links to the Andersonstown Road and the old Bass brewery, so I know the area from that point of view.

I am here to support the calls to have this properly looked at, and preferably stopped. I am also here to ask the Minister whether we could look at, in future planning, how we deal with these matters. Every single time that asbestos comes up anywhere, it gets blocked. I think that it should not even be coming before us, other than in certain areas. We should look at a way of dealing with this in our planning system that does not terrify whole communities. We have heard talk of asbestos in Mallusk. We have heard talk of asbestos at Parkgate Quarry, although I do not think that was accurate. This sort of thing comes along all the time. Most of the time, our fear is about what else is being covered up. By the time you have won your battle with asbestos and got rid of it, something else comes along that seems OK, but is not.

Our concerns are also that the Northern Ireland Environment Agency's (NIEA) system for enforcing things is what no one can trust, and yet they probably should trust it. It is a good organisation; it works as hard as it can, but, like everything in government, it is starved of resources. So I ask the Minister to give us the safety and robustness of his planning system, so that this does not happen to anyone else. I am really here to listen to the concerns of other Members and join in voicing support.

**6.45 pm**

**Mr Attwood (The Minister of the Environment):** I thank those who participated in the debate, and I very much welcome the opportunity to comment on these issues because, as has been pointed out, I am an MLA for the constituency, and I was councillor for it. My interest and involvement in the issues of the Black Mountain go back to 1985, when I first became an elected representative. So I have probably been a representative for the area for longer than some others.

When you speak to people who come into Belfast as visitors, they comment on the scale, wonder and beauty of the setting of the city. They do not just comment on Belfast lough but on the fact that the city is surrounded by hills and mountains: Cave Hill, the Castlereagh hills, Divis and Black Mountain. That should bring it home to us. In my view, it should bring home to anyone who has a development proposal for the city of Belfast, or in the mountains and hills of Belfast, the scale, wonder and beauty of our heritage. You have no argument with me in that regard.

As Sue and others have indicated, you cannot discuss this motion without talking about those who most loved the Black Mountain: Terry Enright and Eileen Fulton, both of whom are now dead. Eileen Fulton was the founder of the Blackmountain Action Group in the 1980s. From wherever they might be, those people send a message to this Chamber tonight about what they think should happen. So, too, does Jim McCabe, whom I have met in respect of this matter. I was not aware that no meeting had been arranged with Paul Maskey. A meeting will be arranged with him, because he, I and others clearly have issues and concerns around all that.

As you will appreciate, Mr Deputy Speaker, I must put this on the record and warn myself: I speak as the Minister of the Environment where there is an ongoing process in respect of a live planning application. Therefore, I must ensure that, when it comes to any planning application, good process and good evidence prevails. I must warn myself, lest I say or do anything that derails good process or practice. If I were to do that, someone, somewhere would probably have me or the Planning Service in court at the drop of a hat. I will not bring such a situation to bear.

I must say that the history of the quarry on the Black Mountain sends out a warning to us. The quarry on the mountain goes back many years, but the live planning application that saw the major quarry on the mountain, as far as I recall, goes back to 1979. What warning does it send us? It is that even though 19 planning conditions were laid down — I speak from memory — they were not enforced. That is why the top of the mountain was removed when it should not have been; there was quarrying where there should not have been; plant that should have been removed still sits on the side of the mountain; and environmental screening and planting was not conducted on the side of the mountain where the quarry was situated. That is the history of the quarry approval in respect of the Black Mountain.

Whatever about the decision made in the 1970s, the planning conditions were routinely not enforced. I look to the quarry owners and those responsible for minerals —

**Ms S Ramsey:** Will the Minister give way?

**Mr Attwood:** I will.

I look to minerals branch to send out a message to Planning Service generally about the failure to enforce what should have been enforced. The mountain should have been better protected from the ravages that befell it.

**Ms S Ramsey:** I thank the Minister for giving way, and I apologise for interrupting him. You mentioned that you remember that 19 procedures were laid down, which people should have observed in previous years.

If you can, Minister, will you send us a copy of that?

**Mr Attwood:** Yes, I can send them to you. I have them in personal files in the office. As Sue Ramsey and others indicated, there have been a number of campaigns, not just in Sam Foster's time or during devolution, but in the pre-devolution period, even to the point of the then Environment Minister, Richard Needham, travelling by helicopter onto the Black Mountain because he could not travel by car through the constituency at that time for security reasons. He visited the Black Mountain to see the issue and, subject to what he might say, my recollection is that he was very close to revoking the planning permission on the Black Mountain because of what he saw happening to the Black Mountain. I well remember a meeting with Joe Hendron and others down the hill from here, when Richard Needham indicated that he was not going to revoke the planning permission because officials advised him that the cost of the compensation involved was so huge. I think that £60 million was mentioned at the time.

There have been great campaigns, political and otherwise, led by community people on the issues around the Black Mountain.

**Mr F McCann:** Will the Minister give way?

**Mr Attwood:** I will in a second. You can imagine that, although I had to step back in one way from this as planning Minister, I do not diminish or discount it, and I very much understand and share the huge concerns that have arisen about the planning application.

**Mr F McCann:** I understand what the Minister says because, with another issue, I know that it was difficult to respond to some of the questions regarding a planning application. However, in some of what you said, you highlighted again the serious difficulties and problems that there have been with planning in the past in overseeing such schemes. However, it also raises a certain arrogance with people who think that they can come into a community and work away with complete disregard for what has been laid down. It reminds me of the campaign for the demolition of the Divis flats, when people in spacesuits went in and removed asbestos while the community walked by. I remember the arguments and debates at the time, and people were told that there were two plastic sheets at the end of the building. There always has been that arrogance, and the House needs to send out a clear message that there are tens of thousands of people, as Rosie said, who live in close proximity to this, and we are not about to allow this to take place.

**Mr Attwood:** That judgement will be made on the far side of the planning process, but we have to ensure that good process governs this application, otherwise people will try to challenge an outcome because of bad process. I say that to warn myself and to advise everybody that, whatever our views — there are many, and I share many of the concerns — we have to be rigorous about making sure that good process prevails. In that regard, what are the issues around the process? The first is that, if you check the planning file on this matter, you will see that a number of consultation responses have come back. I instructed my officials to further interrogate each and all of those consultation responses from each and all of those who responded to date as to the character and quality of those responses because, if there is anything that any of the consultees have missed, we need to know about it and we need to interrogate them further in respect of each and all of the matters that have been mentioned today and beyond

those that have been mentioned today, whether that is in respect of the roads issues, the heritage issue or the tourist issues. I have instructed my officials to reinterrogate each and all of the issues around this application to ensure that, whatever the consultation responses produce, they are comprehensive and exhaustive and that no stone has been left unturned with regard to what those applications might or might not mean.

Secondly, it is my view and that of the Department that the application is wrongly described. Why? In 2006, an approval was granted for a waste treatment centre but, in my view, that planning application was never activated. Maybe the applicant claims otherwise, but my information is that that waste treatment site was never activated and, indeed, no waste licences were ever granted if any site was activated.

We told the applicant that his application for the previously approved waste transfer station had lapsed, and if he wants to take the matter forward, he has to regularise it.

Thirdly, an assessment has to be made. That reflects Members' comments this evening. Is the site the best practical environmental option for this type of facility? There is a view in the Assembly, and a unanimous view in the constituency and the local neighbourhood, that this is not the best practical environmental option for this type of facility. Furthermore, we have challenged the applicant. I will finish now because I know that time is pressing on, and I have only 10 minutes.

**Mr Principal Deputy Speaker:** The Minister was generous with his time.

**Mr Attwood:** I appreciate your generosity. We have told the applicant that, independent of whether his previous approval has lapsed, the application is not clear. The applicant states that, at any one time, he wants to process 250 tons, but it is not clear how much asbestos and other dangerous materials are included in that. We need clarity about the true ambition of the matter.

The environmental health department in Belfast City Council, which was the consultee, has said that it has no issue. I have instructed my officials to reinterrogate what has been said to us not only because of the environmental health issues but because, to date, the Northern Ireland Tourist Board is the one agency that has voiced most opposition to the proposal. Consequently, if the Tourist Board is flagging up its opposition, given the function of Belfast City Council when it comes to local tourism, it also has to assess that matter. Beyond that, because of the narrative from the Tourist Board, we will consult with the National Trust. It has an interest, given that it has use of the lands there that have been developed in recent years for public amenity purposes to advertise and demonstrate the significance of the heritage asset to the lives that people live and to tourism and employment.

I have tried to indicate the flavour of the views that I take for this application, making sure that we deploy best practice and best process. I do not think that anybody would expect any less. Jim McCabe has sent to all of us an example of what can happen — this touches on Mr McCann's comment — when a natural heritage asset is moulded and configured in a way that maximises the heritage value. His example is an old quarry in Cornwall that has been recreated as an environmental asset and is now used for open-air concerts. I am not saying that the

people of West Belfast want open-air concerts because Casement Park might flag up some concerns about that, but it demonstrates that old quarries have better functions than being used as waste treatment facilities. I am not prejudging the matter, but there are better uses, as the Eden project in Cornwall demonstrates. Should that not be the scale of the ambition of those who think that quarries in Northern Ireland have purposes other than heritage ones?

*Adjourned at 6.58 pm.*



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# Northern Ireland Assembly

Tuesday 28 May 2013

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

*Members observed two minutes' silence.*

## Matter of the Day

### Murder of Drummer Lee Rigby

**Mr Speaker:** I have accepted a matter of the day from Mr Mike Nesbitt, under Standing Order 24, on the murder of Drummer Lee Rigby. I remind the House of my rulings on matters of the day and that we are talking about a tragedy. Matters of the day have been used in the past to attack individual Members or political parties and to try to link tragedies somewhere else to similar tragedies in Northern Ireland. That should not happen. I refer Members to Standing Order 24, which clearly states that matters of the day should not be used in any way to attack any political party in the House.

Mr Nesbitt has up to three minutes in which to speak. If Members wish to be called, they must continue to rise in their place, and they will have up to three minutes in which to speak. As Members will know, I will not take points of order on this or any other issue until this matter is finished.

**Mr Nesbitt:** Mr Speaker, thank you very much. I appreciate you making time available for this matter of the day. This is the first occasion on which the House has had an opportunity to say a few words since the barbaric murder of Lee Rigby last Wednesday. I believe that many are looking to us, their political and civic leaders, to give leadership in expressing revulsion at what happened last Wednesday in Woolwich.

I know that some will wonder why we mark one soldier's death when hundreds have died recently serving their country in Iraq and in Afghanistan, but this was different. Lee Rigby was not in Afghanistan. When a soldier boards a plane to a war zone, they understand that, from that moment, they put themselves in harm's way. Their peers understand that as well, and they have the support, protection and surveillance of their colleagues. Not on a Wednesday afternoon in Woolwich: Lee Rigby was effectively a civilian. He was certainly off duty; he was not prepared to defend himself against an attack, the methodology of which, I suggest, was a definition of barbarism. We must stand united against that.

I have no intention of attacking anybody today, but I know that there will have been those who, on hearing that news, were dragged back to our dark days and the violence on the streets of Northern Ireland, including the no-warning car bombs. Some will think of the deaths of Mark Quinsey and Patrick Azimkar at Massereene a few years ago and of last year's murder of the prison officer David Black. Indeed, if we think of the methodology of Woolwich, we

might be reminded of the Shankill butchers. In 2013, we must all stand against violence of that nature.

I believe that the people of Northern Ireland are looking for opportunities to express sympathy to the family, support for the armed services and solidarity against terrorism. So, my party has called on our 26 local councils to open books of condolence. We would also like to see, on the day of the funeral, gathering places where people can go for a minute's silence in respect for Lee Rigby and for our armed services. I know that some people are already placing flowers at war memorials, and I applaud them for so doing.

I hope that my colleague Danny Kennedy will get to speak during this session. He has visited the scene in Woolwich. All I would say, Mr Speaker, is this: Northern Ireland is part of the United Kingdom, and, on an occasion like this, it is important that the people of England, Scotland, Wales and Northern Ireland gather in solidarity to say no to terrorism.

**Mr Mitchel McLaughlin:** Go raibh maith agat, a Cheann Comhairle. There will be different views in the House about the wars in Afghanistan and Iraq. That is fair enough; it is democratic. People can have their views on all sorts of issues. However, this murder was particularly shocking and should be properly condemned. The fact that the perpetrators waited around, took time to do interviews, talked to women, allowed women to approach the dead body and threatened males who approached raises this question: what further did they intend to do? Were they looking to kill someone else? Or, in whatever incomprehensible logic that they were bringing to that situation, were they expecting to be killed and made martyrs? The message, whatever it was, was not delivered; it was confused by the sheer horror of that attack and the way in which they killed that young man.

We have to accept the point that was made by the Member who has just spoken. This was an individual who possibly had no politics at all, a young man who joined the British Army and found himself in that situation. We might never know what his view of all of that was, what his experiences were or what contribution he could have made, had he survived that experience. The attack, in so far as it was premeditated, and the intention to stand around and to confront those who would turn up to come to the aid of their victim is something that none of us can properly understand or hope to understand. Certainly, we hope never to witness it again. On behalf of my party, I extend our condemnation of the attack and our sympathy to the young man's family.

**Mr Campbell:** When there is an event of the magnitude of what occurred on the streets of Woolwich in broad

daylight, it is important that the entire community not only in Northern Ireland but, of course, across the United Kingdom expresses its solidarity and sympathy with the family of Drummer Lee Rigby and his colleagues. As has already been said, the depths of brutality and barbarity are difficult to comprehend, but, unfortunately, we in Northern Ireland know that they are not unprecedented. A few weeks ago, we commemorated two young soldiers who, 25 years ago, were brutally done to death on the streets of west Belfast. Like Drummer Lee Rigby, they were in civilian clothes.

It is essential that the entire nation stands as one behind the family, friends and colleagues of Drummer Lee Rigby. It is important because of the potential damage that race relations will suffer as a result of the attack. It is essential that political leaders across the United Kingdom stand as one and take action against anyone who would engage in such activity. We stand today with the democrats, the innocents and everyone in the United Kingdom who abhors and detests such criminal acts as we witnessed on the streets of Woolwich. We tender our deepest sympathy to the family.

**Mr Attwood:** I thank the Member for bringing the matter to the attention of the House. My party and I wish to extend to Drummer Lee Rigby's family and colleagues in the army our condolences and sympathy on this terrible murder. A short while ago, I attended the family home and funeral of Corporal Channing Day not far from this Building. In that family, the sense of loss but also the sense of pride was very clear and evident, and the loss and pride at the death of Drummer Lee Rigby have also been very clear and evident.

What was the purpose of those who perpetrated the atrocity? Given the location, timing and nature of what they did, it was — as it is for all those who deploy terror — to instil fear, create a sense of vulnerability and, as a consequence, for people to concede ground. We know from examples of terror across the globe that what you have to do in those circumstances is confront those who deploy terror and, where possible, find ways to make peace.

**Mr Ford:** On behalf of my colleagues, I extend our sympathy to the family and friends of Drummer Lee Rigby and to his colleagues, not only those in his unit but throughout the army, in the concerns that they must feel at this time.

I must say, as a resident of Antrim and representative of South Antrim, that what struck me, in many ways, was the irony of the murder on the streets of Woolwich being so much a parallel to what happened at Massereene Barracks a few years ago and that a man who had survived a tour of duty in Afghanistan should be brutally murdered in such a foul way on the streets of London. They are clearly very similar, in that the soldiers who died in Antrim were about to go to Afghanistan.

What is absolutely clear, as Mr Attwood has just said, is that it was an act of terror designed to drive fear into the hearts of people across the United Kingdom. I do not think that it will do that. There is a record which shows that terror does not achieve those ends when people stand together. The unity that has been seen, including that from all sides in the Chamber this morning, will be a potent weapon against that threat. However, there is no doubt that, unfortunately, a small number of people have responded in

an entirely inappropriate way. We have seen the response of some far-right groups in England. Sadly, we have seen a couple of minor attacks on the Belfast Islamic Centre and a restaurant in Antrim. What we need to show in the Chamber is the unity that has been shown in the speeches that have been made and that we stand together united in opposition to the kind of terror that would take the life of individuals when they are off duty and going about their entirely legitimate everyday business. We stand together in support and solidarity with them and their friends. We also stand together in opposition to those who seek to foment division, not just those who carry out acts of terror but those who seek division in their response to this. Unity of purpose across every part of the UK, including this Chamber, is what this society badly needs.

#### 10.45 am

**Mr Kennedy:** I am grateful for the opportunity to participate in this matter of the day. The entire nation has been shocked and stunned by the murder of Drummer Lee Rigby, which took place in broad daylight in Woolwich, on the streets of our nation's capital, last week. The barbaric nature of the murder has shocked everyone. There are serious issues that must be addressed by the Prime Minister and the Government in dealing with this incident and terrorism of this nature. As has been said, we in Northern Ireland are all too aware of the threats and dangers because of events through the years, so we can identify with the great sense of loss and devastation being felt by the family, friends and colleagues of Drummer Lee Rigby.

By all accounts, Drummer Rigby was a very brave and very fine soldier who served this nation with distinction in Afghanistan. It is clear that he was much loved by his family and colleagues. We have all been moved by the tributes paid to him by those who loved him most.

While in London on private business, I had the opportunity to visit the scene of the ghastly murder and pay my respects to Lee. It was clear to me that, far from dividing the nation on the issue, the murderers have actually united us. Tributes were being left at the scene by people of all faiths and backgrounds. The scale of the tributes reflects not only the nation's horror at the crime but the huge admiration that people have for the young men and women who serve in our armed forces.

We do well to remember that barbarism is not something that exists in the past. At all times, it remains underneath us and is capable of welling up and overwhelming our society at any time. Clearly, it was barbarism that spilled onto the streets of our nation's capital last week and took the life of Drummer Rigby. We must all work to ensure that such events are never repeated. In the meantime, we must give our help and support and offer our prayers to the family, friends and colleagues of Drummer Lee Rigby.

**Mrs Hale:** We need to remember that at the heart of all this is a young widow and a young son. My deepest condolences go to Mrs Rigby, her son, Jack, and to the wider family circle. Drummer Rigby chose to serve his country, yet he was murdered at home while off duty — things that families in Northern Ireland unfortunately have to live with daily.

Drummer Rigby chose to serve his country and protect our democracy at home and abroad. We will continue to

support those who protect our country and our flag. We will not bow to terrorism or extremism. Drummer Rigby had come home after a successful tour of Afghanistan. He thought that he was safe. How many of our servicemen and servicewomen in Northern Ireland can say that they thought that they were safe?

In the initial days, the regimental family will look after Drummer Rigby's family and his son. We will all watch the funeral on television. Be mindful, however, that there are dark days and dark years ahead for that family. We will continue to support those who protect our flag and our country. The military covenant will support them in future, so I ask for political support for the military covenant, so that our soldiers and their families will be looked after now and in the days ahead.

**Mr Allister:** I want very much to associate myself with the expressions of sympathy and condolence to Drummer Rigby's wife, his young son and the wider family. The grief that they are going through can only be imagined. The chilling and gruesome nature of the murder is nearly beyond comprehension and description in its barbarity, perfected, as it was, in a public street in broad daylight by those who then glorified what they had done. The sheer horror of that is almost overwhelming to any right-thinking person. Even in a community such as Northern Ireland, where we became so case-hardened to terrorism, it was quite shocking and was a reminder and parallel of something of the barbarity that was done in the murder of the two corporals at a funeral 25 years ago.

Looking forward, it is important that our nation — the United Kingdom — deals with this issue. There is clearly a rising threat of Islamic terrorism that has to be dealt with. I trust there is the resolve and will to deal with it and that all that needs to be done will be done so that this will not take off as a campaign of terror across the United Kingdom. First and foremost, our thoughts today are with the family bereaved in such horrendous circumstances. It is a reminder to us all of the unadulterated evil and indescribable wickedness of terrorism, which cannot and should not ever be sanitised.

**Mr McCallister:** I associate myself with the remarks of colleagues and offer my heartfelt condolences to Drummer Lee Rigby's wife and young son, his wider family circle and his friends and army colleagues. As Mrs Hale reminded us, there are many dark days and years ahead for this family. We must remember them in our thoughts and prayers not just today or on the day of the funeral but in the many weeks, months and years ahead.

The reaction from the House and, indeed, across our entire nation speaks volumes. The speed and brutality of the attack was designed to instil a level of fear in us all, yet the response from the people of Woolwich on that day was to confront the attackers who stayed there to be filmed and to gloat, which cannot fail to appal each and every one of us across the country. We must take whatever action has to be taken to confront the evils of terrorism. We must give our full support and commitment to dealing with this truly awful scourge of terrorism. I again offer my heartfelt condolences to the family.

**Mr Poots:** As we watched Drummer Rigby's family on television, we saw the pain and the anguish that they were going through. It drives home to all of us the fact that death is very cruel. When it is an unexpected death, it can bring

with it a completely different dimension; when it is murder, that can compound matters further; and when it is done in the full public glare of the media, that is an awful situation for any family to have to deal with. It brings home the impact of death very clearly to all of us, particularly those who may not have had a close association with it. The fact that this was perpetrated on our streets in such a barbaric way and then portrayed in the media is something that will and should cause all of us to consider the impact of what has happened.

Murder is always wrong, and the pain and anguish that come with murder are always there. That is so evident today, but it has been evident ever since murder first happened. If ever there were a message to come out of this, it is that we should seek at all times to avoid circumstances in which murder happens and ensure that situations are resolved without loss of life.

I can only express my deepest sympathy with Drummer Rigby's family. The Christian love, thoughts, prayers and compassion of us all should be with that family at this time. I trust that, although they are going through extremely dark days and will have many dark days to go through, they will find solace and comfort in the fact that they raised a fine young man who has left his mark on the scene of time and did a great deal in his short 25 years. Sadly, he does not have many more years to be with his family and serve his country.

**Mr Hussey:** I begin by expressing my sincere sympathy to the Rigby family. It is clear from the comments made by Lee Rigby's stepfather, wife and family generally that he was a fine young man who was going about his business when cruelly done to death. The reality of the 21st century brought it into our homes. Anyone who wanted to watch YouTube could see the gory details of what happened. A young soldier was picked out and cruelly done to death. We often say that murderers have blood on their hands, and it was clearly seen that these murderers did have blood on their hands and wanted the world to see it. That was disgraceful in its own right.

I also pay tribute to the woman who knelt down beside the dying man and gave him some form of comfort. In those circumstances, many would have walked away. To her I say a sincere "Thank you".

I come from a service family: my mother and father both served in the Royal Navy and the Ulster Defence Regiment. I come from the garrison town of Omagh, where soldiers would regularly have walked in and out of the town. In the good old days, they would have done so in uniform. This young man was just going about his business when he was selected and murdered in cold blood. Nothing can justify murder or the way in which this young man was done to death. It was an act of terror, and it terrorised the area. In our capital city of London, you would have felt that a member of the forces would have been relatively safe. He was proud to wear the uniform of the armed forces. To his colleagues and his regiment, I send my deepest sympathy. I believe that Help for Heroes is receiving public support, and it should continue to receive public support for what our soldiers do overseas. Today, we are here mainly to remember Drummer Rigby. To his family and friends, I offer my deepest sympathy. Let us hope that we never again see blood spilled on the streets of London as it was last week.

**Lord Morrow:** I, too, would like to be associated with the remarks made around the House in condemnation of the brutal murder of this young soldier. One of the things that struck us all was not only the slaughter and the manner in which it was carried out but the public manner in which it was done. Some Members have drawn parallels with what happened in west Belfast 25 years ago, when a baying crowd slaughtered two soldiers on the street. It brings that back very vividly.

I am delighted that there has been outright condemnation of the atrocity from around the House today. It sends a message to us all that we cannot be ambivalent about such incidents. I just hope that, if incidents like this ever happen again — let us pray that they never do — it will not be left to the unionist side of the family to move motions such as this. I hope that others in the House will feel that it is also their duty to take the lead in condemnation.

#### 11.00 am

My sympathy and prayers go out to the Rigby family today. Their loss is great, and I suspect that his parents will never get over it, nor will his wife and young son. The Assembly's united message today should bring some strength, comfort and succour to them.

## Assembly Business

### Public Petition: Cushendall Fire Station

**Mr Speaker:** Mr Oliver McMullan has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak on the subject.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. First, I thank the Glens Action Group for organising the petition. I also thank the communities of Glenariff, Cushendall and Cushendun in the mid-glens and the 8,000 people who signed the petition calling for a new replacement fire station in Cushendall.

The present station in Cushendall was erected in 1988. At the time, the planning authority allowed permission for the building to be passed only on a temporary basis. However, 25 years later, we still have the same building, which is not fit for purpose for modern firefighting. At present, the station is a 12-man station. We are in the middle of recruiting a replacement firefighter. From what we have been told, several ladies have applied for the position, which is something that we want to see. However, if one of those ladies were to get the job, the station could not cope. It has only one toilet and one shower, and that, in the modern age, is not fit for purpose.

Recently, the acting Chief Fire Officer, Mr Kerr, and the chairman of the fire authority, Dr Joe McKee, visited the station. They were appalled at the condition of the station. To quote their words:

*"This station is not fit for purpose and has to be replaced".*

Minister, the station is the backup station for the larger fire stations in Ballycastle, Ballymena and Carnlough. For a number of years, the station was a priority for replacement, but we were told that, because of the lack of a business case and lack of funding, it could not go forward. From what I have been told by the fire authority, that business case will be on your desk very shortly. I ask you to look at it with the sympathy that it deserves. I also ask you to look at the practicalities of that station, because it is a lynchpin of the fire stations in the whole of the northern command. That is coming not from me but from the fire authority itself. It has supported the petition and the campaign for Cushendall fire station. I ask you to look at the 8,000 signatures on the petition and make those people's dream a reality.

*Mr McMullan moved forward and laid the petition on the Table.*

**Mr Speaker:** I will forward the petition to the Minister of Health, Social Services and Public Safety and send a copy to the Chair of the Health Committee, Sue Ramsey.



## Committee Business

### Tobacco Retailers Bill: Extension of Committee Stage

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a Cheann Comhairle. I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 18 October 2013 in relation to the Committee Stage of the Tobacco Retailers Bill (NIA 19/11-15).*

The motion is self-explanatory. The Tobacco Retailers Bill passed its Second Stage on 23 April this year and should, under the 30-working-day rule, complete its Committee Stage on 7 June 2013.

At our meeting on 24 April, the Committee agreed to call for written submissions from interested organisations and individuals. The Committee considered responses at its meeting on 22 May, and identified issues on which it would like to take further evidence. We feel it essential that the Committee is afforded the time to exercise its scrutiny powers to the full, and ask the Assembly to support the motion to extend the Committee Stage to 18 October this year.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 18 October 2013 in relation to the Committee Stage of the Tobacco Retailers Bill (NIA 19/11-15).*

## Private Members' Business

### Epilepsy Services

**Mr Speaker:** The next item on the Order Paper is a motion relating to epilepsy service provision. The Business Committee has agreed to allow up to one hour 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr G Robinson:** I beg to move

*That this Assembly calls for the provision of services of the highest quality for people diagnosed with epilepsy, including frequent reviews of their treatment and condition; acknowledges the rights of young people with epilepsy to a first appointment with a specialist within a reasonable time of their diagnosis; and calls on the Minister of Health, Social Services and Public Safety to ensure that epilepsy services here are equivalent to those in the rest of the UK.*

I declare an interest as Chairperson of the all-party group on epilepsy. I also pay tribute to the specialist neurologists and nurses and to Marina Clarke of Epilepsy Action Northern Ireland for their tireless and magnificent work with epilepsy patients and for the great support that they have been to the families of epilepsy sufferers throughout Northern Ireland.

As Chair of the all-party group, I have listened carefully to the concerns of individuals as well as to those of Epilepsy Action Northern Ireland. The response to those concerns is what today's debate is about. An estimated 20,000 people in Northern Ireland have epilepsy, so we are talking about a significant number of people in Northern Ireland.

Each and every case of epilepsy is unique. Therefore, achieving a suitable and sustainable treatment regime is very difficult. However, the most important factor is to ensure an accurate diagnosis. Only when an accurate diagnosis is made can a positive and effective drug regime be compiled. That is particularly so for young people, for whom a diagnosis can have a devastating effect on their educational attainment and social integration. To ensure that a young person's educational attainment and social integration is maximised, it is essential to frequently review their treatment and alter their medication as young people mature and their needs change. Such reviews are, therefore, of the greatest importance in ensuring maximum achievement and employability for our younger people.

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

Some do not develop epilepsy until later in life, so it is essential that we have a system that reviews patient needs and keeps them as seizure-free as possible, thereby helping their working, education and family life to continue. Of course, we must remember that some employment will be lost due to a diagnosis of epilepsy, for example driving jobs. Therefore, the right diagnosis becomes all the more essential. Epilepsy does not mean that someone cannot work; that needs to be emphasised.

To try to prevent or minimise the risk of misdiagnosis, it is important to track the progress of each patient. Altnagelvin is in the situation of having an EEG testing machine available, but, due to a dispute over staffing levels, that

vital diagnostic and monitoring tool is unused. I respectfully ask the Minister to help unblock this logjam, as the use of the EEG will benefit many patients.

It is also essential that we remember the family of the sufferer, who quite often bear the brunt and the aftermath of seizure activity. So, regular follow-up appointments can have a major impact on a family circle, as well as on the sufferer. Social exclusion applies as much to carers as to sufferers, and it must be minimised.

Keeping those facts in mind, it is therefore important that we have top-quality services to accurately diagnose epilepsy; that frequent reviews of treatment are carried out, particularly for young people; and that an appointment with a specialist is achieved reasonably quickly. That can make such a positive impact on the future of individuals. It is therefore hard to overestimate the importance of a speedy appointment.

I spoke about misdiagnosis previously: it does occur, due to the complexity of epilepsy. The result can be detrimental to the individual and expensive for the health service. Those are two good reasons why accurate diagnosis is so important. Quality of life, self confidence, employment opportunities and educational attainment can all suffer as a result of misdiagnosis. The rate of misdiagnosis is estimated at up to 30%. There are also a number of people who have missed epilepsy diagnosis, leading to some difficulties in their lives, as I have highlighted already. According to the latest figures from Epilepsy Action, misdiagnosis could be costing the health service in Northern Ireland upwards of £9 million annually.

Some of the difficulties may be overcome by the adoption of the National Institute for Health and Clinical Excellence (NICE) guidelines. That would include the adoption of care plans and greater access to information, which could reduce the social impact of an epilepsy diagnosis. However, I am very conscious of the cost that that may place on an already stretched departmental budget. I request that the Minister examines whether that approach would be a possibility and works closely with outside bodies to achieve it.

I must also mention how epilepsy can have severe consequences, which is why it is essential that good quality services and reviews are in place. Sudden unexpected death in epilepsy (SUDEP) is, thankfully, very rare. Estimates are that 38 people in Northern Ireland die every year from SUDEP and that half of those deaths could be prevented. That figure must be reduced. I also acknowledge that patients, as well as the medical profession, have a large part to play in managing their condition. That is why access to information and reviews is so important. If someone is in a drug treatment programme, it is imperative that the regime is adhered to. If a patient stops taking their medication it greatly enhances the risks of having a seizure. One of those seizures may be fatal.

In conclusion, although I appreciate that there is much being presented to the Minister, I am aware that there are limitations, and I do not expect it to happen by tomorrow. However, if we can begin to address the problems and issues, I feel that that would be an important step forward. Again, I thank all of those hard-working individuals who make a difference to so many people and families. I hope that all Members will support the motion.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):**

As Chair of the Committee for Health, Social Services and Public Safety I welcome the opportunity to take part in the debate. I commend the mover of the motion and his party colleagues for securing the debate. I also thank the research services for the information pack they have provided for the debate.

As Members know, the Health Committee takes a strong interest in all conditions, not just our hospitals. We frequently hear concerns that people are not getting the services they require on time, in the right place or from the right person. The mover of the motion highlighted some statistics. The World Health Organization (WHO) estimates that, globally, 50 million people have epilepsy. It is a long-term condition that has a serious impact on people's daily lives.

Those with long-term conditions such as epilepsy require high levels of care. They also require access to specialist consultants, which is essential if the condition is to be managed successfully. If people are not regularly reviewed by their consultant because of long waiting lists for appointments, those who suffer with epilepsy will probably end up getting more ill, presenting at A&Es and then being admitted to hospital. That is not appropriate care, and it ends up putting more stress on the patient and on our hospital system. We have also referred to inappropriate admissions through A&E because people cannot access services in general.

The Committee has been looking at the issue of waiting lists for some time. We have done an initial piece of work examining the rate of cancelled appointments. Let me be clear to Members of the House: those are appointments that have not been cancelled by the patient but by the hospital.

**11.15 am**

In 2011-12, around 180,000 appointments with a consultant were cancelled — 180,000 — either by the hospital or the consultant. We believe that that is a shocking figure; I do not think that anyone would disagree.

The Committee has obtained more research on this matter and held a number of evidence sessions with the Department and the Health and Social Care Board (HSCB) to try to get to the bottom of it. The Committee is concerned that it appears that quite a high level of cancellations have been made by consultants because of annual leave, training and other reasons. We accept that some reasons for cancelling appointments are justified — sometimes, unfortunately, there is a death in the family or other things crop up — but, given the fact that 180,000 appointments were cancelled in one year, we do not believe that some of the reasons given can be justified. In my view, some of those cancellations are down to poor management, and we need to tackle that.

As the proposer of the motion pointed out, we cannot forget the impact that this situation has on patients. If an appointment is cancelled, the patient has to wait even longer to see the consultant. As the motion points out, first appointments and review appointments are essential for the proper management of epilepsy. That is the impact that cancelled appointments can have on individual patients.

The Assembly may be interested to know that the Committee has agreed to carry out some further work on the issue of waiting lists. We will be looking at examples of good practice in other jurisdictions, at initiatives that have worked in other places to reduce waiting list times, and what we can learn from them.

The Committee believes that people with epilepsy are entitled to the highest level of care, wherever they live. I look forward to hearing what the Minister has to say. I assume that, because it is a DUP motion, he will take the opportunity to bring us some good news on this bright Tuesday morning. I hope that it is good news in general for those who suffer from epilepsy day and daily. I support the motion.

**Mr Durkan:** I welcome the opportunity to speak on this very important issue and I thank the Members opposite for bringing the motion forward. Although it is acknowledged that the understanding of epilepsy is much better than it was in the past, living with the condition still has a wide-ranging impact on all stages of life. Children can be disadvantaged in school, leading to underachievement and impaired social development and career opportunities. Adults face additional challenges when it comes to driving, employment, relationships, stigma and, for many, self-esteem, resulting in isolation and reduced quality of life.

Although services vary depending on where a person lives — I will elaborate on that later — services in Northern Ireland generally do not meet the criteria that are laid out in the NICE clinical guidelines and quality standards, notably: being seen by an epilepsy specialist within two weeks of a first suspected seizure, a four-week waiting time for initial investigations, and the offer of a personalised care plan to all.

One of the quality statements on the NICE standards states:

*“Adults who meet the criteria for referral to a tertiary care specialist are seen within 4 weeks of referral.”*

We know that does not occur due to the lack of epilepsy specialists and because there is no local tertiary epilepsy centre.

Under the Transforming Your Care (TYC) proposals, emphasis will be placed on providing care in the community. Although we acknowledge that GPs cannot know all about this complex condition, we believe that their knowledge can be improved by working more closely with specialists. Current provision, we fear, is neither sufficient nor satisfactory. At present, there are three neurologists with a specialism in adult epilepsy, and three paediatric neurologists. With such a limited team, it is difficult to diagnose, treat and review the 20,000 people with epilepsy.

Specialist epilepsy nurses are a crucial source of support and advice. They enable many patients to manage their epilepsy effectively and remain independent in the community. They also do so at great value to the public purse, releasing consultants' time, reducing A&E admissions, enhancing patients' adherence to anti-epileptic treatment and reducing the use of hospital beds.

Despite the fact that we have more nurses per capita than other regions in the UK, it remains the view of Epilepsy Action that we need more, particularly for adults. Also,

we would like assurances from the Minister that the role of those nurses will continue to focus on the treatment of epilepsy and they will not be moved to more general duties, because that would mean despecialising, which would negatively impact on care for people with epilepsy.

Statistics from the Royal College of Paediatrics and Child Health make for alarming reading, particularly the fact that only 46% of children saw an epilepsy specialist nurse, even though the recommendation is that all children should have access to one.

On local service provision, Epilepsy Action is concerned at waiting times for children and young people. The Minister, in response to a recent Assembly question, revealed that there are 167 children on the waiting list for ECG testing and that a third of them will wait for more than five months. From speaking with parents of epilepsy sufferers in Foyle, inroads could be made there if additional human resource was allocated to the Western Trust. Mr Robinson touched on the subject of the scan machine and the lack of personnel to operate it. Children are being driven past Altnagelvin, where there is an ECG machine, to get treatment in Belfast.

We support the motion, and we will support any initiative that the Minister brings forward to improve services and life for those suffering from epilepsy.

**Mr Beggs:** I, too, thank those who tabled the motion for bringing this important topic to the Chamber.

Epilepsy affects some 13,000 people in Northern Ireland, and approximately 210 additional people require treatment each month, yet we are struggling to cope with the current numbers. So, it is clear that there needs to be improvement. As others have indicated, there are shortages in the numbers of medical staff needed to deal with this speciality.

The motion calls for epilepsy services here to be equivalent to those provided in the rest of the United Kingdom. That lacks ambition and is concerning, and I will explain why. Epilepsy Action's recent report from January 2013, entitled 'A Critical Time for epilepsy in England', raises several areas of concern. One of the headlines on its website states that the:

*“NHS is failing people with epilepsy”.*

I would not strive to fail people with epilepsy: we must do better.

In particular, the report indicates that specialist nurses are only provided in about 50% of the English trusts. Waiting times to see a specialist in England fall outside the NICE guidelines, and only 20% of trusts meet those guidelines. On effective referral to other treatment, there are also failings. Some 73% of patients with uncontrolled seizures have never been referred to a specialist centre to investigate alternatives, such as surgery. So, those substandard services provided in parts of England are not good enough for those suffering in Northern Ireland. We must aim to provide a better service than that. In winding-up the debate, those who tabled the motion might be able to explain why they are simply targeting an equivalent level of service.

Minister, in your response, it would be helpful if you could indicate which of the 10 recommendations that were made for England are appropriate and which of them are going to

be implemented in Northern Ireland. If there are failings in England, it is likely that there are similar failings here.

As others have mentioned, there has been a problem with the Altnagelvin EEG scanner. That is causing particular difficulty for young children who are often prescribed powerful drugs, because careful monitoring of resultant brain patterns is quite important for the stabilisation of the condition. We have been advised that these children have to wait before travelling the long distance to Belfast to receive the treatment that they deserve. I hope that the Minister will be able to intervene and bring about a resolution to that difficulty. There is a problem here, and we need to bring about improvement.

It is important that we deal not only with young people but adults, who are often misdiagnosed. We must ensure that they are adequately and efficiently treated. According to a House of Commons paper of October 2010, 20% to 30% of cases are misdiagnosed as epilepsy when they are non-epileptic conditions, so people are being mistreated and are therefore perhaps receiving inappropriate drugs, but no one is getting at the root cause of that. It has been estimated that this costs the economy, aside from the individual suffering, between £130 million and £190 million a year in lost productivity. What is the cost to adults in Northern Ireland who may have been misdiagnosed? What is the cost to our economy?

Adults who have epilepsy have challenges with driving, employment, relationships and stigma, and, for many, it can result in poor self-esteem. So we need to increase awareness of the condition and ensure that the best form of treatment is available to all adults and children. I support the sentiments behind the motion, but we need a higher quality of service than it indicates. We need an epilepsy service that treats young people and adults alike in a timely and effective fashion.

**Mr McCarthy:** Once again, as our Chairperson remarked earlier, we are grateful to our Research and Information Service for providing us with up-to-date facts and figures on epilepsy service provision.

The motion can be broken down into three sections: highest quality of service for people diagnosed with epilepsy; appointments for young people with the condition; and services equivalent to those throughout the rest of the UK. I refer Members to a report by the Royal College of Paediatrics and Child Health, which is dated 24 September 2012 and states that about one in every 200 children in the UK is affected by epilepsy, yet the standard of care that they receive remains variable.

There were some encouraging figures in that report, such as that 79% of youngsters had access to a paediatrician; 87% had their seizure type properly classified; and 95% were provided with medicine to control their seizures. However, other findings were not so good, such as that only 46% of children saw an epilepsy specialist nurse; 40% did not have access to a paediatric neurologist when required; and 35% did not have a complete first assessment. So real improvements are required in the service provision in these areas.

The latest report from Epilepsy Action is dated 22 January 2013 and clearly states that epilepsy services in England are not good enough and vary in many areas. The report says that people with epilepsy do not have access to specialist nurses; that people wait too long even to see a

specialist; and that people with difficult-to-control epilepsy are not being referred for other treatments. All of this means that sufferers are likely to experience unnecessary seizures and, therefore, face highly unnecessary risks. Even across the water, there are gaps in what is provided. I am not certain that we in Northern Ireland can even come up to that standard. The previous Member who spoke asked the question: why should we not try for a better standard?

The report of 24 September 2012 states that 46% of children saw an epilepsy specialist nurse against a recommendation that all youngsters should have such access.

There are obviously improvements to be made there. Moreover, 35% of children did not receive a complete first assessment.

### 11.30 am

Dr Colin Dunkley, who was involved in producing the report, acknowledges that there have been good steps forward in epilepsy care for children in recent times and that they are getting detailed diagnosis and being prescribed the most appropriate medicines for the first time. That is, of course, exactly what we wish to see for our youngsters at home in Northern Ireland. However, he also admits that there are certain areas that need to be improved if our young patients are to get the best possible medical treatment and ongoing care to help them manage their epilepsy and maximise their learning and quality of life.

Questions to the Minister on the condition have been asked by Members of the House since as far back as October 2007 and probably further. Therefore, it is obvious that concerns and problems associated with epilepsy in Northern Ireland have been ongoing for some time. In the last reply from the Minister, dated 2 February this year, he indicated that the majority of children are cared for by paediatricians, GPs and the primary care team services, including physiotherapy, speech and language therapy and occupational therapy, where necessary. The question is this: are those services carried out regularly so as to make a real improvement to the child, or is it the case that, as so often happens, services are provided on an irregular basis and only after parents kick up a real stink? On behalf of my colleagues in the Alliance Party, I fully support the motion and hope that the result will be better services for everyone who suffers from epilepsy.

**Mr Wells:** I have to be honest and say that, before I started to attend the all-party group on epilepsy — the few meetings that I did make — and received the briefings that I got from the charitable sector, I did not know much about epilepsy. I had encountered epilepsy only twice in my life: I witnessed two seizures, one on the Larne to Stranraer ferry and one in Castle Buildings on the Stormont estate. Fortunately, on both occasions, there were people nearby who were aware of the condition, moved rapidly into action and were able to help the two gentlemen concerned. Apart from that, my knowledge was somewhat scant. Therefore, I concur with Mr McCarthy that it was very useful to get the information from the excellent Research and Information Service that we have in the Building. It is second to none and, amazingly, can bring out statistics and information on just about anything that you ask it for. It certainly has not failed on this occasion. There is also the material that

we have received from the charitable sector, including Epilepsy Action.

In Northern Ireland, 20,000 people have the condition, which is a remarkable number. That is one in every 90 of our citizens. Interestingly enough, only 5,162 of the sufferers of epilepsy qualify for disability living allowance (DLA). That is quite an intriguing situation, because it could be looked at in one of two ways. The first is that there are many people who have epilepsy who have not claimed their entitlement to DLA, although, I would think, they would have a strong argument for receiving it. The second is that many people manage their condition very effectively and feel that they do not require DLA. It would be interesting to dig a bit deeper into those stats and see why that happens.

Seventy per cent of sufferers from epilepsy have the potential to live their life free of seizures, but in Northern Ireland that is only 52%. That 18 percentage point gap indicates the gap in services that exists in Northern Ireland, about which many Members have spoken. There is also a very worrying misdiagnosis rate. Mr Beggs mentioned the cost of that in the rest of the United Kingdom. In Northern Ireland, even the minimum figure quoted is 23% misdiagnosis, which leads to people having to take medication and treatment that costs the health service £8.9 million. If we can improve the care, there are considerable savings to be made. Each year, 925 people in Northern Ireland are diagnosed, and, unfortunately, over 30 die each year. That brought to memory a good friend of my brother who had epilepsy. He had been epilepsy-free for quite a long time but died in an unexplained car crash on the M1 about 40 years ago. We will never know whether he passed away as a result of an unfortunate car accident or as the result of a seizure; we have no way of telling that. That figure could be an underestimate, but it shows just how serious epilepsy can be when things go wrong.

The NICE quality standard for epilepsy recommends that adults see a specialist within four weeks of referral. The average in Northern Ireland is a minimum of 32 weeks after referral, which is an obvious gap in provision in the Province. It is a very anxious time for all concerned. When one looks then at the reasons, it does not take rocket science to work out what has gone wrong. In Northern Ireland, there are only six neurologists who are specialist in adult epilepsy and only three specialists in paediatric epilepsy. They have to diagnose, treat and review all 20,000 sufferers. When you compare Northern Ireland with the rest of the United Kingdom, the stats are stark. We have one neurologist per 161,000 people in Northern Ireland; in London, the figure is one per 51,000. The Royal College of Physicians recommendation is that there should be one per 70,000. No matter what way you look at it, Northern Ireland has a dire shortage of this specialism. We cannot really go anywhere until we address that fundamental issue. Mr Beggs asked why we should not aim to have a service that is even better than in the rest of the United Kingdom. Frankly, it will take an awful lot of effort to get us up to the recommended one per 70,000 before we can even think about going further.

We have a lot to do in this field. I will be interested to hear the Minister's response to honourable Members' valid points.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to take part in the debate. My party will support the motion.

As has been said, there are around 40 types of epilepsy, with no one diagnostic test to diagnose all types of epilepsy. It takes a highly skilled neurologist to identify what type of epilepsy a patient has. Medication does not cure epilepsy but controls the seizures. Around 70% of seizures are successfully controlled by anti-epileptic drugs. It may take some time before you are given the right drugs in the right dosage and your seizures come under control. That is one of the reasons why there should be continued research into epilepsy and why funding should be given to enhance and update that research.

As the proposer of the motion said, over 20,000 people here have epilepsy. It is vital that those on medication get the right drugs to control their epilepsy. That is often not the case. Sometimes people do not get the right brand, with GPs offering generic drugs. More often than not, GPs recommend the generic drugs as opposed to the branded ones, and it is only when the patient is persistent that branded drugs are given.

A number of Members mentioned waiting times for the EEG telemetric scan. Those waiting for diagnosis should not have to wait that long for that type of scan. Waiting times should be reviewed, as we do not have as many specialist neurologists here as there are in parts of GB. All too often, the lack of services leads to misdiagnosis. As Mr Durkan said, waiting times here have fallen behind the NICE guidelines.

Living with epilepsy is not easy for any individual or family, especially families with a young child who has been diagnosed with the condition. Many adults who are diagnosed later in life find it very difficult to cope with the sudden changes to their life. Mr Robinson talked about people being able to work with epilepsy, but a large number of people are not able to continue their career after being diagnosed with epilepsy. They may have other physical or mental health problems that complicate their epilepsy and make it more difficult for practitioners and specialists to treat. Not enough research is carried out on those who have other problems to face along with epilepsy.

As with any medical diagnosis, looking after yourself is critical and staying healthy is key. Making sure that individuals have access to the highest quality of care, from their GPs through to their specialist nurses and neurologists, is important for a good quality of life, but that is not often the case. In some cases, individuals have access only to a GP and a specialist nurse. Everyone's condition is different, and the more that individuals know and are informed about their illness, the better. It is difficult for those who have problems understanding their condition. I speak in a personal capacity as one who had a close family member with epilepsy. My brother Jim suffered numerous falls and brain injuries and, as a result, died just over two weeks ago. Although he received excellent care from his GP, his specialist nurse and those who looked after him in the high-dependency unit at Altnagelvin, it became clear to me and my family that very important facts and a range of issues relating to the management of this condition needed to be made clearer and that greater awareness needed to be given.

Members referred to problems with the scanning machine in Altnagelvin and how the people of the north-west have to bypass Altnagelvin and go elsewhere for scans. It is important that, from primary care to community care and specialist neurology services, people get access to high-quality care services, no matter where they live in the region.

I commend all those who work with and treat people with epilepsy, from primary care through to neurologists and people in the community who look after and support those with epilepsy. I look forward to hearing the Minister's comments.

**Mr Dunne:** I, too, welcome the opportunity to speak on the motion. This is a very important matter across the Province, and I commend my colleague, George Robinson, the chair of the all-party working group on epilepsy, for tabling it. Epilepsy continues to be a problem across the country. The motion offers a useful opportunity to highlight the condition and actively explore ways in which we can reduce the number of sufferers and — importantly — support those who have the condition.

A lot of good work is ongoing in support those with epilepsy, and I know that the Minister has taken an active interest in the issue. We need to ensure that service provision is of the highest quality for people diagnosed with epilepsy and includes regular reviews of their condition. Unfortunately, we have still an estimated 20,000 people in Northern Ireland who suffer directly from epilepsy, and it is estimated that there are around 500,000 who suffer from epilepsy in the United Kingdom. If we take into account their families and carers, a significant number of people are affected by the condition either directly or indirectly.

Epilepsy can be a very difficult condition to diagnose and treat, given that there are over 40 types, consisting of at least 29 syndromes. Sadly, epilepsy can affect people of every age, whether young or old, although it often begins at birth. Given that reality, it is vital that the right support structure is put in place for children at a very early age to ensure early and correct diagnosis.

Epilepsy can have a significant impact on everyday life for those who suffer from the condition. Young people can be limited in their educational attainment as well as socially. Adults also face challenges across a range of issues, including employment and driving. Misdiagnosis rates are of some concern, and I feel that this is one area in which improvement can be made. I am aware that, given the wide-ranging nature and vagueness of epilepsy, it can be difficult to correctly and accurately diagnose the exact condition, but misdiagnosis can lead to a lot of complications and problems for the person involved and we must ensure that an accurate diagnosis is made initially.

#### 11.45 am

Support for those who suffer directly from the condition is important, but it is equally important to ensure that support is in place for the families and carers of those sufferers. It is essential that respite care is in place right across Northern Ireland for those who deal with sufferers.

As with many areas of health, education could be targeted better, particularly in schools and colleges, to raise awareness of epilepsy and to help support those who suffer from it. Health promotion and public awareness

campaigns on healthier living also have a role to play in reducing the impact of the condition. We want to see the highest possible standard of epilepsy services here. I trust that the motion will help to bring about improvements, raise awareness of the condition and support those most affected by it, directly and indirectly. I support the motion.

**Mr Easton:** I am sure that the Assembly will agree that those diagnosed with epilepsy require the highest quality of provision. From personal experience with a close family member, I understand the effect of epilepsy on an individual and their wider family. There is a fear of stigma and a fear that they will be treated differently.

The condition affects more than 500,000 people throughout the UK, which equates to almost one in 100. It usually begins during childhood, although it can start at any stage. Although medication cannot cure epilepsy, it is often used to control seizures related to the condition. In around 70% of cases, seizures can be successfully controlled by anti-epileptic drugs. However, it can take some time to find the correct medicines to control seizures.

In most cases of epilepsy, a cause cannot be found. If there is an identifiable cause, it usually involves some form of brain damage. Many people with epilepsy find that certain circumstances or substances can trigger a seizure. The triggers include stress, lack of sleep, alcohol or drug misuse and flashing lights or what is known as photosensitive epilepsy. The Health Department has developed a national service framework for long-term conditions that gives guidance to doctors, nurses and healthcare staff on how to provide care to patients. It was developed in consultation with people with long-term neurological conditions including epilepsy. The framework tells staff how to provide the best advice and services that are co-ordinated, matched to people's needs and easy to use. Patients can also use the national service framework to get information and support to help them make decisions about their care and give them choice in how and where they are treated and how to live more independently.

Self-care is an integral part of daily life for those suffering from epilepsy. It involves taking responsibility for your health and well-being, with support from those involved in your care. Self-care includes what you do every day to stay fit and maintain good physical and mental health, prevent illness or accidents and care more effectively for minor ailments and long-term conditions. People with long-term conditions can benefit enormously from self-care: they can live longer; experience less pain, anxiety, depression and fatigue; have a better quality of life; and be more active and independent. The five health and social care trusts provide a local epilepsy service, either through their neurology service and/or via outreach services provided by the Belfast Health and Social Care Trust.

The majority of children with epilepsy are cared for by paediatricians in conjunction with general practitioners and a primary care team. Much of that care and support is normally provided close to a child's home, including services such as occupational therapy, speech and language therapy and, if necessary, physiotherapy. Children who require specialist treatment may be sent to the Royal Victoria Hospital for Sick Children, where the paediatric neurological team is skilled in the management of more severe epilepsy. We have made remarkable steps forward in epilepsy care for children in recent years. The

majority of children are now seen by a paediatrician with expertise in epilepsy, and many patients get a detailed diagnosis and are prescribed the most appropriate medicines first time. We will continue to provide that service and maintain those high standards for children and people of all ages.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar an rúin seo, agus ba mhaith liom cúpla focal a rá. I speak in favour of the motion. I had the privilege of sitting on the previous all-party working group, and I apologise to the Chair for not making it this time around, but I will contribute to the group in relation to the issue.

I want to share a few experiences. This is an important subject to me. As a young boy, I remember going up the street one time, and I saw a young man rolling around on the ground. That was my first experience of seeing an epileptic convulsion, and it scared the life out of me when I saw that person in such a vulnerable position on the ground. Thankfully, there were people there to help him. I also had a best friend whose brother suffered from it. I read through the research paper, and the old wives' tales came back to me about people using spoons to prevent the victims from swallowing their tongues. About 25 years ago, that is what people tried to do in relation to an epileptic convulsion. It is only now that I have read through the paper and have a better understanding of it that I appreciate the efforts that are going in and the good work that is being done.

I want to pick up on one thing in the research paper, and that is self-care, which is vitally important. I agree that self-care and reporting has a major part to play, but I would like to touch on some of the treatments and new ways forward. We in this Assembly, along with the Minister's Department, have a responsibility to address these issues. It is all right saying that self-care has a part to play, but we have a bigger part to play. I have asked questions in the past about the type of care and support that families need, because, when sufferers and their families are at their most vulnerable, they need as much support and help as they can get. I was listening to the debate on the monitor in the office, and I wanted to come down and say a few words because I feel very strongly about it.

I would like the Minister to touch on what has been done, what is coming forward in the future, what programmes are in place, and how we can help families in the future to receive a proper diagnosis. I support the motion.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I thank MLA colleagues for securing the debate. It gives us an opportunity to evaluate the services provided to sufferers of epilepsy in Northern Ireland. It is helpful that we use these debates to collectively consider particular conditions, such as epilepsy, and their consequences, and I will seek to address the issues.

I am well aware of how epilepsy can affect individuals, as my late brother suffered from a very severe form of it. In response to what Mr Boylan has just said, for some people, self-management is by far and away the best way to deal with it. People can self-manage epilepsy very well, but it depends on the severity of it. Epilepsy affects a very broad spectrum of individuals, and it has a very wide range of consequences and implications for those individuals. So,

one size does not fit all. Self-management can be excellent for some; others will need additional support and help.

A diagnosis of epilepsy can have a tremendous impact for an individual and their extended family. Apart from the physical impact on their health, epilepsy may have huge repercussions on an individual's ability to work and provide for their dependent family, along with their ability to live a normal life. So, it is incumbent on us to place support structures from a health, employment and day-to-day living perspective to minimise the impact of epilepsy on sufferers and their families.

I am sure that you will agree that, for a family, the diagnosis of epilepsy of a child is a traumatic experience. It is vital that the appropriate information and support are provided to families and schools to ensure that the condition is managed in the home and elsewhere.

An issue was raised about children in the west of the Province requiring an EEG. The EEG programme commenced there quite recently. After trouble identifying the appropriate band of person for the position, it was raised from band 6 to band 7. As a consequence, only 22 adults are waiting for an EEG in the Western Trust area, and all are within the six-week period, so the service being offered to adults is excellent. It has been identified from the Children (Northern Ireland) Order 1995 that it will be necessary to take on a further person, and that will be in band 5. Hopefully, that will happen and be in place over the summer so that children will not have to travel to Belfast for that care. In Belfast, over half of children receive an EEG within the six-week period, so there are not long waiting times for children in those instances.

In Northern Ireland, there are 14,885 adult epilepsy patients registered with GPs, and it is estimated that there are approximately 2,300 children who suffer from epilepsy, with between 228 and 265 new cases diagnosed annually. I have been advised that 31 people died as a result of epilepsy in 2011, rising to 37 in 2012. In a debate on epilepsy in the House of Commons in January this year, it was said that mortality rates were increasing. We have a responsibility to do what we can to address the issue.

We have all heard of individual cases in which patients felt that the level of service provided did not meet their expectations. However, I would like to assure you that people suffering from epilepsy, regardless of where they reside in Northern Ireland, can access appropriate care and treatment tailored to their individual needs. My Department looks to the Health and Social Care Board, in its role as commissioner of services, to provide a broad range of services for sufferers of epilepsy throughout the five regional trusts. Services offered range from primary and community care to specialist neurology services.

The HSCB provides epilepsy services through its local neurology service and/or via the outreach neurology service provided by the Belfast Trust. More complex cases are referred to the regional neurology service for assessment and further managed, if required, by, for example, neurosurgery or neuroradiology.

The majority of children with epilepsy are cared for by paediatricians, in conjunction with general practitioners and primary care teams. Children who require specialist care may be seen at the Royal Belfast Hospital for Sick Children, where a paediatric neurology team is skilled in the management of more severe epilepsy. They may

also be referred to other centres in the UK, such as Great Ormond Street, for specialist expert assessment, advice or ongoing management, depending on their needs. As much care and support as possible are normally provided close to the child's home and will include services such as physiotherapy, speech and language therapy and, if necessary, occupational therapy.

The respite care and implementation group has produced a set of definitions and put in place a data collection exercise to track the delivery of a range of forms of respite care. The work on children's short breaks has been incorporated into a regional work plan for the regional subgroup on children and young people with disabilities, which comes under the Children and Young People's Strategy Partnership. The epilepsy services provided adopt a life-course approach to management that includes preconception care for women of childbearing age taking anti-epilepsy drugs (AEDs); specialist antenatal care for women with epilepsy; and preschool, school age, transition to adult services and adult services. Specifically for children, my Department, in conjunction with the Department of Education, issued guidance to all schools, entitled 'Supporting Pupils with Medication Needs'. The guidance highlights several conditions, including epilepsy.

#### 12.00 noon

In January 2012, the National Institute for Health and Care Excellence published a clinical guideline on the diagnosis and management of the epilepsies in adults and children in primary and secondary care. That national standard was endorsed by my Department in March 2012, and trusts were subsequently advised of the need to implement the NICE guidelines. Epilepsy is one of the conditions covered by my Department's policy framework for adults with long-term conditions, which provides strategic direction for the reform and modernising of those services. It does not focus on any particular illness but offers a generic and holistic approach to how long-term conditions can be managed. The long-term conditions framework requires personalised care plans, tailored to the assessed needs and abilities of the individual. Personalised care plans are produced in all trusts.

The Neurological Conditions Network has been established to support delivery of services for people with neurological conditions, including epilepsy, and their carers. The Health and Social Care Board and the Public Health Agency (PHA) are taking forward that strand of work, which benefits from an active membership and ongoing engagement with the community and voluntary sector. A neurological conditions subgroup has been established to allow robust engagement mechanisms with service users and carers, clinical staff, trust management, voluntary and community organisations, and other statutory organisations when shaping commissioning priorities for people with neurological conditions.

In recognition of the particular needs of children, last November I approved the outline business case for a new MRI scanner for the Royal Belfast Hospital for Sick Children. Work is advancing on that initiative, which should have a positive impact on the early identification of epilepsy in children. The Belfast Trust is working to progress that scheme through 2013-14.

My Department looks to the Health and Social Care Board to complete the implementation of recommendations from

the 2002 review of adult neurological services, and the continued validity of the recommendations was confirmed in 2009. Those who responded to the proposals in the Transforming Your Care consultation document relating to long-term conditions expressed support for enhanced self-management, more accessible information on available services and a desire to be cared for closer to home, where possible. My officials are considering how best to implement the consultation findings.

The range and quality of the work reflects the diversity in the types of epilepsy, for which a one-size-fits-all approach would be wholly inappropriate. The initiatives taken forward in Northern Ireland have not gone unnoticed. It was my privilege to attend the Epilepsy Action Northern Ireland awards 12 months ago to see the Lord Hastings award presented to Dr Jim Morrow, consultant neurologist at the Royal Victoria Hospital. The award is the British Epilepsy Association's highest award. It is made on a two-yearly basis to individuals who make a significant contribution to epilepsy services.

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

**Mr Poots:** Yes.

**Mr Wells:** As the Minister knows, I also attended that event. Does he agree that it was unfortunate that, when such a major award was given to a neurologist in Northern Ireland, there was so little media coverage of that outstanding achievement? Does that not often underline the fact that good news in the health service is often ignored by our media?

**Mr Poots:** I thank the Member for that point. Very often it is not only good news that is not promoted by the media but good people. Where people are taking a lead on health and social care across the United Kingdom and beyond, those from Northern Ireland are often ignored. The media would do well to reflect on their tendency to ignore Northern Ireland people doing exceptional things.

My Department does not work in isolation to address the difficulties encountered by sufferers of epilepsy. Colleagues in the Department of the Environment have informed me of their plans to introduce changes for drivers and riders to revise and relax minimum standards for applications and the renewal of licences following an epileptic episode. The Department for Employment and Learning has provided details of Workable (NI), Access to Work (NI) and Work Connect, which are initiatives to assist people with health conditions and disabilities to prepare for, enter and retain suitable employment. The Department for Social Development has advised of the wide range of allowances which, depending on particular circumstances, may be available for epilepsy sufferers or their carers.

As I mentioned earlier, my Department, in conjunction with the Department of Education, has issued guidance to all schools entitled 'Supporting Pupils with Medication Needs', which specifically highlights several conditions, including epilepsy.

A critical element to the effective provision of services is the monitoring of performance to evaluate service delivery and patient experience. Information on services of adults and children is collated in the national audit of seizures management in hospitals. Epilepsy 12, a three-year national audit of epilepsy services for children,



covering England, Scotland, Wales and Northern Ireland, commenced in October 2009.

Those audits have confirmed that there is minimal variation between the occurrence and severity of epilepsy for the UK as a whole and for Northern Ireland. A broad correlation was also evidenced in respect of performance. That fact underscores the relevancy for Northern Ireland of the findings in Epilepsy Action's report, 'A Critical Time for Epilepsy in England'. In the epilepsy debate that took place in the House of Commons, the Minister for Health paid tribute to the work of Epilepsy Action and the excellent report it had produced. I too put on record my appreciation of the valuable contribution that Epilepsy Action makes in our bid to improve the lives of epilepsy sufferers.

Many of the issues raised in today's debate mirror concerns raised in the Epilepsy Action report, and it is helpful to have had that contribution and the opportunity to address some of those concerns.

Mr Speaker, in conclusion, I welcome the motion in which the Assembly calls for the provision of services of the highest quality to people diagnosed, including frequent reviews of their treatment and condition; acknowledges the rights of young people with epilepsy to a first appointment with a specialist, within a reasonable time of their diagnosis; and calls on me, as Minister of Health, Social Services and Public Safety, to ensure that epilepsy services here are equivalent to those in the rest of the UK.

I had a little more to say, Mr Speaker, but time has beaten me. Thank you for the opportunity to respond.

**Ms P Bradley:** I rise as a member of the all-party group on epilepsy. I thank my friend and colleague George Robinson for bringing the motion to the House today.

Epilepsy is a lifetime condition, the diagnosis of which has a significant impact on a person's life and that of their family. It is important, from the initial time the condition is suspected, that those patients and their families are provided with the best care, support and information that we can give them.

I was dismayed to learn that, within the UK, 20% to 30% of cases are incorrectly diagnosed every year. That has a significant effect upon those individuals and society as a whole. It is clear from reading the information provided to us that epilepsy is a difficult condition to correctly diagnose and that there is a high reliance within the diagnostic process on the explanation of the person who has had the seizure to describe what occurred. Obviously, that can be problematic, because many sufferers have no clear remembrance of the seizure or of what happened immediately before the attack. I believe that we should strive to ensure that where a diagnosis or non-diagnosis is reached, it is the right decision.

For a young person, being diagnosed with epilepsy can be a particularly frightening and confusing time. They may be at risk of rejecting the treatment or of not being able to understand the seriousness of their diagnosis. Equally, they might be more at risk of developing mental ill health if they feel that the diagnosis has impacted on their potential life choices and outcomes.

For that reason, we must be particularly proactive in ensuring that such young people have access to a specialist with a high level of knowledge in the area who

can explain any possible ramifications as well as giving practical advice to them and their family.

Once again, socio-economic background comes into play when we talk about managing the condition. Studies have suggested that people with epilepsy in socially deprived areas tend to have poorer control over their condition. That is particularly worrying as we know that, with the right treatment and management, the condition can be controlled.

The Joint Epilepsy Council estimates that around 52% of people with epilepsy are seizure-free, but it also highlights that, with better treatment and diagnosis, there is the potential for that figure to be as high as 70% in the future. Obviously, that would be better not only for individuals and their families but for the National Health Service, the economy and the community where they live.

Now, I turn my attention to the contributors to the debate. The first was Mr George Robinson, who spoke as chair of the all-party group. He paid tribute to clinicians and all those involved in the support of people with epilepsy. He also spoke of the effects on young people, including on their education and employability, but emphasised that a diagnosis of epilepsy did not mean that the sufferer was unable to work. He also highlighted the fact that misdiagnosis costs over £9 million in Northern Ireland.

Ms Sue Ramsey, the Chair of the Committee for Health, Social Services and Public Safety, commended Mr Robinson for securing the debate today. She highlighted the serious impact of epilepsy on daily living and on the health service. She also spoke of the high rate of cancelled appointments with consultants, especially first and review appointments, and the impact that that has on patients. She ended by saying that people with epilepsy deserved the highest level of care.

Mr Mark Durkan also thanked Members for bringing the motion to the House. He spoke about the issues associated with being diagnosed with epilepsy, including the important issues of stigma and low self-esteem. He also spoke about the lack of epilepsy specialists and said that, at present, it is unsatisfactory. He paid tribute to epilepsy nurse specialists and said that their role should continue and focus on epilepsy alone.

Mr Beggs welcomed the motion but said that it was lacking in ambition because parts of England had substandard services. He called for a better service in Northern Ireland. Like Mr Durkan, he highlighted problems at Altnagelvin hospital, with the scanner there lying idle. He also highlighted the social effects of epilepsy.

Mr Kieran McCarthy spoke of the report by the Royal College of Paediatrics and Child Health. He stated that the standard of care remained variable. He also spoke of the service in England and the gaps in provision there. He also stated that questions had been asked of the Minister in the House as far back as 2007 and that the issue has been brought to the forefront here previously. He gave his full support to the motion and to those who suffer from epilepsy.

Mr Jim Wells admitted that epilepsy was not something that he had great knowledge of prior to being part of the all-party group. He stated that one in 90 people in Northern Ireland had epilepsy. He said that many of them managed their condition very well due to the uptake of

DLA, but he also highlighted the fact that, every year, 30 people die. He mentioned the NICE recommendation that someone with the condition has to be seen within four weeks of referral and we are nowhere near meeting that target.

I welcome Michaela Boyle's contribution. At the beginning of her comments, she gave a very important reminder that medication for epilepsy does not cure the condition but merely manages it and that it is vital that people get the right medication. She also discussed living with epilepsy and said that that is not easy, particularly for parents of a young child with the condition or for those who are diagnosed later as adults. She talked about being a close relative of an epilepsy sufferer and the need for more support for sufferers and their families. She also commended all those who work in the field of epilepsy.

### 12.15 pm

Mr Gordon Dunne welcomed the debate and supported those with epilepsy. He spoke of the difficulties with diagnosis and stated that there are 40 types of epilepsy. Like others, he spoke of the effects of epilepsy on daily activities such as schooling and employment. He also said that it is essential that support networks be in place, including respite for the families of epilepsy sufferers.

Mr Alex Easton also drew on his personal experience. He spoke of the fear and stigma surrounding epilepsy and about treatments for the condition. He stated that the Health Department has developed a framework for neurological conditions that supports and provides signposting for sufferers and their families. He also spoke of the great help available through the trusts for children with epilepsy.

I notice that Cathal Boylan, who sat on the all-party group, is not here right now. I wanted to let him know that he was voted in again as vice-chair of the all-party group at its annual general meeting (AGM) two weeks ago. Maybe one of his party colleagues would like to inform him of that. Mr Boylan spoke of his personal experience and about how things had changed over the years. He highlighted our responsibility to invest in self-care and spoke of the vulnerability that comes with the condition.

The Minister said that he was glad that the motion had come before the House because it provided an opportunity to evaluate the services available in Northern Ireland. He also spoke about his personal experience and about self-management. He highlighted the need for appropriate support to be available to manage the condition. He assured the House that there was a service tailored to the needs of those with epilepsy. He said that children may be referred to Great Ormond Street for specialist care but, where possible, care would be provided at home. The Minister went on to say that the trusts have been advised to implement the NICE guidelines for the management of this long-term condition. He also said that we wanted a tailored approach, not a one-size-fits-all approach. He spoke of other Departments and of the positive work being done to promote independence among epilepsy sufferers. He paid tribute to the valuable contribution of Epilepsy Action.

It is in everybody's interest to invest in these services. Most importantly, it is vital that those who have the condition can manage it every day of every year. It is

important that we educate the public about what to do if someone has a seizure, when it is important to call for emergency medical help and that epilepsy is certainly not something for us to fear.

*Question put and agreed to.*

*Resolved:*

*That this Assembly calls for the provision of services of the highest quality for people diagnosed with epilepsy, including frequent reviews of their treatment and condition; acknowledges the rights of young people with epilepsy to a first appointment with a specialist within a reasonable time of their diagnosis; and calls on the Minister of Health, Social Services and Public Safety to ensure that epilepsy services here are equivalent to those in the rest of the UK.*

### 'Transforming Your Care' Review

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. As two amendments have been selected and published on the Marshalled List, 15 minutes have been added to the total time. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Before we begin, the House should note that both amendments cannot be made, as they are mutually exclusive. If amendment No 1 is made, the Question will not be put on amendment No 2. I hope that that is clear.

I call Mr Mark Durkan to move the motion.

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

**Mr Deputy Speaker:** Apologies. I call Mr Conall McDevitt.

**Mr McDevitt:** Thank you, Mr Deputy Speaker. Mark Durkan will make the winding-up speech on the motion on behalf of the SDLP. I beg to move

*That this Assembly expresses concern that the implementation of the 'Transforming Your Care' review of health and social care, commissioned by the Minister of Health, Social Services and Public Safety, has enabled health and social care trusts to take decisions on the closure of care homes; is concerned by the detrimental impact which the privatisation of many aspects of health and social care will have on vulnerable people; urges the Minister to ensure that the patient and not profit is put at the centre of care provision by the Health and Social Care Board; and calls on the Minister to introduce legislation to protect services from privatisation by stealth.*

It is worth noting that the House is, not for the first time, dedicating practically all its work today to discussing health and social care here in Northern Ireland. It is a salutary reminder of how much we care about the well-being of our people and how much we care about how we care for our people. The value that we place on our health and social care system never ceases to surprise me. The NHS may have been a gift from a post-war British Government, but the people of Northern Ireland, having thought about it for a few years in this place in a different time and in a different configuration, adopted it and made it their own.

They are very defensive of it and proud of it. In fact, people around these islands are particularly envious of the fact that we, uniquely, have an integrated health and social care system. That was brought home to me when the shadow Health Secretary Andy Burnham visited last year and spent a day touring our integrated facilities, looking for ways in which he could try to convince colleagues in England that an integrated model was the best way forward for them as well as for us.

The SDLP does not in any way oppose Transforming Your Care (TYC). It does not oppose the Assembly or the Executive taking a good and thorough look at the health and social care system and identifying ways in which we can deliver better outcomes for our patients. Indeed, we agree with the general need for reform of the health and social care system here in the North of Ireland. We face having an ageing population, which will bring new challenges of need, as well as an obesity epidemic that is responsible for many connected health issues. This is compounded by regular headlines that highlight growing waiting lists, hospital bed shortages and general increased pressure on services, which struggle to provide the vital services needed at times of financial austerity. We appreciate the need for reconfiguration, and so we have no ideological or big policy opposition to the concept of "shift left", which is at the heart of Transforming Your Care, a concept that is about making services more accessible to those who need them most, earlier and in a more convenient way. We support the need to tailor our health and social care system around the patient, and we are open-minded about the changes that might bring, but — this is a very big "but" — we are gravely concerned at the potential privatisation of parts of our health and social care service. That is possible because of the Transforming Your Care proposals.

We want to reiterate our support for the founding principles of the NHS, as it was then: it should be publicly provided healthcare, free at the point of delivery. For us, that also means publicly owned services and publicly run services. It does not mean publicly owned and publicly run with a charter to be as inefficient as they like; it means publicly owned and publicly run because that is, if you think about it, the best way for us to achieve the greatest efficiency from the system. It strikes me that, when you compare our expenditure on health and social care by percentage of GDP with other developed nations, we come out very favourably. Nations that have highly privatised systems often spend a lot more of their wealth on health and social care than we do with a publicly owned, publicly run system. We are deeply concerned that Transforming Your Care represents a creeping or stealth privatisation of the health and social care system that is using patient-centred care as justification for changing the ownership of the system. We believe that this, if allowed to go unchecked, would challenge the very principles on which our health and social care system was founded.

We support, as I said, the idea of making services more accessible, but we are concerned that the proposed increased role of the community in patient care may be masquerading as a means of lessening the role of the NHS. Although we appreciate the need for cutbacks and the need to reduce pressure at acute level where possible, that fundamental shift needs to be proceeded with with care to ensure that the best elements of our system are maintained and, in particular, that the skills, commitment

and goodwill of the dedicated Health and Social Care workforce are taken full advantage of.

We propose that the House be the place that decides the extent to which Transforming Your Care will change the architecture of our health and social care system. We propose that legislation be brought to the House that clearly ring-fences the bits of the system that we want to maintain in public ownership and guarantee that they are publicly run. The legislation would lay it clear for anyone who needs to see the extent to which this process of change is, in fact, a process that some may perceive to be about privatisation. There is nothing to be feared from an honest and open debate about that. However, we respectfully suggest to the House that the way to have that debate is through statute and the good scrutiny of legislation.

It is a matter of deep regret that, over the past few weeks, health trusts have intentionally or unintentionally misrepresented and misinterpreted what TYC means to them. That is also the best example that I can offer the House of why legislation would be so useful and important. The one way for us to ensure that those charged with the delivery of services do not misinterpret policy is to give it some sort of statutory framework so that it is clear to everyone — be they a healthcare manager, a director of a trust, someone with a strategic role at board level, a service user or patient or any of us in representative roles — exactly what we mean when we talk about improving patient outcomes and making services more readily available to patients.

The biggest challenge that we face right here, right now is to reduce health inequalities and to make it less likely that living that famous one and a half miles further down the road I live on in my constituency will mean 10 years in life expectancy. We will best do that by defending what we know to be great about our health and social care system and challenging it to be better at doing what we need it to do, such as reducing inequalities. However, I strongly suspect that we will fail, if we allow profit to be put before people and allow a system that we all care deeply about to be accidentally damaged when no one wanted it to be.

We will oppose the two amendments.

**Mr Deputy Speaker:** The Business Committee has agreed to meet at the lunchtime suspension today. I propose, therefore, to suspend the sitting. The debate will resume after Question Time and questions on the statement by the Minister of Finance and Personnel. The sitting is, by leave, suspended.

*The debate stood suspended.*

*The sitting was suspended at 12.29 pm.*

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

2.00 pm

## Oral Answers to Questions

### Social Development

#### Child Poverty

1. **Mr Dallat** asked the Minister for Social Development to outline what action his Department has taken in the last two years to meet the Programme for Government commitment to alleviate child poverty. (AQO 4114/11-15)

**Mr McCausland (The Minister for Social Development):**

Although the Office of the First Minister and deputy First Minister (OFMDFM) has the lead responsibility for tackling child poverty, my Department has a key role to play in progressing the work. Indeed, my Department is responsible for the delivery of a number of initiatives that have a significant impact, directly and indirectly, on alleviating the causes and consequences of poverty and disadvantage.

In the past two years, such work has included the provision of financial support to those most in need, through the administration of the social security benefit system; the delivery of initiatives aimed at increasing the availability of social housing, tackling the issue of affordability and protecting those who get into difficulty with mortgage repayments; taking forward the fuel poverty strategy to improve thermal efficiency and make a real difference to heating costs for those on low incomes and on benefits; investing in regeneration and community development activities aimed at improving the lives and life chances of those who live in our poorest communities; implementing improved child maintenance arrangements, such as the introduction of the child maintenance disregard and the Child Maintenance Choices service; and working with Ministers from the coalition Government to agree operational flexibilities in the implementation of welfare reform to ensure that we get a system that best suits the needs of Northern Ireland.

My Department is also playing a lead role in progressing the Executive's Delivering Social Change framework. So far, that contribution has included working jointly with the Department of Education and the Department of Enterprise, Trade and Investment (DETI) to deliver two signature projects, and helping to develop a policy framework to underpin our longer-term approach to redress poverty and inform our thinking for the next Programme for Government (PFG). I am also working closely with DETI and the Department for Employment and Learning on ways to tackle the significant problem of economic inactivity, which remains one of our most persistent problems in tackling poverty.

**Mr Dallat:** I thank the Minister for his answer. I hope that it gives some reassurance to the many families who are affected by child poverty. The Minister is, of course, aware of the welfare reform that is looming. What particular steps does he intend to take to ensure that child poverty is not worsened by that?

**Mr McCausland:** As the Member will be aware, over time, I have been engaging very fully with Lord Freud and Department for Work and Pensions officials in London. That has been done regularly through meetings and telephone conversations, and my officials have also been in contact with officials in London almost daily. So, there is a constant engagement, and, as I indicated in my initial answer, the key to that is trying to ensure that we get the best outcome for Northern Ireland. We want to have the flexibilities that will best suit our particular needs.

That work is ongoing, and, when we come to its conclusion, I think that we will be in a much better place than we would have been had we not had the opportunity to fit and tailor the arrangements to our particular needs in Northern Ireland. Child poverty and poverty generally is very much on our agenda in that work.

**Mr Campbell:** Will the Minister be able to measure the extent of child poverty as it is affected by welfare reform? If so, how will he do that?

**Mr McCausland:** It is not possible to quantify all the specific impacts of welfare reform on child poverty, but work is ongoing to develop a household income administrative database, which will allow a more accurate assessment of the impact on specific groups. The structure of the database should facilitate the estimation of income at individual and household levels through benefit receipt and private sources. Not only will that facilitate an assessment of the take-up of means-tested benefits but, subject to the equality of the information, it should also allow for an analysis of the individual and combined effects, including financial, of the various welfare reform policies.

I anticipate that the database will be ready for full testing by late summer or early autumn of this year. For individuals and families, the benefits system is central in alleviating the worst impacts of poverty, and my priority has been to maximise the take-up of benefit entitlement. To date, those programmes have generated more than £50 million in additional benefit for over 15,000 people, including some of working age.

**Mr Copeland:** I thank the Minister for his answers, thus far. I understand that he and his Department believe that the introduction of universal credit will lift 10,000 children out of poverty, which is laudable. Is the Minister aware of the number, even approximately, of those who will suffer the opposite effect and find themselves in poverty?

**Mr McCausland:** The difficulty in producing a figure of any nature at this point is that we are currently working on what will be the flexibilities for Northern Ireland. Until that work is completed, and we have a package that has gone through the Executive and Assembly, it would be premature to start quoting figures. The key focus at the moment must be on getting the right measures, so that we have the best possible outcome for the people of Northern Ireland.

#### Social Housing: Special Needs and Assisted Living

2. **Mr Clarke** asked the Minister for Social Development what is the provision of social housing for people with special needs and assisted living requirements in South Antrim. (AQO 4115/11-15)

**Mr McCausland:** People with special needs may reside in general-needs housing. However, in sheltered housing or supported housing services funded through the Supporting People programme in south Antrim, the Housing Executive has a total of 35 schemes with 730 units and an annual budget of approximately £2.4 million. Those schemes cover services for older people, people with a learning disability and people with mental health issues. Three schemes on site from last year are due to complete shortly, which will provide accommodation for 19 people with learning disability; and four schemes are programmed for the current financial year, which will provide accommodation for 24 people with a learning disability and 12 people with mental health issues.

**Mr Clarke:** I thank the Minister for his response. How will he ensure that sufficient housing will be provided for people with learning and physical disabilities, given so much that we have heard recently about Transforming Your Care?

**Mr McCausland:** I welcome the Member's question and assure him that my officials have asked the Housing Executive to work urgently with trusts to confirm demand and delivery for the rest of the programme, and we will continue to monitor progress closely.

**Mr Brady:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answers. Has he had any discussion with the Department of Health, Social Services and Public Safety (DHSSPS) to ensure that there is a co-ordinated approach on the issue of the special needs management allowance for those in supported housing projects?

**Mr McCausland:** Fortunately, the office that I occupy and that which the Health Minister occupies are directly opposite each other and our secretaries share a common office space. Therefore, there is constant communication and, in addition, the issue that he raised is one that we talk about and have engaged on, because we need that joined-up approach. I have seen the outworking of it on the ground in various schemes, and it is important that we maintain that.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagraí go nuige. I thank the Minister for his responses to date. Will he clarify that, in circumstances of adaptations being carried out to a house or home for a person with special needs, a disability or the like, on foot of an OT recommendation, such an additional room, where it is a room, will not be subject to the bedroom tax?

**Mr McCausland:** I am conscious of the enthusiasm today for questions about welfare reform. I assure the Member that the package of measures that I will bring forward shortly will, I think, satisfy most if not all of the concerns that people have around a wide range of issues, including the sort that the Member is talking about. I just ask for a little patience in regard to these things so that we can have the full package announced in due course.

**Mr Kinahan:** Has the Minister changed his consultation methods, or is he looking at doing so, in respect of moving special needs and assisted living requirements into new areas in south Antrim, in light of the debate we had with his colleague the Health Minister?

**Mr McCausland:** I am always open to ideas on how we can improve consultation, but I think that we set very high standards for consultation in my Department. If the Member wishes to raise a particular concern, I would be more than happy to hear from him.

### Work Capability Assessments: Cancer Patients

3. **Mr A Maginness** asked the Minister for Social Development if his Department plans to take any further action to ensure that individuals with cancer are not required to undergo work capability assessments. (AQO 4116/11-15)

**Mr McCausland:** In accordance with the legislative requirement set out in section 10 of the Welfare Reform Act (Northern Ireland) 2007, I, along with the Department for Work and Pensions (DWP), commissioned Professor Malcolm Harrington to conduct an independent annual review of the work capability assessment process. As part of his second review, Professor Harrington asked Macmillan Cancer Support to look in detail at how people with cancer were assessed as part of the work capability assessments and to provide him with recommendations for further improvements. In response to recommendations subsequently made by Professor Harrington, my Department, in conjunction with the Department for Work and Pensions, undertook an informal consultation on proposals for making the work capability assessment better for cancer patients

Following the consultation exercise, in September 2012 I announced my intention to bring forward legislation to change the descriptors in the work capability assessment that relate to cancer sufferers. That legislation was implemented on 28 January this year. It expanded the categories of cancer treatments under which a claimant may be treated as having limited capability for work-related activity. Those descriptors now include individuals who are awaiting, receiving or recovering from treatment by way of chemotherapy, irrespective of the route, or, secondly, awaiting, receiving or recovering from radiotherapy. It will now be the debilitating effects of such treatment that will determine entitlement to employment support allowance, and an individual undergoing the above treatments should, subject to supporting medical evidence, now be placed in the supported group without the need for a face-to-face assessment.

**Mr A Maginness:** I thank the Minister for his reply. I think that he has taken a very sensible approach in relation to this matter. We know of many harrowing situations in which cancer patients have to undergo work capability assessments. Can the Minister assure the House that specialist training is given to healthcare professionals who carry out work capability assessments? That would go a long way towards reassuring cancer patients and their families.

**Mr McCausland:** One of the key requirements is to ensure that the people who make the final decisions have received the necessary awareness and other training to implement the changes. There is training for the firm that has the contract for doing the initial assessment, and training for the decision-makers. In addition, Macmillan Cancer Support delivered awareness seminars in 2013 to all decision-makers involved in the work capability

assessment process. Throughout this period of change, we have had the input of Professor Harrington on three occasions, and that work is still ongoing. The recommendations that he made have been implemented, and we are now looking at the next round of work to see what more can or should be done.

**Mrs Hale:** Does the Minister have any plans to meet Dr Paul Litchfield, who has recently been appointed to take forward the ongoing review of the work capability assessment process?

**Mr McCausland:** That follows on very much from the previous question. The appointment of Dr Paul Litchfield to carry out the fourth independent review of the work capability assessment was announced by the Department for Work and Pensions on 28 February. In September last year, I formally asked the Department for Work and Pensions to include the Department for Social Development (DSD) in its provisions for the completion of the remaining two reviews, and also requested that the independent reviewer visit Northern Ireland at least once as part of each review. I am due to meet Dr Litchfield on 18 September to discuss the particular issues around the work capability assessment in Northern Ireland.

## 2.15 pm

**Mrs Overend:** Will the Minister detail approximately how many employment support allowance recipients have been placed in the support group as opposed to the work-related group?

**Mr McCausland:** I do not have the exact figures to hand, but I will be happy to supply them to the Member.

## Social Housing: Shared Developments

4. **Mr Elliott** asked the Minister for Social Development whether additional shared social housing developments had already been planned before publication of 'Together: Building a United Community'. (AQO 4117/11-15)

**Mr McCausland:** New housing developments that are planned for this year are contained in the social housing development programme, which I approved in January 2013 and which is published on the Housing Executive's website.

All new housing developments are deemed to have shared potential. The Housing Executive currently undertakes a screening exercise of all new development proposals in the context of the religious make-up of the local community; that is, where there is not a significant majority of one tradition in residence, whether there is a history of good relations in the area, local political views, and the proximity of integrated primary and secondary schools.

If, subject to a screening exercise, a newbuild scheme can be considered as a shared scheme and there is full community support for the initiative, then tenants sign up to a voluntary neighbourhood charter which secures their agreement to behave in a manner that will not affect the peace and enjoyment of their neighbours. To date, this approach has delivered 11 shared newbuild schemes.

My officials and I are currently considering how to take forward proposals for an additional 10 new shared housing developments in light of the recent announcements by the

First Minister and the deputy First Minister on 'Together: Building a United Community'.

**Mr Elliott:** I thank the Minister for his answer. I know that a few years ago there was what I called a pilot project of a shared housing scheme in Enniskillen. Has he developed any similar projects since then throughout the rest of Northern Ireland?

**Mr McCausland:** It might be helpful to detail the current shared housing schemes, of which there are 11. I assume that the one to which the Member refers is one of the three on the list that are in Enniskillen. The schemes are at Carran Crescent and Abbey Drive, Enniskillen, and Sycamore Drive, Cavanaleck, Enniskillen, Woodside Park, Loughbrickland and Springhill Drive, Newry, all of which are Ulidia Housing Association schemes; Ardmore Drive, Armagh, which is a Triangle Housing Association scheme; Ballyfatten Close, Sion Mills, which is a Habinteg Housing Association scheme; Gowansvale, Banbridge, which is a South Ulster Housing Association scheme; and Causeway Meadows and Pond Park, Lisburn and the Curzon, Ballynafeigh, which are Clanmil Housing Association schemes.

**Mr F McCann:** I thank the Minister for his comments so far. However, despite the challenging environment, does he acknowledge and welcome the sterling cross-community work that is being carried out in areas such as Ballynafeigh in south Belfast?

**Mr McCausland:** Yes, indeed. The Housing Executive's cohesion unit is very supportive of those areas where there is already a mixed community. I am aware of a number of projects over the past number of years through to the present, and I will be happy to supply the Member with details of those schemes. Very good work is being done in a number of areas to support local communities that are mixed.

Mixed communities can come in different forms. For me, the key thing is that they are not only shared but that they are stable. Something can be set up as a shared area, which then goes in one direction or another and becomes single identity, or there can be an area which is shared and mixed at the moment, but which is in transition from one identity to another. It is important not only that we have shared areas but that they are stable areas.

**Mr McCarthy:** Will these shared social housing developments be similar to the Girdwood scheme, with two separate housing areas, one at each end, and a shared area in between?

**Mr McCausland:** If the Member actually looks at the proposal for Girdwood, he will find, first, that it has had strong cross-community support.

A large amount of work was done by the community steering group, which worked with the consultant at the very beginning. In fact, I sat on that group as a political representative. The group also had representatives of the community and all political parties in north Belfast. From that came a vision of a genuinely shared site that would not be dominated by one community or another — a shared site with shared leisure, shared recreation, shared employment and an opportunity for housing. All those things have to be kept in mind as we move forward. We do not want to develop a site that is totally of one community or another. The Member, if he looks at the map carefully,

will see that there is only one element of housing on the Girdwood site.

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the ongoing review of the housing allocation system take into account the creation of these mixed or shared housing developments when coming up with the new criteria for allocation?

**Mr McCausland:** The Member is aware that the work is ongoing, and I will not prejudge the outcome. It is important that, as we look at social housing, we look at a range of things that help to shape the nature of sharing and help to encourage sharing. That is not just about the initial development of an area; it is about what you put into that area. How do we get that shared approach? Are there things that you might put into an area that badge it or encourage it to be for one particular community? I am sure that the Member is aware of a range of things that has happened across the Province. We have all come across examples of people doing things that are detrimental to sharing. I can think of a particular example in Newry that was distinctly unhelpful.

### Kitchen and Window Replacements: Craigavon

5. **Mr Moutray** asked the Minister for Social Development to outline the kitchen and window replacement schemes that are scheduled for the Craigavon area in this financial year. (AQO 4118/11-15)

**Mr McCausland:** The Housing Executive has advised that it plans to replace 111 kitchens in properties in the Clarendon Park and Cambrai Avenue areas in Lurgan. In north Belfast, we have a street that, technically, should be called "Cambrai Street", but we call it "Camberia" — I am sure that you pronounce the name properly in your area. There are also plans to replace 76 kitchens in the Fitzroy, Ulsterville and Rural areas in Portadown during the current financial year.

The Housing Executive also has plans to carry out window replacement schemes during the current financial year at the following locations in the Craigavon area: Garvaghy and Rural, Portadown, in 89 dwellings; Clounagh, Ulsterville and Seagoe, Portadown, in 256 dwellings; Mourne Estate, Lurgan in 142 dwellings; Meadowbrook Estate, Brownlow in 79 dwellings; and Aghaghallon and Wakehurst in 234 dwellings.

**Mr Moutray:** I thank the Minister for his answer. In what circumstances could tenants refuse to have improvements made to their homes?

**Mr McCausland:** I welcome the question because that issue can cause difficulties at times. The Housing Executive has advised that tenants refuse work for a number of reasons. They may, for example, have already carried out the work themselves, they may not want the inconvenience or there may be personal issues, such as ill health, age or family bereavement. The Housing Executive cannot compel a tenant to let its staff enter a dwelling to carry out relevant works without a court order because accessing a dwelling without tenant consent would constitute trespass. When a tenant refuses work, the Housing Executive has to decide whether, given all the circumstances, taking into account the nature of the work, the reason for the work and the tenant's personal situation,

it is, on balance, desirable to go through the legal process with all the associated costs. Against that background, it can be considered, from an operational and policy perspective, undesirable to pursue the matter through the courts, particularly when the tenant is vulnerable or in ill health or because of the cost of doing so and the disruption to the contract.

**Mrs D Kelly:** I welcome the areas outlined by the Minister. Minister, are there any other plans to retrofit any of the homes in the area to increase their energy efficiency? I am also prompted to ask: do you have any comment on Disraeli Street in Belfast? Did I get that right?

**Mr McCausland:** No, the Member did not get the pronunciation right, in either the standard English form or the form in which we say it in north Belfast. *[Laughter.]* Energy efficiency is hugely important, and that is why we went forward with the double glazing scheme. The other area through which a house loses a lot of heat is the walls, and that is why we are working at the moment on the thousands of Housing Executive houses that have been there, in most cases, for around 50 years and have no cavity wall and, therefore, no cavity wall insulation. That is another piece of work that I want to take forward. I am not sure whether some of those properties are in the Member's area, but they are scattered right across the Province. That will be a major piece of work.

I am pleased to say that I was in Liverpool recently and saw an example there of what can be done to retrofit those houses and to bring them up to a good standard. I spoke to one tenant whose house had just been fitted, and she was absolutely delighted with the work. It has made a tremendous difference. She had not had the heat on in her house for the previous eight weeks. That is to be welcomed. As an Ulster Scot, saving money appeals to me greatly.

**Mr Gardiner:** Is the Minister aware of who is to deliver the replacement of the windows, particularly the ones that need repaired? Has someone from within the area got that contract?

**Mr McCausland:** The Housing Executive has advised me that the tender documents for the low-rise double glazing procurement were finalised in early March and that the tenders were issued on 13 March. Tenders were received on 22 April, and the timetable for commencement of the contract is 1 July. However, that will depend on whether any challenges are received to the procurement process.

### Benefits Guidelines: Mental Health

6. **Mr Hazzard** asked the Minister for Social Development if any of the four guidelines for healthcare professionals on standards and training for dealing with claimants of disability living allowance and employment and support allowance which were reviewed by a health assessment adviser in the last 12 months related to mental health. (AQO 4119/11-15)

**Mr McCausland:** In August 2011, the Department appointed an independent health assessment adviser, who is a medical health professional, to provide independent assurance on the quality of the medical processes and outcomes undertaken by the healthcare professionals employed to carry out medical assessments by Atos Healthcare. As part of that role, the health assessment

adviser has developed a quality assurance framework that includes reviewing the guidance and handbooks used by the healthcare professionals to ensure the consistency and quality of the assessment process and outcomes. The four training guides reviewed by the health assessment adviser in the past 12 months all included comprehensive guidance on mental health issues.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Could the Minister detail how many mental health professionals will be made available to Atos and/or the Social Security Agency (SSA) for the purpose of assessing claimants?

**Mr McCausland:** I do not have the exact number to hand, but I am happy to supply that to the Member.

**Ms P Bradley:** Last Friday, I had the great pleasure of attending an Action Mental Health event in Fisherwick Place in Belfast, where I met not only staff but service users. After that meeting, they spoke about welfare reform. I know that the Minister did not really want to go into too much detail, but what steps has he taken to ensure that claimants with mental health issues are not adversely affected by the work capability assessment?

**Mr McCausland:** Where a medical assessment is necessary, it will be provided by an appropriately trained healthcare professional who has access to a specially trained mental health care expert. Following a recommendation by Professor Harrington in his first independent review of the work capability assessment, the Social Security Agency put interim arrangements in place whereby a mental health specialist provided that support. From 16 April last year, that provision was enhanced to four champions to improve the support and training for healthcare professionals dealing with claimants suffering from mental health or function issues. Those champions spread best practice among healthcare professionals and practitioners in mental, intellectual and cognitive disabilities.

### 2.30 pm

Special arrangements are also in place for claimants who suffer from mental health incapacities who fail to attend their medical assessment and do not subsequently make contact with the employment and support allowance centre or the incapacity benefit reassessment office. In that circumstance, a safeguard visit can be carried out to ensure that claimants clearly understand their obligations. The safeguard visit is also aimed at preventing unnecessary disallowance of the benefit entitlement of those vulnerable claimants.

## Agriculture and Rural Development

### Single Farm Payments: Map Errors

1. **Mr Irwin** asked the Minister of Agriculture and Rural Development, given the significant levels of error within the new land parcel identification system maps, can she give an assurance that minor map errors within single farm payment applications will not cause a delay when payments are made in December. (AQO 4129/11-15)

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

LeasCheann Comhairle. As was reported to the Assembly in March, because of a technical fault, a minority of maps were issued with fields missing. That problem was quickly rectified, and the affected farmers were provided with additional time to check and update maps. I thank the many farmers who followed our advice to check their maps and who either reported changes to Department of Agriculture and Rural Development (DARD) local offices or amended their 2013 applications to reflect the new mapping information that we sent them. It is important to recognise that many of the map updates by farmers were needed to advise DARD of real changes on the ground from the date of the photograph.

It remains the case that if an inaccuracy is found on a claim, DARD is required under EU legislation to consider whether penalties apply. I am aware that there have been circumstances this year in which farmers may have found it difficult to get accurate information about specific fields in a timely way. Although I hope that most claims will be accurate, we will consider situations in which it may be inappropriate to apply penalties. Of course, that is in the context that the farmer remain responsible for compliance with the scheme rules and that sums of money incorrectly claimed will still need to be recovered. I encourage any farmers who have changed their 2013 application but have not advised us of the corresponding changes to the fields on the map to contact their local DARD office or send us a land parcel identification system (LPIS) correction form by 10 June. That will help to avoid unnecessary delays in establishing a correct payment.

**Mr Irwin:** I thank the Minister for her reply. My information from officials in her Department is that they are very concerned that there will be a large number of minor inaccuracies. If that is the case come December, it will create a minefield for departmental staff, and the issue will mean that many farmers will not get their payment until later in the springtime. Can the Minister waive small and minor errors to ensure that farmers will get their payments? Her departmental staff are telling me that there will be a real issue.

**Mrs O'Neill:** I know that officials have been before the Committee for Agriculture and Rural Development and will be again this afternoon, when you will have the chance to discuss that further. At this stage, just after the closure of the single farm payment application process, it is too early to say whether there is a proper assessment of the types of errors. It is fair to say that we are very hopeful that that will not be the case. Farmers have been very constructive. As you know, the process of mapping and claiming single farm payments is very much a partnership approach. It is fair to say that everything did not go as well as expected with the LPIS maps, particularly given the technical fault that occurred this year. However, it is too early to give a proper assessment of that. We will again aim to have the payments made as quickly as possible in order to get through the process as quickly as possible, as we did this year. Only the next number of months will tell, when we get even further into processing the single farm payment applications that came forward this year.

**Mr McMullan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister outline what she can do about shared grazing?

**Mrs O'Neill:** Yes. I am glad that the Member raises that issue, because it has been raised with me a number of



times in the past number of months. In the past, quite a number of farmers were allowed to claim on parts of fields, even though there were no clear physical boundaries to separate those out. The practice of shared grazing was not compliant with EU requirements, and DARD cannot divide fields simply on the basis of ownership. In producing the new maps, with the exception of common land where we have been unable to see the physical boundary that exists, fields have been merged. I thank those farmers who have taken DARD's advice and visited local offices to sort out many of the shared grazing cases, because they are obviously complicated. I am glad to say that, in a small number of cases, farmers have provided evidence of exceptional circumstances, and we have been able to work with them in demonstrating that they are actively farming a shared field. We are able then to work towards subdividing that field. I am glad to say that there has been some progress made on tackling the shared grazing issue.

**Mr Byrne:** I thank the Minister for her answer thus far. Does she accept that the private company that was hired to do the LPIS work has largely failed? Does she recognise that Ordnance Survey for Northern Ireland is the expert in mapping, and will the Department give some consideration to using its expertise to remedy what is a flawed system?

**Mrs O'Neill:** The Member is referring to the problem that we have had this year. We must put all of this in context. The remapping exercise involves 750,000 fields. It is not a simple process; it is very complicated. The Member is also aware that the reason why we are doing this is because of EU disallowances, as a result of the EU's decision that our mapping system was not up to scratch.

This piece of work, the upgrading of maps, has now been ongoing for some time. We now have had the benefit of aerial photography and there have been many improvements. As I said in the previous answer, obviously, everything has not gone as well as we expected. However, this problem occurred in 9% of the maps. The maps went out in three batches, and the problem occurred in 9% of them, in the third batch. It was a technical problem to do with automated script. I am sure that the Member has been briefed on that by officials. Without going into all the detail, it was a technical problem, which, I hope, we will be able to guard against in future. We always have to look at this in context. Remapping 750,000 fields is a major piece of work, and I am committed to making sure that we see it through.

The process of mapping, and making sure that maps are always correct, will be an ongoing process because things change. Fields and physical boundaries change, and we need to be mindful of that. We will never be at a stage where all the maps are 100% accurate at any time, because things change continually. However, I am committed to making sure that DARD plays its role, through working in partnership with farmers, to ensure that we get the maps as accurate as physically possible.

**Mrs Dobson:** The Department has admitted only recently that it will not be able to process maps quickly enough to create and issue new maps ahead of the deadline. Will the Minister explain why that is so? Given this complete shambles, has anyone in your Department been, or will they ultimately be, held accountable for those failings?

**Mrs O'Neill:** The Member raises the question that she asked in the last Question Time. As I said, this was a technical fault. It was not down to human error or to one

person who sat down and made a mistake. Obviously, in any situation where something goes wrong, lessons should be learnt. We would be very foolish if that were not the case. With regard to this issue, the problem was technical. However, I continue to put it in context. Remapping is a massive piece of work but one that we need to get right so that we can continue to draw down £300 million in funding. The Commission can clearly see from the work that has been ongoing, and the partnership work that has been going on between DARD and the farmers, that we are making sure that we play our role and that everything is as correct as possible.

Taking action against members of staff is not appropriate in this instance. It was a technical fault, a small error, which led to a small number of the total maps — 9% of 750,000 fields — to be issued erroneously.

## Broadband: Lagan Valley

2. **Mr Craig** asked the Minister of Agriculture and Rural Development what surveys have been conducted to ascertain broadband speed and quality in the rural areas of Lagan Valley. (AQO 4130/11-15)

**Mrs O'Neill:** As you are aware, I recently confirmed to the House that I am committing £5 million to the Broadband Delivery UK (BDUK) project. The list of target areas considered during the stakeholder consultation was informed by line speed analysis and responses to the consultation. Those will be confirmed shortly in a follow-up and final consultation. My Department's funding will be targeted at rural areas, and although initially areas of high deprivation will be funded as a priority, funding will be rolled out across as many rural "not spots" as possible. The aim is to provide as many rural dwellers as possible with at least a 2 megabits line speed. That speed will allow farmers using broadband to engage with my Department through services such as herd registration and online single farm payment.

**Mr Craig:** I thank the Minister for her answer. Does she agree that the fibre-to-the-cabinet programme has not delivered for rural communities? Can she tell us what additional fibre-to-the-cabinet schemes, or, more importantly, fibre-to-home schemes, will be delivered under this programme? Fibre-to-home schemes are the only thing that can deliver for some rural communities, especially rural farm dwellers.

**Mrs O'Neill:** As I have said, the BDUK project is led by the Department of Enterprise, Trade and Investment (DETI). It is about increasing speeds and looking at "not spots". The £5 million that I have targeted for broadband has to be about tackling rural areas and the "not spots". As I have said in the House many times, people get really frustrated when they hear talk of increasing speeds when they cannot even get a connection. We need to see more fixed-line connections and to be innovative in areas that are hard to reach. That is where I want to see the £5 million that I have allocated being used. I had to come up with a process for how I would target that £5 million, and I am using areas of deprivation. Those will be the first areas that we will be reaching into. However, I am committed to working with the Minister of Enterprise, Trade and Investment to make sure that we can take forward the project in as timely a manner as possible.

The BDUK project deadline is 2015, but they tell us that, as soon as they get on the ground and start working, which will be some time after next month, they will be in a position to deliver a lot quicker than that. Obviously, we will continue to hold them to that.

**Mr Principal Deputy Speaker:** I remind Members that they must continue to rise in their places so that the Chair can determine whether they still wish to ask a question.

**Mr Milne:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What is the Minister doing to maximise the benefits of increasing rural broadband?

**Mrs O'Neill:** As I said in my previous answer, I want to make sure that we use the £5 million to best effect and that we target those who have no connection. I will be looking at areas of deprivation, and that will be applied to the areas that have been identified as "not spots". We are also involved in the thematic working group, which is looking at how we can use other technologies. Ideally, everybody wants to have fixed-line connections because they are the most reliable. However, we are looking at other technologies that can be used and can also create employment opportunities in rural areas.

DARD will continue to work with other bodies to inform rural dwellers of the benefits of broadband. We recently e-mailed over 600 applicants for rural development funding to let them know what Log On NI can do for them, because it is important that we raise awareness of what individuals can get out of broadband. We are involved in a number of areas of work, and I assure the Member that I will continue to make it a priority to ensure that we address the "not spots" and those who cannot get access to broadband.

**Mrs D Kelly:** I concur with Mr Craig's analysis that millions of pounds have been spent on this and the problem has not yet been resolved. Given that there is £5 million available from your Department, Minister, and millions of pounds from DETI, do you regard that as money well spent? With regard to the service level agreement, what is your £5 million actually buying?

**Mrs O'Neill:** I give an assurance that the money will be well spent. That is why I am looking at areas that I want to target. I could easily have just said, "There is £5 million. Add it to the pot that is already there and see what can be done with it." For me, the £5 million has to be used to target rural areas, and it has to be used to target people who are identified as living in areas of high deprivation. That is how the money will be targeted and how we will ensure that it will be money well spent.

As I said, BDUK is a bigger project that is about increasing speeds, which will start in June. I look forward to working very closely with the Minister of Enterprise, Trade and Investment to make sure that we use the money to best effect and that we target those who still do not have a connection. There is probably around 8% of the population who cannot get a connection. That is a measurable target that we need to focus on over the next couple of years.

### Single Farm Payments

3. **Lord Morrow** asked the Minister of Agriculture and Rural Development what steps she has taken to ensure that future single farm payments are directed towards working farmers. (AQO 4131/11-15)

**Mrs O'Neill:** I am very sympathetic to the argument that the single farm payment should go only to active farmers. My ability to deliver that outcome will depend on what is agreed in the ongoing CAP reform negotiations. The Commission has proposed a compulsory active farmer test, whereby all recipients of direct support above €5,000 would be required to show that their CAP payments were equivalent to more than 5% of their total receipts from non-agricultural activities. In my view, that proposed test would be ineffective as a means of excluding non-farming landowners from the support regime, and it would be unworkable given the difficulties of assessing and verifying non-agricultural income.

I have been pushing for an alternative approach that would allow authorities the option to confine the first allocation of entitlements post CAP reform to those who were engaged in agricultural production activities in 2011. In my view, the World Trade Organization rules that require direct payments to be decoupled remain unbroken as long as the base period for production activity is set in the past. That optional test would permit the exclusion of non-farming landowners if it were applied.

My suggestion was not included in the proposed amendments to the Commission text agreed by the EU Council in March, which is suggesting an optional and more flexible approach on active farmers.

The EU Parliament has included a reference to past production activity in its position, but that is designed as a means of extending support to active producers who do not currently hold single farm payment entitlements rather than excluding non-farming landowners from the future support regime. My officials and I continue to press my suggested approach vigorously with the Commission, the Irish Presidency, MEPs and the Department of Environment, Food and Rural Affairs (DEFRA). Indeed, I have raised the matters personally with Simon Coveney and Owen Paterson in recent weeks.

### 2.45 pm

**Lord Morrow:** I take it from that reply that the Minister agrees in principle that payment should go to active farmers. To what extent has she been making representation not only in Europe but elsewhere to ensure that that will happen? When can we expect a final decision on the matter?

**Mrs O'Neill:** There is an informal Council happening in Dublin today. At the end of June, in Luxembourg, there will be a discussion where we hope that this will be finalised. That is a challenging target, but it is the target that is there, and it has been set by the Southern Irish presidency.

In respect of the active farmers test, as I said, I have raised the issue with Simon Coveney and Owen Paterson. We have had meetings with the Commission and Parliament representatives. MEPs are aware of the position that we have taken, and we have broad support for the proposal that we have put forward. Unfortunately, the Commission does not have that in the text that was agreed in March, but that is not to say that it has been ruled out. We are still arguing the case and will continue to do that over the next four weeks until we get to the end of June discussions.

We are very hopeful that we can get a deal before the end of June. It is important in planning for the next CAP. So, those are ongoing. From the outset, we argued for

a fair budget, simplification and flexibility. If we have the flexibility and we are able to adopt an active farmer test that suits the needs of our local industry, no one else has anything to fear from that, so there is no reason why they cannot support it when it comes to the discussions.

**Mr McAleer:** Go raibh maith agat. Does the Minister support the capping of single farm payments?

**Mrs O'Neill:** Yes. I have always been on record as saying that I think that payments should be capped at £100,000 per claimant. In this economic climate, it is difficult to justify paying large amounts of money to individual farmers. That is usually something that is used to attack the wider scheme of getting £300 million into the local economy and being paid to farmers. So, if the scheme were capped at £100,000 per claimant, it would only affect a very small number of farmers in the North. The Commission has suggested a progressive cap on direct payments made to individual claimants beginning at €150,000, with a 20% reduction on amounts between €150,000 and €200,000. That would rise to 100% for amounts above €300,000.

The European Parliament broadly supports the Commission's proposals, while the Council is of the view that capping should be optional for member states. My personal view is that it should be capped at £100,000.

**Mr Rogers:** How many landowners are claiming single farm payments? What is the total value of the single farm payments for those who do not carry on farming enterprises?

**Mrs O'Neill:** In the region of 38,000 individuals claim single farm payment, and there are around 25,000 active farms, so that is the difference that we are talking about.

### Rivers Agency: Flooding Risk

4. **Mr McGimpsey** asked the Minister of Agriculture and Rural Development whether the Rivers Agency has been granted approval by the Drainage Council to take responsibility for further watercourses to reduce the risk of flooding. (AQO 4132/11-15)

**Mrs O'Neill:** Designation by the Drainage Council is required to enable my Department to undertake maintenance and schemes for drainage and flood defence purposes at public expense. In deciding to designate a watercourse, among other things, the Drainage Council must be satisfied that any drainage works needed are outside the capability of the landowner and that works at public expense provide value for money. Over the past 12 months, the Drainage Council has accepted designation, or extended the designation, of 11 watercourses.

**Mr Principal Deputy Speaker:** I call Mr Gregory Campbell. Sorry, I call Mr Michael McGimpsey.

**Mr McGimpsey:** Not at all, Mr Deputy Speaker. I am not clear that I got an adequate answer. Bearing in mind the hardships that the people of south Belfast suffered as a result of flooding, and bearing in mind the Minister's answer to me recently where there will be clear benefits for work to be undertaken as far as Rivers Agency is concerned, what benefits are the people of south Belfast seeing as a result of the actions that she and her Department have taken?

**Mrs O'Neill:** I am not quite sure whether I heard the Member correctly, but the designation of rivers in south Belfast and in general is the job of the Drainage Council. As I said, over the past year, there have been 11 additional designations. There is, as we all know, a wider issue in south Belfast, where there was flooding last year. A cross-departmental group is looking at the problems. If you are talking about the incident in June last year, exceptional rainfall caused a lot of those problems. A number of rivers run through the area and have an impact: Lagmore, Ladybrook and Parkland Avenue. All have had connecting implications for the area.

A number of initiatives have been taken forward in the south Belfast area — I know that I have updated the Member on that before — particularly on additional staff, work on the ground, designation and additional grilles. Quite a number of pieces of work have been taken forward over the past 12 months, and we will continue to keep the situation under review. In response to the problems that we had with backup and grilles in June last year, additional checks are being carried out in those areas. I am committed to making sure that Rivers Agency plays its role in the ongoing inter-agency work that is looking at the bigger problem of the area's infrastructure.

**Mr Campbell:** The Minister outlined the nature of the work going on in her Department. Is she aware that there are a number of areas in Castlerock and Londonderry where privately owned high land adjacent to privately owned domestic properties has caused extreme flooding in the past year? What flexibility will she allow her personnel to work with private landowners and private homeowners to try to prevent flooding in the future?

**Mrs O'Neill:** I am very happy for Rivers Agency to engage with whoever it needs to on protecting people against flooding. A flood is a very difficult position for people to find themselves in, so if there is anything that Rivers Agency can do, I give an assurance that it will play its role in working with whoever, whether it be other statutory agencies, landowners or people in the private sector. That is key to moving forward.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The Minister will be aware that I recently applied on behalf of a constituent for a section of the Toneel-Muckenagh watercourse in Boho to be designated, and that request was refused by the Drainage Council. Will the Minister clarify the criteria for designation?

**Mrs O'Neill:** Yes, there are two overriding conditions: first, that the proposed works offer value for money, with benefits outweighing costs, and, secondly, that the works have sufficient priority to be included in the Rivers Agency programme.

In addition, there are five criteria beneath the two overriding criteria, and an application for designation needs to satisfy one or more of these: first, that a sufficient area of disadvantaged agricultural land is subject to poor drainage or flooding; secondly, that works to reduce existing or potential flooding are outside the capability of the riparians to organise and carry out at their own expense; thirdly, where works are required but it is not possible to identify the owner; fourthly, where the watercourse requires work but does not perform any function connected with the drainage of riparian land; and,

lastly, that the works are required to provide an outfall for increased run-off from new housing and commercial development.

**Mrs McKeivitt:** The Minister spoke earlier of the additional 11 watercourses. Will she inform the House whether any are in an area of special scientific interest?

**Mrs O'Neill:** I do not have that information with me, but I am very happy to inform the Member if that is the case.

## Agrifood Strategy

5. **Mr McKay** asked the Minister of Agriculture and Rural Development to outline the main recommendations in the new agrifood strategy. (AQO 4133/11-15)

**Mrs O'Neill:** I am delighted that the Agri-Food Strategy Board's action plan, 'Going for Growth', was launched by the First and deputy First Minister, along with the Enterprise, Trade and Investment Minister, Arlene Foster, and me, after the DARD breakfast at the Balmoral show. The plan includes challenging targets for the sector to increase jobs by 15,000, sales by 60% to £7 billion, and external sales by 75% to £4.5 billion.

I welcome the main premise of the report that there should be one single supply chain, with recommendations designed to support the sustainability of each part of the chain through customer-focused integrated supply chains. The main recommendations to support that are the creation of four single organisations for marketing, skills and entrepreneurship, innovation funding and industry representation, to replace the many and varied bodies that currently perform those roles. The board also recommended a £250 million farm business improvement scheme; expanding the size and scope of the processing and marketing grant scheme; a strategic regional land management policy to ensure the best use of our available land resources; and development of an economically viable model for sustainable production that allows us to promote sustainability as the cornerstone of local produce.

There are 118 recommendations, and the report has been broadly welcomed across industry. My officials and I are looking at the recommendations in detail before agreeing with DETI and other colleagues the best way forward.

**Mr McKay:** I thank the Minister for her answer. She is right: the 118 recommendations are indicative of an ambitious and challenging report. When will we see results from the report and what is the timeline for its implementation?

**Mrs O'Neill:** We received the report just recently. As you point out, it has over 100 recommendations, and we are working through those. Some are smaller recommendations that can be changed in the short to medium term. Other things will require major structural or behavioural changes. We are committed to working our way through the recommendations. I will have a discussion with Arlene, the DETI Minister, and we then intend to talk to all other Departments that are implicated because there are implications for the Department for Employment and Learning (DEL) and the Department of the Environment (DOE). When we have talked to the other Departments, we intend to bring a paper to the Executive for discussion.

I intend to do all that over the next three months because industry is asking that we do not take a fantastic piece of work and sit back and not take action quickly. Some of the

targets, although challenging, are achievable even before the 2020 time frame in the document. However, that will require the Executive and the industry working together to make sure that we realise the potential of creating 15,000 jobs, and achieving a 16% growth in sales and a 75% growth in export sales.

There is a lot to play for, and it is all doable. With partnership working, we can certainly look towards a very positive future for the agrifood industry.

**Mr Frew:** The agrifood industry would say that these are exciting and interesting times. However, the farming industry would say that the Minister is presiding over what could be the biggest crisis in living memory, which goes across all sectors. What is the Minister doing to bridge the gap between the farming and agrifood industries to make sure that the report and strategy will benefit the farming community?

**Mrs O'Neill:** I think that one of the key wins from the report is the recognition from industry — I am also talking about the agrifood industry, processors and retailers — that there is only one supply chain. One of the main positives to come out of the report is that, finally, the farming industry is recognised as an equal partner in the supply chain and should be treated as such.

The targets in the report are very challenging and we will have to work very closely with industry to make sure that we have a viable and sustainable farming industry to take that forward. If the farmer is not producing food, there is nothing to go further up the supply chain. So, they are key to the success of this.

The crises that we are dealing with at the minute include fodder, snow and horse meat — you name it, it has been coming thick and fast for the farming industry. I have demonstrated my commitment to working with the farming industry and will continue to do that. The Executive have also come on board and recognised the need to support the farming industry in a unique, difficult and horrendous past 18 months.

**Mr Swann:** Farmers for Action told a recent Agriculture Committee meeting that that strategy will not benefit farmers directly by increasing farmgate prices and is more about producing more food more cheaply.

**Mrs O'Neill:** I understand that the farming community has concerns and that a lot of the report's recommendations are challenging. The key is the fact that we need fairness in the supply chain. That, and reaching into new markets, will happen only if our farmers are producing food. I continue to commit to working with the farming industry to make sure that we provide support.

We are in a crucial time in coming towards the end of CAP reform. We will have an opportunity to debate with Farmers for Action, the Ulster Farmers' Union (UFU), the Northern Ireland Agricultural Producers Association (NIAPA) and all the farming unions and stakeholders on the future of the new rural development programme. That will be an opportunity for those people to come forward and say, "Here is how support should be tailored. Let the industry say how support should be tailored". For me, that will be the success in moving forward.

**3.00 pm**

**Mr Dallat:** I have listened very carefully to the Minister and am not surprised that the supplementary questions are focusing on the farmgate price. The Minister will be aware that, historically, there has been daylight robbery up until now. With this money, how can the Minister reassure the farming industry that, at long last, that daylight robbery at the farm gate is going to stop and that, in fact, the industry will benefit from it?

**Mrs O'Neill:** Again, it comes back to the points that I have already made. We need fairness in the supply chain over farmgate prices and low farmgate prices. You will remember the campaign that was held last year, when people were able to buy produce at the price that the farmer was receiving for it. People were very shocked.

From the outset of the process to put the Agri-Food Strategy Board (AFSB) in place, I have said that the farming industry is not a poor relation in this situation. It is an equal player and an equal partner in the supply chain. I welcome the fact that that has now been taken on board, but over the next couple of years as we look at the actions that have been identified and the work that we need to take forward, I will continue to give an assurance to the farming community that I will make sure that its views are reflected. I made that very clear from the start of the process, and I will continue to do that in the time ahead.

## Culture, Arts and Leisure

### Boxing Strategy

1. **Mr McGlone** asked the Minister of Culture, Arts and Leisure for an update on the boxing strategy. (AQO 4143/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I thank the Member for his question. He will be happy to know that as a result of an expression of interest exercise for the boxing investment programme, 94 boxing clubs have been identified as meeting the agreed criteria to receive equipment. A procurement process is under way to identify a preferred supplier. It is anticipated that that preferred supplier will be appointed in June.

A new club development manager has been appointed by the Irish Amateur Boxing Association (IABA) and is directly working with local boxing clubs on a range of matters, including funding applications, identifying facility needs, child protection, and increasing participation and volunteers. Looking ahead to the capital investment aspect of the programme, meetings are also being held between club development managers, individual clubs and local councils to review premises options. Furthermore, an independent technical team is due to be appointed in July. Its work will be informed by the meetings that are being held, and its remit is to assess the need for capital works and facility repairs to individual premises.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra chuimsitheach sin. I thank the Minister for her comprehensive answer.

My colleague to my left has suggested that it would be an appropriate testimony to the great achievement of Conor Wallace from the Sacred Heart boxing club in Newry, who

won the under-18 all-Ireland boxing title at the weekend, and his club if the Minister's Department would look at that club's facilities. Perhaps it would be appropriate for me to raise that with the Minister now.

**Ms Ní Chuilín:** Cad é an focal atá ar "chancer", a Phatsy? I do not know what the word in Irish for "chancer" is, but maith thú — well done — for it is now on the record.

Newry has a strong boxing history, as do many other areas. Newry, like the rest of those areas, has no doubt put in an expression of interest. The whole point of the exercise is to make sure that we look at equipment needs first. All those needs are completely different, depending on where you are and what support you got in previous years. Aontaím leat go hiomlán. I agree with you about Conor and all the other boxers who competed. It is upon myself to make sure that they have facilities that are fit for purpose, because they are delivering for us, and we need to deliver for them.

**Mr Humphrey:** Thank you, Mr Principal Deputy Speaker. The Minister will have visited Cairn Lodge boxing club. I am pleased to announce to the House that, last week, T J Waite and Nathan Dunn secured belts boxing for Antrim in the Belfast city cup. I congratulate them on that. Minister, what progress have your officials made with officials from Belfast City Council on a joined-up strategy to benefit such boxing clubs as Cairn Lodge, Albert Foundry, Midland and Sandy Row across Belfast?

**Ms Ní Chuilín:** I have no comment to make on Sandy Row boxing club, because it has not accepted my offer to meet, although I understand that it has accepted an offer to meet the independent panel that was looking into boxing issues on behalf of the Irish Amateur Boxing Association.

I congratulate the two lads. All the boxing clubs that the Member mentioned, and all those that he failed to mention, but the work of which, I am sure, he knows about, do a fantastic job.

There is a member on Belfast City Council's steering group to ensure that what we are doing will have a joined-up approach. I am happy for my officials, either from the Department of Culture, Arts and Leisure (DCAL) or Sport NI, to sit on other steering groups that local government produces because we need to ensure that we provide as much potential as possible and that we are not seen to be competing with, but are complementing, one other.

As I said in response to Patsy McGlone's question, what we need to do collectively is to try to support people who are involved in sport, particularly boxing. As the Member knows, the state of boxing clubs across the North is not good.

**Mr McGimpsey:** In view of the comments that the Minister has just made about Sandy Row Boxing Club, and the very reasonable recommendations that the club put forward in the report on the sectarian and racial abuse that the club has received, is the Minister still saying that unless its officials meet her, she is not prepared to look at the issues of fair treatment, free of the sectarian and racial abuse to which Sandy Row Boxing Club has been subject, and that remedies that are brought forward continue to be refused?

**Ms Ní Chuilín:** In fairness to the Member, he is fairly consistent with his inaccuracies. First; I have never said in the House or anywhere else that Sandy Row Boxing Club

will not receive funding because its officials refuse to meet me. I want that on the record — again.

Sandy Row Boxing Club, or any other boxing club for that matter, will receive funding only when it is affiliated to a recognised governing body. Those are the criteria. If it is good enough for Albert Foundry Boxing Club, Cairn Lodge Boxing Club and Midland Boxing Club, it is good enough for Sandy Row Boxing Club. Again, I appeal to the club. I am delighted that its officials have agreed to meet the independent panel. That is a positive step. I hope that they will feel that they get a fair hearing. I believe that they will. I hope that Sandy Row Boxing Club decides to reaffiliate, because I am concerned that, albeit there are dwindling numbers at the club, the children there are being affected because of the stance of a few of the club's officers.

**Mr Allister:** So the Minister's position is that unless a club, which has been discriminated against by those to whom it was affiliated, reaffiliates, it will receive no funding. I know that the Minister likes to dodge the issue of sectarianism in boxing, but what help is she giving to the independent working party under Duncan Morrow to address sectarianism in boxing?

**Ms Ní Chuilín:** Just last month, I met Duncan Morrow and the rest of the members of the independent panel. I offered them any support that they need. I offered that support without conditions. In fairness, therefore, I reject the Member's assertion that I, my Department or Sport NI has been involved in discrimination. That is a scurrilous remark to make, although it is not surprising coming from the Member.

With regard to Sandy Row Boxing Club, I will repeat myself again: that club, like any other, needs to be affiliated upon receipt of any funding. I appeal to the club again: it needs to step back and think about its actions. At the end of the day, it is about children and young people who are affiliated to that boxing club who will be left behind because of the actions of a few of its officers.

## Lough Neagh: Fish Stocks and Habitats

2. **Mr Kinahan** asked the Minister of Culture, Arts and Leisure what action she has taken to commence studies on fish stocks and habitats in Lough Neagh. (AQO 4144/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. The long-term sustainability of the Lough Neagh fishery is a key priority for my Department. I have commissioned the Agri-Food and Biosciences Institute (AFBI) to undertake research throughout the Lough Neagh catchment. AFBI's work provides an important scientific basis to my Department's role in the conservation and protection of that fishery.

AFBI is currently carrying out a research project on Lough Neagh that will provide information on the location and population levels of fish species in the lough, including pollen. AFBI is also undertaking genetic studies on brown trout stocks in the Lough Neagh catchment. Those reports will be completed by the end of 2013. AFBI also works closely with the Lough Neagh Fishermen's Co-operative Society Ltd to provide advice on the management of eel stocks in accordance with the eel-management plan. The institute is also undertaking important research on the

stock status of salmon and brown trout across the DCAL area, which includes the Lough Neagh catchment.

**Mr Kinahan:** I thank the Minister for her answer and for the funding that is going to AFBI at present. I am very concerned that that funding will run out later in 2013. Will she extend the funding so that AFBI can explore more research on those species and others in order to get Lough Neagh to become what it should be, a tourist attraction and an ideal place for fishing, which is what we all want?

**Ms Ní Chuilín:** I am very sympathetic to the Member's concerns. I have committed to contracting AFBI to look at specific areas of work until the end of this year. However, it is clear already, from delegations and correspondence from Members on the issue of stocks in Lough Neagh, that there are concerns that, once that area is looked at, the rest will be ignored. I want to assure the Member that that will not be the case. I cannot go beyond my contractual agreements for this year, but I do not believe that AFBI is going anywhere in the near future. I hope that its report and the support that it gives to my Department will help me to protect and conserve fish stocks in Lough Neagh, as well as enhance the tourist product there. We need to take a long-term view on this.

**Mr Milne:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What procedures are in place to ensure an accurate count of the fish caught in Lough Neagh by licensed fishermen?

**Ms Ní Chuilín:** DCAL requires licensed netsmen to ensure that there is an accurate count of the fish caught in Lough Neagh. The process for that is the salmon carcass tagging scheme, as stipulated in the Fisheries (Tagging and Logbook) Byelaws 2001. The Department enforces that by inspecting catches in which salmon are detected on boats and at quaysides. Indeed, as the Member may have heard this morning, angling clubs and the Lough Neagh fisheries work very closely with officials in my fisheries branch and help us to carry out counts of the stock in the river, address illegal fishing, and inspect fish dealers and fish registers. I think that the processes are robust, but we will always look to make sure that they are even more robust. At the end of the day, we need to make sure that all the good work that has been under way for decades around Lough Neagh continues and flourishes.

**Lord Morrow:** What liaisons, talks or discussions have taken place between the Minister's Department, the Department of Agriculture and Rural Development (DARD) and the Department of the Environment (DOE) in relation to the pollution problem in Lough Neagh? Does she accept that that issue needs to be tackled if we really are to take Lough Neagh seriously?

**Ms Ní Chuilín:** I know that there have been discussions, but I will get the Member details of how current those are. There have been discussions on exactly that point. When the weather was very good a few years ago, there was a particular problem with invasive species, and that had an impact on fishing, so I think that it is too handy just to blame agriculture and pollution for damaging the fish stock. We need to look at habitats, fishing methods and the environment, and at what each of us can do to make sure that we protect the lough and its stocks. I do not have all the accurate information to hand, but I will certainly get that for the Member.

## Sport: People with Disabilities

3. **Dr McDonnell** asked the Minister of Culture, Arts and Leisure what initiatives her Department has in place to increase participation in sport by people with disabilities. (AQO 4145/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. DCAL works closely with Disability Sports NI (DSNI), which is the main disability sports organisation. It is recognised by Sport NI as the key body responsible for the development of sport and physical recreation for people with physical, sensory and learning disabilities. Sport NI invests annually in DSNI to support the implementation of its disability mainstreaming policy. The current funding cycle runs from April 2012 to March 2015, and Sport NI has allocated an indicative budget of almost £500,000 for that period.

**Dr McDonnell:** I thank the Minister for her answer. She mentioned a figure of £500,000. Is that one funding stream or a number of streams? What funding streams are generally available to sporting clubs that may need to purchase special equipment to enable disabled people to participate? That is particularly significant in rural areas, and I feel it is important that, perhaps, we increase that funding.

3.15 pm

**Ms Ní Chuilín:** That is one funding stream that I have, but I know there are others. I will get the details for the Member. We are looking currently from a cross-departmental point of view at how DCAL and the Department of Education (DE) in particular can try to increase the potential for children with disabilities to participate in sport. There were some excellent programmes in the run-up to the Olympics and Paralympics last year, and we are trying to make sure that they are continued. Also, increased participation in sport by children with disabilities has been prioritised by my Department through the Executive's Delivering Social Change programme, and I expect additional funding to come from that.

I have also been approached by various clubs through different monitoring rounds. I am working with Disability NI to try to make sure that we prioritise the needs of people who have disabilities and try to promote sport and physical activity. I totally agree with the Member's sentiment: there is funding there, which is good, but we need to do better. I think that, collectively, we need to remove barriers rather than create bureaucratic barriers, particularly for people who are extremely vulnerable.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. What other activities have the three main sporting bodies committed to?

**Ms Ní Chuilín:** Soccer, GAA Gaelic games and rugby are the three main participating sports, and they have prioritised targets within the Department's Sport Matters strategy.

For example, the GAA will promote and deliver wheelchair hurling programmes; it has adopted Gaelic football programmes; and it has GAA special needs and disability programmes, particularly around sensory deprivation. The IFA has also undertaken activities to sustain and expand partnerships with local councils to deliver Active Communities programmes. It has been involved in schools coaching and competitions in the special education sector.

Its international squad programmes have been excellent for people with learning disabilities or visual impairments. I know that representatives from the education and library boards and visual impairment and cerebral palsy bodies have been involved in this as well. As well as those two sports, the rugby body will continue to develop dedicated sessions for people with disabilities, and it will deliver the Active Communities programme through rugby coaching and working with groups and other people with disabilities wherever possible.

**Mr McCarthy:** What does the Minister envisage as being a lasting legacy for disability in sport, particularly for children with disabilities, from the up and coming World Police and Fire Games?

**Ms Ní Chuilín:** All the big events that we are holding need to have a lasting legacy, particularly for people with disabilities. It comes as no surprise that some of the representatives from the World Police and Fire Games were involved in the run-up to the pre-games training for the Paralympics, even though that was around promotion.

We need to try to get mainstream funding into programmes that are going to add to the potential for children with disabilities in particular to get involved. It is not just about children; we need to look at adult participation as well, and I am happy to do that. I also think that, if you look at it as sport alone, then you are missing an opportunity. We are looking at social inclusion and equality, and we are also looking at better relationships. I think that the World Police and Fire Games will be a great ambassador for that.

**Mr Elliott:** Will the Minister outline her Department's performance in delivering a 6% increase in participation rates in sports and physical recreation among people with disabilities by 2019, as set out in the Sport Matters strategy?

**Ms Ní Chuilín:** As the Member pointed out, the target is to increase participation rates by 6%. The Department is on line for that. I am worried in case the Member is suggesting that it is not, or that he may have information to suggest that it is not. I think that is just a baseline; I think we need to do better.

In response to some of the questions that Members have raised, we could do better by trying to provide better opportunities, not just in the Department and through Sport NI and Disability Sports NI but also through local government. As I outlined in answer to a question from another Member, the three main sporting bodies have good examples of where they use their skills and expertise to take a proactive approach to people with disabilities. I think we need to look towards meeting the target of 6% but doing a lot better.

## Libraries NI: Disadvantaged Areas

4. **Mr Campbell** asked the Minister of Culture, Arts and Leisure what measures Libraries NI is taking to target areas of social deprivation and economic inactivity. (AQO 4146/11-15)

**Ms Ní Chuilín:** The public library service ensures that access to reading material, information and IT facilities is not dependent on levels of wealth. It does that by making its resources freely available to everyone. That is essential to tackle deprivation, economic inactivity and inequality. Library staff are engaged with children from deprived

backgrounds before they start school through programmes such as Bookstart, Rhythm and Rhyme, storytelling and Sure Start projects. These help children to succeed when they get to school and assist them through their school careers.

Libraries NI also runs programmes to assist people into employment. Jobs and benefits clubs operate in more than one third of libraries, including Limavady and Coleraine in your constituency. The Coleraine job club has been particularly successful, with 50% of its users having obtained jobs. The Got IT? and Go ON programmes are run across all libraries to help people, including the unemployed, to gain IT skills. Libraries also help with things such as CVs, employability and roadshows. Libraries NI will realign its resources to provide more services in areas of high need, in furtherance of the Executive's commitment to delivering social change.

**Mr Campbell:** The Minister has outlined some of the good work that Libraries NI is doing across the piece. However, given that the acceptance and recognition that unionist areas have high socio-economic deprivation are a comparatively recent phenomenon, what is she doing to ensure that, in those areas, there will be provision for greater accessibility to the services that Libraries NI offers?

**Ms Ní Chuilín:** Libraries NI operates an open and transparent service, regardless of where its libraries are based. I also know that the Noble indices show that six, if not seven, of the top 10 areas of deprivation are in nationalist/republican areas. Does that mean that Libraries NI ceases to provide a service in some areas? Absolutely not. In north and west Belfast and Foyle, which are the areas that experience most deprivation, the people who walk into libraries do so without being asked who they are or where they are from. They are asked only about the service and assistance that they need. That is the way that it should be. If the Member has any evidence that Libraries NI is not fulfilling its statutory duty in unionist, Protestant or loyalist areas, I would be happy to look at that, but I doubt that that is the case.

**Ms Boyle:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The Minister has already alluded to the answer to my supplementary, but how is Libraries NI working to increase and enhance the services that it already provides to communities?

**Ms Ní Chuilín:** Libraries NI is probably one of the best examples of how libraries are not just about borrowing books. A range of services in libraries is open to all communities. Libraries NI is expanding its range of partnerships with local community organisations, charities and Departments. A few examples that I have seen at first hand have worked extremely well. There has been very positive feedback from the Health in Mind partnership between Libraries NI and four leading mental health charities. The initiative provides information on health and mental well-being as well as support and guidance for people who have been affected by mental health issues, their families and carers.

Libraries NI is also working with DARD, particularly in light of concern about the urban and rural split. Libraries NI, in conjunction with DARD, is marketing its services to farming and rural families and rural businesses, particularly through its use of IT services. DARD has sent

information about its services to 38,000 rural businesses through Libraries NI. Also run in partnership with libraries is the Access to Benefits (A2B) programme, which has held a series of workshops, giving local communities opportunities to seek advice and talk to experts about a range of benefits. As I mentioned earlier, it continues to work with the Department for Learning and Employment on a range of employment opportunities.

**Mrs McKeivitt:** Did the Community Relations Council events, some of which were held in libraries right across the region during community relations week, target people in socially deprived areas?

**Ms Ní Chuilín:** I outlined the range of services that libraries provide and the partnerships that they work with in the community, but libraries are also used to host meetings across the board. As I said — I think it is totally genuine — there is no stigma in walking into a library. That is why it is good to have services in libraries that people may feel a bit awkward or reluctant about. Once people are through the door, they are through the door. People do not know or care who they are: they do not care about their religious or political complexion and nor should they.

I commend the Member's question and the work that Libraries NI continues to do. I have absolutely no doubt that it is one of the arm's-length bodies that learns lessons with a view to making its services a lot better for the future.

## Commonwealth Games 2014

5. **Ms P Bradley** asked the Minister of Culture, Arts and Leisure what discussions she has had with the organisers of the Glasgow 2014 Commonwealth Games. (AQO 4147/11-15)

**Ms Ní Chuilín:** Within the past year, I met the NI Commonwealth Games Council (NICGC), which is responsible for the North of Ireland team that is competing at the Commonwealth Games. At that meeting, I heard about the NICGC's progress on its plans for the 2014 Glasgow games. In particular, I heard about its progress in supporting athletes from here to win at least five medals at the Glasgow games, which is a specific target in my Department's strategy for sport. To that end, DCAL, through Sport NI, will continue to work closely with the NICGC as it takes forward its preparations for the 2014 Glasgow games.

Between 2011-12 and 2014-15, Sport NI will have awarded total funding of £4,340,120 to the NICGC, athletes, squads and governing bodies in their preparation for the 2014 Glasgow games.

**Ms P Bradley:** I thank the Minister for her answer thus far. Does the Minister agree that the 2014 Commonwealth Games provide another opportunity to promote participation in sport? Will she outline her Department's plans to mark the visit of the Queen's baton relay to Northern Ireland?

**Ms Ní Chuilín:** I have no plans. In fact, it is the first that I have heard of it. You learn something new every day.

I am on the record as saying that I am quite happy to help athletes from here compete in the Commonwealth Games; I am very happy to support athletes regardless of who they are competing for or how they are competing. What we need to do — I am not saying that you are involved in this,



but some of your colleagues unfortunately are — is to cut the nonsense out, get behind the athletes and move on.

**Mr Maskey:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Is the Minister in a position to elaborate on whether there are any other preparation meetings that may be appropriate in advance of the games?

**Ms Ní Chuilín:** There are preparation meetings. An operational group that is chaired by the NICGC has been set up and has met on two occasions. The membership consists not only of Commonwealth Games staff; Sport NI and the Sports Institute for here are on board. I think that that is very important, and I am sure that Member will agree. The group has held a round of meetings with the appointed coaches of the governing bodies that plan to nominate athletes for the games. The meetings also looked at preparation plans and the support that is required leading up to the games.

The terms of reference of the strategic partnership group have been agreed by the board of Sport NI. The preparation group will consist of two members from Sport NI and two members from the Commonwealth Games Council. There is also provision for observer status for DCAL, which I will be making full use of. The group will report to the board of Sport NI, and its first meeting will take place shortly.

I met the council and have received updates, and I am pleased with the plans and preparations thus far. I look forward to hearing further updates on further progress.

**Mr Rogers:** What plans does the Minister's Department have to promote Northern Ireland as a destination for training camps for the Commonwealth Games?

**Ms Ní Chuilín:** The Member will be aware that one of the straplines of the London Olympic and Paralympic Games last year was "Our Turn to Shine". I think that we did extremely well with pre-games training last year. We are doing well again with the venues and sporting facilities that we are using as part of the World Police and Fire Games, and I hope — I know — that that legacy will continue as part of the training and preparations for the Commonwealth Games.

Certainly, we need to do more in the way of capital and things like that. I am waiting for a report from the group, and, as the Member will know, notwithstanding budgetary constraints and pressures, I am happy to look to see what other support we can give.

### 3.30 pm

**Mr Beggs:** The Sport Matters strategy targets winning five medals at the Commonwealth Games. That is the same target as was set for the Delhi Commonwealth Games, where we won 10. Minister, how are you and the Department supporting our sporting organisations and sufficiently encouraging and challenging our elite athletes to achieve more?

**Ms Ní Chuilín:** Certainly by my structure, I am ill-placed to tell people to run faster, but what I am certainly in a place to do is to help governing bodies to help their athletes to perform better. If the Member feels that the target is deliberately less than ambitiously set in order to provide a yield of medals, I have heard that one before. The important thing within my Department's control is to make sure that the athletes are given maximum support

in preparing for competition. I have had no indication or information up until now to suggest that that is not the case, but I am happy to look at that and to raise it in our future meetings with governing bodies on other issues.

## Education

### Single Education System

1. **Mr Copeland** asked the Minister of Education what legislative changes would be necessary to allow for a single education system. (AQO 4157/11-15)

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Our education system has a rich diversity of school types. The Education and Skills Authority (ESA) will be a single system of administration to serve a diversity of schools. During the development and passage of the Education Bill, many people argued passionately in support of particular school types. Many Members have also advocated for the interests of particular stakeholders or sectors. Were we to have a single type of school education system, what would it be? You first have to decide what your single education system would be. You would then draw up legislation to match that vision.

**Mr Copeland:** I note the Minister's comments about the unification, in some respects, of the administration and thank him for them. I ask him this point-blank: does he believe in a single education system where children of all faiths and none are educated together? Does he believe it to be desirable or feasible to do that? And how long does he believe it would take for such a transition to take place here?

**Mr O'Dowd:** In many ways, what I believe about a single education system is irrelevant. If you want to bring forward a single education system, you will have to redraw the legislation. You will have to remove parental choice. You will then have to say to parents, "This is the type of education system we believe in, moving forward".

If you are asking me whether I believe that children of all faiths should be educated together, the answer is yes. However, the House is going to have to decide on many of these matters. Are you going to ensure that all children are taught together? Are you going to remove academic selection? Are you going to ensure that all children are treated equally, that all faiths are treated equally and that all cultures are treated equally? Because that is the type of single education system that I believe in. However, remember that Members have come forward in many instances in the House to defend one sector over another or the right of parental choice. You need to make up your mind about what you want. You either want parental choice or a single education system, because you cannot have both.

**Ms Boyle:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Would any legislative change be required to support the growth of shared education projects?

**Mr O'Dowd:** We continue to study the shared education ministerial report. At this stage, it does not appear that we would require any significant legislative changes. However, if legislative changes are required, we will come back to the Assembly with a report on that and seek those changes that would help to promote shared education.

**Mrs McKeivitt:** When does the Minister expect the ESA Bill to return to the House?

**Mr O'Dowd:** I have presented a paper to my Executive colleagues on amendments to the ESA Bill following the Committee Stage. It will be up to the Executive to clear that paper, and I will then proceed with bringing the Bill before the House.

**Mr Storey:** The Education Minister said that "you cannot have both" shared education and parental choice. Will he outline when he will have further discussions with the Council for Catholic Maintained Schools (CCMS) to ensure that it ends the discriminatory practice of the Catholic certificate, which may assist parental choice?

**Mr O'Dowd:** I actually said that you cannot have both parental choice and a single education system. You can have shared education and parental choice in the same system. The Member will be aware, because I have commented and responded to him on numerous occasions about this, that equality duties lie with the First and deputy First Minister. That is who needs to have a conversation with CCMS or whoever else is involved in the debate around equality measures and employment legislation. It is a matter for the Office of the First Minister and deputy First Minister (OFMDFM) to bring forward legislation on the matter.

## Post-primary Schools: Area Planning

2. **Mr Swann** asked the Minister of Education for an update on the post-primary area planning process. (AQO 4158/11-15)

**Mr O'Dowd:** I last updated the Assembly on area planning on 26 February. I outlined the next steps to maintain momentum and build on the work done to date in the run-up to the establishment of ESA. On the same day, the education and library boards published the findings of the consultation that took place last autumn and the revised drafts of their plans for post-primary schools. The area plans for primary schools were made available for public consultation on 19 March. The consultation is open until the end of June. I hope that dialogue at local level will result in practical and sustainable solutions that can include proposals for increased sharing of accommodation and resources.

I have established a steering group to support my Department in overseeing planning until ESA is established. The group's aims will be to embed a single approach to area planning and to identify priority areas for action. The group has met twice and agreed a programme of work for the coming months. That covers the further development of the area plans and the consideration of common planning issues.

Finally, I have set up a working group that will develop a regional plan for dedicated special school provision. Area planning is a high priority for my Department, and I am determined to keep the process moving forward. Only through a strategic, collective approach to planning will we ensure we are meeting the needs of all our young people.

**Mr Swann:** I thank the Minister for his answer. Minister, there are innovative and, some say, radical proposals being brought forward in local area plans, such as the proposal for the controlled schools in Ballymena. How open will you be to considering such plans?

**Mr O'Dowd:** I am very open to all plans being brought forward to my Department and the managing authorities. The consultation process was valuable, particularly on the post-primary sector. The primary sector one is currently ongoing. If communities have plans of a radical nature — I always like a bit of radicalism, I have to say — I think that we are duty bound to examine those to see how we move forward, because the communities know best their education provision needs going into the future, so let us take a look at all those ideas.

**Mr Campbell:** The Minister talked about a strategic outlook. When he is looking at the issue of the area planning process three months after the February announcement, what assurance can he give the various communities across Northern Ireland with an interest in education that his view will not be hidebound by ideological views yet again?

**Mr O'Dowd:** I fail to see how some parties in the Chamber operate, because apparently none of them has an ideology. An ideology is a belief system. I assume that the DUP has a belief system. It believes in its policies, so that is an ideology. You bandy the word around as if it is some sort of bad word. I am proud to have an ideology. Will the decisions coming forward be bound by my ideology? No, they will not, but they will certainly be guided by it, as all Ministers are guided by their ideology. I am sure that even the Member, when he was a Minister, was guided by his ideology. At least we hope he was — he was guided by something. I will bring forward decisions based on the evidence coming forward and the consultation responses, and I will adhere explicitly to my duties under the ministerial code.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answer. The shuffle was a wee bit unkind to me, as I am lumped down at question 14.

Will the Minister provide an update on how the needs of small rural schools, particularly in places such as Fermanagh, will be met as part of the area-planning process as it continues to roll out?

**Mr O'Dowd:** I thank the Member for his question. I met representatives from the Ulster Farmers' Union today to discuss rural communities' issues, and how they are affected by small rural schools and the proposals around a number of small rural primary schools and post-primary schools. They put their case across very well about the needs of rural communities, and I said that I will continue to engage with them. I am meeting the Agriculture Minister in a couple of weeks about the matter as well. Alternative proposals coming forward from rural communities for specific areas, particularly in Fermanagh, will be taken under consideration before any final decision is made.

**Mr D Bradley:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a chuid freagraí. Ba mhaith liom fiafraí de cad chuige nach bhfuil ionadaíocht ag scoileanna áirithe ar an ghrúpa stiúrtha um planáil ceantair?

Why is it that certain schools have no representation on the area planning steering group?

**Mr O'Dowd:** Gabhaim buíochas leis an Bhall as a cheist. Which schools are you referring to? The area planning steering group is representative of the planning authorities

for schools. Area plans for the controlled sector are the responsibility of the education and library boards; the Catholic sector is represented by the CCMS; the Irish-medium sector is represented by Iontaobhas na Gaelscolaíochta (I na G); and the integrated sector is also represented on the steering group. Those are the statutory organisations that my party adheres to.

If the Member is now lobbying on behalf of the voluntary grammar sector, why not just say it out loud?

**Mr D Bradley:** Freagair an cheist.

**Mr O'Dowd:** The ceist is somewhat loaded. I am happy to inform the Member and the rest of the House that I had a very useful discussion with representatives of the Governing Bodies Association this morning concerning their views that they should be represented on the area planning body. I have undertaken to consider carefully the points that they made and I will respond to them in due course.

### Minister of Education and Secretary of State for Education

3. **Mr Sheehan** asked the Minister of Education for an update on his meeting with the Secretary of State for Education. (AQO 4159/11-15)

**Mr O'Dowd:** I held a meeting with Minister Gove on 13 May along with my counterpart, Leighton Andrews, the Minister for Education and Skills in Wales. I welcomed the opportunity to discuss issues around GCSE, AS and A-level examinations, the regulation of three-jurisdiction qualifications and arrangements for sharing information about policy developments that affect other regions.

Since our meeting, I received a letter from Mr Gove signalling his intention to end the current three-jurisdiction arrangements for qualifications. As Members know, I was not at all happy that the details of his letter were leaked to the media within one hour of my receiving it.

In my response to Mr Gove, I stated that it is imperative that Ministers can meet and have discussions with each other and that such discussions remain in confidence until the recipients have had the opportunity to consider the full implications. Such details should not be leaked in advance to the press by any source.

I will want to take time to consider the implications of Mr Gove's intentions as detailed in his letter. My officials will continue to liaise with their counterparts in England and Wales on the qualifications issues that impact on learners here.

My fundamental review of GCSEs and A levels is ongoing. I will continue to take decisions that are based on the needs and aspirations of our young people and I will ensure comparability and portability of examinations at all times.

**Mr Sheehan:** Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. Does he agree that no single jurisdiction has the right to dictate how the GCSE and A-level brand is used either now or in the future?

**Mr O'Dowd:** Gabhaim buíochas leis an Bhall as a cheist. The Member is right. The GCSE and A-level brands are owned between the three jurisdictions of England, Wales

and here. I am concerned that Minister Gove's intention is to break up the ownership of that brand. However, I cannot stop Mr Gove from doing that. If he wishes to continue with his changes in policy direction he is perfectly entitled to do so, but that does not automatically mean that I or my Welsh counterpart have to follow him.

We have to provide examinations and qualifications that meet the needs of our young people and the curriculum. In doing so, we must ensure that those qualifications are recognised and accepted in whichever parts of these islands to which people choose to travel or, indeed, across the world. I have no doubt that we will be able to achieve that.

I would much prefer that this matter had been handled much more sensitively and that the conversation between me, Mr Gove and Mr Andrews had continued before any public pronouncements were made. The public pronouncement was made via a leak, which was unhelpful, but I can assure Members that I will study the consultation, which is ongoing, and that I will make an announcement in the future as to the future direction of travel of our exams.

The key purpose of the exams is to ensure that our young people are tested robustly and that their qualifications are portable and recognised across these islands.

3.45 pm

**Mr Humphrey:** I heard the Minister's assertion in the media last week that there was a leak. He made a similar assertion in the House today. Will he advise the House who was responsible for the leak?

**Mr O'Dowd:** I assure you that it was not me, and I do not believe it came from Leighton Andrews's Department. The papers plainly said who it was: 'The Guardian' said that a senior Whitehall source leaked the details of our meeting and showed its journalist the contents of the letter from Mr Gove. I do not know who the individual was, but I have asked Mr Gove to take action to ensure that no further leaks come from his Department because they damage the working relationship between the three jurisdictions. Such action will ensure that we can work together and that we come to decisions that are of mutual benefit to all the students we serve.

**Mrs Overend:** Will the Minister detail at whose request the meeting was held? Has he any future meetings planned? Has he had any discussions with his Welsh counterpart since the meeting?

**Mr O'Dowd:** The meeting was held at my request and that of Mr Andrews. There is a requirement for further discussions between the three jurisdictions at ministerial level. There is also a requirement for further discussions at official level, and those will have to continue. I have had discussions with my Welsh counterpart since the meeting. We regularly engage with each other on the telephone to discuss education matters, which I find very beneficial. I will continue to do that. There is also a requirement for conversations between the three jurisdictions, which, at times, require confidentiality. That is the key to successful dialogue. It is unfortunate that, on this occasion, details were leaked.

### Shared Education

4. **Mr I McCrea** asked the Minister of Education what plans he has to make shared education a departmental policy. (AQO 4160/11-15)

**Mr O'Dowd:** Shared education is a commitment in the Programme for Government (PFG), and a significant degree is already taking place. I am considering the ministerial advisory group's report on shared education prior to determining the way forward. However, the issues arising from shared education cross many existing policy areas, and I anticipate that, rather than requiring a new policy, the way forward will be to ensure that existing policy areas reflect the need to advance shared education.

**Mr I McCrea:** Will the Minister detail whether he has brought forward any proposals to his Executive colleagues in the Executive paper on the Education and Skills Authority Bill that outline legislative provisions for shared education?

**Mr O'Dowd:** As I said, I do not believe that there is any requirement for legislative changes at this time, particularly as part of the ESA Bill. We are studying the report on shared education. I intend to present an Executive paper on that report and move on from there. If, during discussions with Executive or other colleagues, it is believed that there is a requirement for legislation on shared education, I will be happy to explore that. There is no barrier to doing that, but I believe that we have the necessary policies in place to allow us to move forward.

**Mr Kinahan:** Does the Minister plan an audit to collate all the information on how schools are sharing so that we can build up a database to help other schools lead us towards a single, shared education system in the long run?

**Mr O'Dowd:** I suspect that that would be a significant piece of work and a significant audit. However, that does not rule it out. There is benefit in the suggestion that we learn from examples of best practice. That is certainly one of the things that I am taking into consideration as I study the shared education report.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Does the Minister believe that we can achieve consensus on the advisory group's proposal on academic selection?

**Mr O'Dowd:** Anything is possible if the will is there to achieve consensus on the way forward around academic selection. It is worth noting, however, that the ministerial advisory group has said that three of its proposals refer to academic selection and the other 17 do not. We should move ahead with the other 17, rather than simply disagree over academic selection. I am happy to engage with people on academic selection to see whether we can reach consensus.

**Mr Rogers:** Considering the contribution that the shared language project at Shimna Integrated College makes to shared education across the primary schools in south Down, what plans does the Minister have to seek funding for its continuance in light of recent statements on shared education?

**Mr O'Dowd:** It is very difficult for me to answer a specific question like that. If the Member wishes to write to me about the activity at Shimna college, I am more than happy to engage with him in that way. However, it is impossible for me to have all that information in front of me.

## Primary Schools: Craigavon

5. **Mr Moutray** asked the Minister of Education what his Department is doing to allay fears of closure of schools which were listed in the draft area plan for primary provision but which will meet the desired 105 admissions criteria within the next two to three years, such as Bleary Primary School and St Mary's Primary School in the Craigavon area. (AQO 4161/11-15)

**Mr O'Dowd:** I have said it previously on numerous occasions and let me emphasise again: schools will not be closed simply because they fall below thresholds. Where it can be clearly demonstrated that a school is needed, it should be retained and supported to ensure that the quality of education is the predominant characteristic of that school. The draft area plans for primary schools were published on the education and library boards' respective websites on 19 March. The plans are out for consultation until the end of June 2013.

The Southern Education and Library Board draft area plan noted that local area solutions are to be explored for Bleary Primary School and St Mary's Primary School, Derrytrasna. It is now time for local communities and schools to make their views known to the education and library boards. It is then for the relevant school managing authority to analyse the responses to the consultation, revise and refine the draft plans and, if appropriate, bring forward proposals to the Department of Education.

The sustainable schools policy sets out six criteria to be considered in assessing a school's viability: quality of educational experience; stable enrolment trends; sound financial position; strong leadership and management; accessibility; and strong links with the community. Any proposal to close a school will be assessed on the basis of its circumstances against those criteria.

**Mr Moutray:** I thank the Minister for the response. At the end of the day, the local media headlines have disconcerted the staff who teach there, the parents and the pupils, and, indeed, potential future pupils. Can the Minister give a timescale in which he will come out and state that Bleary and St Mary's will not be closing?

**Mr O'Dowd:** The Member will be aware that I do not sit on the editorial board of either of those local newspapers, and, no doubt, like him, I have had many a run-in with editors of both those newspapers. It is not up to me what the newspapers print. I do not believe that it is beneficial to the debate to print lists of schools that newspaper editors perceive to be under threat.

It is worth noting what the area plans say about those schools. The Southern Education and Library Board draft area plan noted that local area solutions are to be explored for Bleary Primary School and St Mary's Primary School, Derrytrasna. It does not state, in that context, that either school is to be closed. If the managing authorities for any school come forward to me with a development proposal, I will judge each school on its own merits. I encourage communities to look at the detail of the area plan rather than take on board what the detail may be in the local press.

## Preschool Places

6. **Mrs Cochrane** asked the Minister of Education what was the level of oversubscription for the 2013-14 intake for preschools. (AQO 4162/11-15)

**Mr O'Dowd:** At the end of stage 1 of the two-stage preschool admissions process, 95% of children were offered a place in a setting of their choice. While 1,030 children remained unplaced at the end of stage 1, 2,290 places remained available in stage 2. Parents of 541 children chose to nominate further preferences for consideration during stage 2 of the process, which is due to complete on 31 May. There are a small number of areas in which the education and library boards have identified a shortfall in provision, but my officials are working closely with the boards to address those issues. In some instances, that will involve bringing new providers into the preschool education programme or funding existing providers to run additional sessions. I am, therefore, satisfied that, across the North, sufficient funded preschool provision is available to meet the demand for places in the 2013-14 school year.

**Mrs Cochrane:** I thank the Minister for his answer and for the changes that have been made over the past couple of years. In my constituency of East Belfast, a number of parents have taken the decision not to apply for a preschool place because they know that they are unlikely to secure one with the right timing or the right location as they juggle their work commitments. Is the Minister aware of that issue, which perhaps masks the problem of oversubscription? Can he detail what measures he is taking to ensure that all children can avail themselves of the benefits of a preschool place?

**Mr O'Dowd:** Over the past number of years, we have carried out a rigorous overhaul of preschool settings; how parents are notified; how we administer places; and co-ordination between the preschool education advisory groups (PEAGs), the education boards and my Department. We are improving the situation all the time.

It is difficult to respond to individual cases, but, in east Belfast, at the end of stage 1, there was a shortfall of three places. As a result, four new settings were brought into a preschool education programme for parents to apply to at stage 2. However, two of these have now been withdrawn because of insufficient applications. Six children from east Belfast who stated further preferences for consideration at stage 2 remain unplaced. Parents will be made aware that places remain viable and available in funded settings in east Belfast, and letters will be issued on 31 May. The fact that two settings had to be withdrawn because of insufficient applications is disappointing, and I will look into that further to ensure that those are in a proper location with accessibility for parents, and so on. My Department has taken significant action in east Belfast and, indeed, across the board areas to ensure that demand is met.

**Mr McDevitt:** Given the level of oversubscription in some preschool settings over the past couple of years, what specific steps are being taken by the Department to ensure that the Programme of Government commitment to deliver preschool education on demand will be delivered?

**Mr O'Dowd:** There has been a significant financial investment over the past number of years, and, as I said in response to the previous question, we have overhauled how we administer and manage preschool settings. There has been a significant improvement in parental and pupil experience over the past number of years. In a large geographical area such as east Belfast, only six children who stated further preferences for consideration at stage 2 remain unplaced, and that is a significant improvement

on years gone by. We have to continue to work with the boards, the PEAGs and the providers to ensure that this happens, and, if further money is required, we will have to make the finance available to ensure that the Programme for Government target is met.

**Mrs Dobson:** The Department runs a priority-of-access set of criteria, and prominent in this is the providing of places for children from disadvantaged socio-economic backgrounds. Although I understand the rationale for this, does the Minister agree that it is, consequently, often much harder for working parents to find a suitable place, even though they need a preschool place for their child as much as anyone else?

**Mr O'Dowd:** I am glad to hear that the Member understands why social clauses are involved in this. Children from socially deprived backgrounds have more difficulties presented to them as they go through school. Early intervention is about ensuring that everyone is given a level playing field. I would like to have reviewed the social clauses earlier. I would like to have brought lower paid working families into the criteria. However, we have been dealing with the implications of the Welfare Reform Bill and whether it will go through the House. I have to wait for the outcome of that Bill, and once it goes through, if it does, I will look at social clauses for preschool places.

## DE: 'Together: Building a United Community'

7. **Mr McKay** asked the Minister of Education to outline the elements of 'Building a United Community' which relate to his Department's responsibilities. (AQO 4163/11-15)

**Mr O'Dowd:** The Department of Education will work closely with the Office of the First Minister and deputy First Minister (OFMDFM) and other Departments on the detailed design and delivery of the programme, and specific roles and responsibilities will be decided in due course. Given the cross-cutting remit of the programme, it is anticipated that responsibilities for a number of elements will be shared between my Department and other Departments.

**Mr McKay:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Does the Minister envisage that the work in OFMDFM will align with the ongoing initiatives to advance shared education in his Department?

**Mr O'Dowd:** I believe that they will, and the announcement of 'Together: Building a United Community' will assist all Departments involved in cross-community or shared community work. They complement the programmes already in play in my Department, and my Department will be happy to play its role in advancing them.

**Mr Principal Deputy Speaker:** A number of Members are on the schedule for questions but are not in their place.

4.00 pm

## Programme for International Student Assessment: Rasch Model

11. **Mr Allister** asked the Minister of Education for his assessment of the conclusions of the reports which relied on the international evidence base produced by the

programme for international student assessment using the Rasch mathematical model, which has now been found to be conceptually flawed. (AQO 4167/11-15)

**Mr O'Dowd:** I am satisfied that reports produced by the programme for international student assessment (PISA) provide useful, evidence-based information that helps inform our approach to raising standards and addressing the achievement gap in order to improve outcomes for young people. I am aware of the ongoing academic discussions on the mathematical model that PISA uses. I understand that some recent criticism of aspects of that model has been strongly refuted by the Organisation for Economic Co-operation and Development (OECD). Indeed, I understand that it has pointed to several significant flaws in the evidence behind the arguments presented.

**Mr Principal Deputy Speaker:** That is the end of Question Time. The House may take its ease while we make a change at the top Table. It is unfortunate that three Members were absent and missed their questions: Mr Roy Beggs; Mr Gregory Campbell; and Mr Alex Easton.

*(Mr Speaker in the Chair)*

## Ministerial Statement

### North/South Ministerial Council: Special EU Programmes

**Mr Wilson (The Minister of Finance and Personnel):** The North/South Ministerial Council (NSMC) met in special EU programmes sectoral format in Armagh on 10 May 2013. I represented the Northern Ireland Executive and chaired the meeting. I was accompanied by junior Minister Jennifer McCann, and the Government of the Republic of Ireland were represented by Brendan Howlin TD, Minister for Public Expenditure and Reform.

The meeting began with a presentation on an INTERREG IVa funded project, the Irish-Scottish Links on Energy Study (ISLES), which aims to assess the practicality of creating an offshore electricity grid based on renewable energy. The project was awarded INTERREG IVa funding of approximately £1.3 million.

The feasibility study on the project concluded that an ISLES cross-jurisdictional offshore integrated network was economically viable, provided that there was a subsidy of £80 million per megawatt hour — sorry, £80 per megawatt hour — and that it would be competitive under certain regulatory frameworks. The project was awarded the 2010 European structural funds best practice award for best partnership working in the use of European structural funds. The presentation was a welcome opportunity for the Council to learn directly of the benefits that INTERREG funding is providing, and I compliment the project leaders and the presenter who, on the day, gave a very interesting and engaging presentation to the Council.

Mr Pat Colgan, the chief executive of the Special EU Programmes Body (SEUPB), updated the Council on progress since the previous SEUPB sectoral meeting in May 2012. The Council noted progress on the implementation of the current Peace III and INTERREG IVa programmes. As at the end of March 2013, 214 Peace III projects have received letters of offer, worth £273 million, and that represents 94% of commitment level. In the INTERREG IVa programme, 78 projects have received letters of offer to the value of £194 million, representing an 87% commitment level. Both programmes have further projects that are awaiting either approval or the issue of letters of offer. If all projects are approved and issued letters of offer, both programmes will be financially fully committed.

Total expenditure to date on the Peace programme is £147 million, and £94 million has been spent on the INTERREG programme, so the N+2 spending target for 2012 was achieved for both programmes.

The Council noted the importance of the timely approval by accountable Departments of the last remaining projects in both programmes to ensure that the projects have the required time for implementation. It was noted that that is particularly important for the very large capital projects. In addition, it was noted that letters of offer for successful projects must be issued in a timely manner. Any significant delay in approvals or letters of offer, or, indeed, rejection of outstanding applications, will have serious implications for expenditure targets. It is important that expenditure

targets for each programme are met, since any shortfall between the actual and the target expenditure will result in a deduction of that shortfall from the programme budget. I am pleased to report that Mr Colgan reassured the Council that he would work towards ensuring that expenditure targets would be met for 2013. My officials are working closely with SEUPB to ensure that that end of year target will be achieved.

The Council was also updated on progress that has been made by the five local authority-based groups under the INTERREG IVa programme. To date, the cross-border groups have had 35 letters of offer, and the value of those letters of offer is £48 million. Two final projects are moving through the approvals process, which, if successful, will release letters of offer at a value of £18 million. I am sure that there will be some questions about at least one of those today.

The Council noted the work taken forward by the SEUPB to facilitate North/South participation in the INTERREG IV transnational and inter-regional programmes, with 66 project partners from Northern Ireland involved in a total of 54 individual projects. The final value of those projects to Northern Ireland is £8 million. The Council also noted that SEUPB continues to communicate the positive impact of the EU programmes. Two major conferences took place last year in September and November to showcase PEACE and INTERREG projects. Earlier this year, SEUPB took part in a PEACE conference in Brussels organised by the EU Commission.

The Council was updated on the planning process for the 2014-2020 INTERREG V and PEACE IV EU programmes that is under way. An initial public consultation process was completed during 2012, and I am pleased to report that the preparation for the programmes is progressing well. The Council noted that it is the intention to present the draft operational programmes to the Northern Ireland Executive, the Republic of Ireland Government and the Scottish Government in the case of the INTERREG V programme later this year for agreement, following which a formal submission will be made to the European Commission.

The Council noted that, in line with a decision at an earlier special EU programmes sectoral meeting, the two sponsor Departments have examined the governance arrangements within SEUPB and have agreed that the existing arrangements are comprehensive and multi-stranded and provide appropriate oversight for the body.

The Council agreed to hold its next special EU programmes meeting in November 2013.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. I would like to question the Minister on the matter of building bridges. One might argue that the Minister does not have a good track record for building bridges, but we would like him to make an exception in the case of the Narrow Water bridge project. Given that the Minister has approved the project, what conditions are attached to the approval? Will he tell the Assembly today that he will lobby the Minister responsible for roads to ensure that there is no further unnecessary delay and that this public money is not lost?

**Mr Wilson:** As a well-known builder of bridges in the Assembly, I am very happy to say that the necessary

work that had to be carried out in assessing the Narrow Water bridge project has now been completed by my Department. Members will know that there was considerable political interest in it in the Assembly. It was important, especially because of the very low score that the project had initially, mainly about concerns regarding deliverability, that we had to put proper scrutiny of the project in place.

A number of conditions are attached, and they are conditions that one would expect to be put in place to safeguard public money. First, if there are any cost overruns or delays with the project that mean that the money is not spent, Louth County Council has given a guarantee that it will fund any shortfall. Secondly, as far as the maintenance of the bridge is concerned, that will be the responsibility of Louth County Council. Newry and Mourne District Council has undertaken that it will pay for the operation of the bridge; that is, the opening and closing of it, and whatnot. A number of planning conditions will have to be met, and those will be part of the conditions in the letter of offer. A bridge order will require the Department for Regional Development (DRD) to consider any objections that there might be and to take the necessary steps.

During the project period, as one would expect, there will be regular monitoring by SEUPB and my Department to ensure that the work is being carried out on time. As the Member pointed out, it is important that we make sure that the money is spent in a timely way; otherwise, at the end of the period, there could be a penalty. However, as a result of the negotiations that we have had, that penalty would be paid by Louth County Council.

**Mr Weir:** I thank the Minister for his statement. I refer him to the paragraphs in the statement that deal with the award-winning ISLES project. As the Minister indicated in his statement, it has passed its feasibility stage. Will he outline the proposed timescale for the rolling-out of the project?

**Mr Wilson:** The project was designed to look at where we are likely to have offshore wind farms, wave farms, current farms, or whatever they happen to be, and what grid requirements there will be. There are different regulations in different jurisdictions because it would cover Scotland, Northern Ireland and the Irish Republic. There would be costs involved in establishing the grid network and connecting to the existing network. The study was designed to show, first, whether it is feasible, and, secondly, whether it requires regulatory changes, the degree of regulatory change and how much it will cost. Some of the points that were made were that although it is possible, it will be possible only as a result of certain regulatory changes and a level of subsidy to put in place the infrastructure.

Decisions on the infrastructure will be commercial decisions that particular companies will make. All that the study was designed to do was to show what government support would be required.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. Ar ndóigh, cuirim fáilte roimh an chinneadh a rinne sé maoiniú a chur ar fáil don droichead ag an Chaoluisce. I thank the Minister for his statement and welcome the announcement that he has made on the funding of the

Narrow Water bridge. Will he give an assurance that his Department will continue to do all in its power to ensure that the project is delivered?

**Mr Wilson:** The delivery of the project is nothing to do with the Department of Finance and Personnel (DFP). It is the responsibility of the grant applicants, who have to see through the conditions that are required to be met. They are responsible for procurement, getting the work on site and ensuring that contractors work within the timetable.

#### 4.15 pm

The job of my Department will be to make sure that the conditions attached — the necessary conditions attached to the letter of offer — are met. And, of course, we will be monitoring closely the progress of the actual project to ensure that overspends or delays are identified at an early stage, because, at the end of the day, no one, whether it is Louth County Council, Newry council, or whatever, wants to see this project run into the ground now that public funds have been committed to it. Delivery now rests with the people who have applied for the grant and who have assured us that, as far as they and their experts are concerned, and the evidence that their experts have given to the SEUPB and the Department, those items can actually be dealt with.

I suppose the only thing, from my Department's point of view, is that it will mean that the time of the Member for South Down will now be freed up considerably, because I will no longer be getting daily letters from her about this blooming project. She will have time to do some other things, and maybe her office will have fewer letters to type to me.

**Mr Cree:** I thank the Minister for his statement. He mentioned the £241 million spent on the Peace and INTERREG programmes. Can he give us some insight into the number of jobs that have been created because of that £241 million spend? On the five local-authority-based ones, he mentioned the £18 million for the two projects. That is quite a high average price. Can he give us some detail on those, the fallback situation if they do not actually make it this year, and what is going to happen to the rest of the money?

**Mr Wilson:** As far as jobs that have been created as a result of all of this spend are concerned, I cannot give the Member figures but I will endeavour to get that information for him. As far as the two projects are concerned, of course I have made the announcement. One of the projects, which is about £14 million, is the Narrow Water bridge, and the other one is a health project for the northern region. Hopefully, the letter of offer for it will go out this week as well.

**Mr McCarthy:** I thank the Minister for his statement. Anybody listening or reading the statement would thank God that Northern Ireland remains in the EU and that we continue to remain in the EU when we are getting so much — *[Interruption.]* I ask the Minister what discussions are taking place around the Peace IV programme that could support his Executive in delivering their plans for a genuine shared future? *[Interruption.]* There is some interference in the background, Mr Speaker; I hope the Minister heard my question.

**Mr Speaker:** Order, order.

**Mr McCarthy:** If so, what expectations will the European Union have over how ambitious our plans would be for that?

**Mr Wilson:** First, I do not share the Member's Europhile views, as one would expect. Of course, I point out to him that all we are getting is our own money recycled after the well-padded bureaucrats in Europe have taken their slice from it. So, in fact, it may well be that it would be far better if the United Kingdom, rather than subsidise the bureaucracy in Europe, held on to our own money and spent it without having a middleman who takes extortionate slices from the money in the first place.

But, all that aside, as far as Peace IV is concerned, already we have had the public consultation on Peace IV and INTERREG V. The responses are coming through from that, and there will be a report to the Executive.

The main focus of Peace IV will be around young people who are economically excluded, who engage in youth activities and the education of young people. And, of course, as the First and deputy First Minister have already said, that will be an important part of their strategy when it comes to a shared future, whether it is shared future in education or whether it is in dealing with those young people who very often, because they are economically excluded, exclude themselves from a whole lot of other aspects of society. Sometimes they are the first who are involved in trouble when it comes to interface areas, because they are easy prey for those who want to use them for that kind of purpose. There will be that emphasis in Peace IV. The exact themes and ways in which the money will be spent will be subject to further refinement as a result of the consultation so far.

**Mr Storey:** The Minister referred to Peace IV. Will he give us an update on Peace III, particularly on where we stand with overcommitment and how the SEUPB will deal with that?

**Mr Wilson:** As far as Peace III is concerned, we have a 94% commitment level to date. Letters of offer are still to be issued but I have been assured that we will live within budget, spend the entire budget, and there will not be a vast overcommitment that cannot be funded. That is part of the necessary management of the programme. Although some money may change within different themes in Peace III, there will be no overall overspend.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. Sin nuacht iontach, agus beidh na daoine i gContae Lú agus i Rinn Mhic Giolla Rua iontach sásta. I thank the Minister for his statement. It is wonderful news about the bridge at Narrow Water. The people of Louth and Down will be very satisfied. I hope that the Speaker will give me a little leeway. I would like to give a whoop, but that would not be within protocol in the Chamber. However, it is very good news.

The Minister will be glad to know that, 50 years ago, I was a baby in Omeath and my father worked in Warrenpoint, travelling across every day. So, 50 years later, we are going to get our bridge. Does the Minister agree that Louth County Council, Newry and Mourne District Council, East Border Region Ltd, and Killeel and Warrenpoint Chambers of Commerce did tremendous work to ensure that this project scored top marks with the SEUPB? Does he also agree that the project will bring economic and cultural tourism to the region?



**Mr Wilson:** I think that people avidly watching this statement will be most surprised at what the Member for South Down has said. I am sure that most of them did not put her for a day over 30, but she has now told us that she is well over 50. There we are.

There was extensive lobbying for the project — more than I would have liked to see. Many projects, some of them very good, did not succeed. It is important that people are assured that projects are chosen on a purely objective basis, not on the amount of public lobbying that takes place.

A number of Members wrote to me to express their disappointment that I would not meet representatives from Newry and Mourne District Council, Louth County Council or individual representatives from the area. That was not out of discourtesy. It was important that my Department and I were seen to be taking a purely objective view and not listening to however many people came through the door to lobby for the project. I have not said that to date because I did not want to engage in the debate. However, now that we have committed this public money, my message to those who have got it is to make sure that it is spent in a timely manner and in a manner that benefits the local area.

**Mr Mitchel McLaughlin:** I thank the Minister for the decision on the Narrow Water bridge. You gave a good and positive report on the INTERREG and the Peace funding package. You made a brief reference to the preparations and discussions going forward from 2014. Will the Minister indicate whether there are any emerging priorities in terms of infrastructure development for INTERREG V?

**Mr Wilson:** As far as INTERREG V is concerned, there are a number of responses in the consultation, which are being analysed. I do not want to talk about individual responses at present. I think that the important focus for INTERREG VI must be on what people would intend to see it on: creating an infrastructure that enables us to grow the economy and one that provides opportunities for further funds to be levered in and for employment. That has got to be the emphasis. However, there have been very general themes, to date, just as I have said about the Peace responses, where it is about young people and young people in disadvantaged areas. It is as general as that at the moment. The Executive and the Irish and Scottish Governments will eventually receive a report from the steering group, which will indicate more specifically what the objectives should be.

**Mr Rogers:** I thank the Minister for his statement. I give particular thanks today for the Narrow Water bridge. Basically, it is a community bridge; it is not just cross-border, but cross-community. I acknowledge all the work that you did. I am quite happy that you did not meet me, as you have delivered that today.

Minister, you talked about monitoring the delivery of the bridge and the timescale. Remind us of that again, please.

**Mr Wilson:** The EU target is that all of the money has to be spent by June 2015, and it will set an extension until December 2015 for bills, etc, to come in. That is the timescale that we are operating under. I am not a marine biologist, but given the fact that some of the work can go on at certain times only, because of some things in the seabed, and issues around that, the timescale becomes even tighter.

That is why the monitoring and timing of the scheme is so important. If certain times in the year are missed, the project cannot be worked on. That is one of the reasons why it scored so lowly at the start; there were considerable doubts about whether the timescale could be met. I was always concerned about the exposure of the public purse in Northern Ireland if things were to go wrong. The one thing that I can say now is that, as a result of the negotiations between my Department, SEUPB and the applicants, any risk is going to be carried by Louth council and not by the public purse in Northern Ireland.

**Mr Beggs:** When the Minister reported on the Irish/Scottish links on energy study, which would be looking at the integrated network, he indicated that it would be economically viable and competitive under certain regulatory frameworks. The Minister then indicated that there was a cost of £80 million per kilowatt-hour.

**Mr Wilson:** It was £80.

**Mr Beggs:** I think he mentioned £80 million. Can the Minister clarify who would pay for that in that ongoing usage? Would it be consumers?

**Mr Wilson:** I do apologise. I think that Members are absolutely right; I did say £80 million per megawatt-hour, but I think I quickly corrected myself in the statement.

Where would the payment for that come from? Like most of these renewable energy projects, the cost would ultimately be paid by the consumer. That is what happens in Northern Ireland at present. When we erect wind farms, there is a renewable obligation for electricity to be purchased at a higher price than that produced by Ballylumford and Kilroot, for example, in our own constituency. Ultimately, that is paid for by the consumer.

Currently, it is estimated that renewable energy adds about 15% to the energy bills of individual consumers around Northern Ireland, and that is set to escalate as we move towards obtaining a higher percentage of our energy from renewable sources. It is a choice that some people believe is necessary and desirable. I have always expressed my view that we should be producing energy in the cheapest way possible, because that is one way of dealing with fuel poverty and keeping industry competitive.

**Mrs McKevitt:** I thank the Minister for his statement. I suppose I could get into talking about expenditure targets that were spoken about at your meeting, but, because of the announcement today that the Narrow Water bridge is going to happen, I am far too excited to do that.

I would like a wee compliment, like the one you made to Caitriona. When the bridge was first mooted, I was only a twinkle in my mummy and daddy's eye. The Minister may come in at any time to say that I definitely do not look anywhere near that age either.

#### 4.30 pm

On behalf of the communities of Louth and south Down, and right across the region, I thank you, Minister, for stepping up to the mark and saying yes to jobs, yes to tourism and, more importantly, yes to building bridges between all of our communities. That comes not only from my party, but from the Warrenpoint, Burren and Rostrevor Chambers of Commerce; Kilkeel Chamber of Commerce; and Louth.

**Some Members:** Hear, hear.

**Mr Speaker:** I encourage the Member to come to a question.

**Mrs McKeivitt:** What effect, if any, will this have on the expenditure targets discussed at the meeting?

**Mr Wilson:** First, I am always very happy when I get any Member to be excited about anything. The fact that the Member is excited by the announcement that I made today pleases me.

The second point that I want to make is because there were a lot of allegations from the SDLP Benches, in particular, that, somehow or other, the delay in the project was due to some sectarian motive. I want to make it clear — I am glad that, at least, there has been an acknowledgement — that although it took time, it was the right thing to do because there were things that we had to put in place. Although it took time, the decision, as far as my Department and I are concerned, was based on a pure objective assessment of whether it would be value for money and whether the money could be spent on time so that the project would not be a burden on the Northern Ireland public purse.

All INTERREG applications are cross-border in nature anyway. Therefore, to suggest, as some people did, that, somehow or other, the reason for the delay was that I was trying to stop a cross-border project was, patently, nonsense. Otherwise, no INTERREG projects would ever have been approved by my Department. I am glad that the Member has acknowledged that, as far as my Department was concerned, the decision was made fairly and honestly.

The impact on the local area was highlighted in the submission. I have to say that it is more about connectivity than tourism potential. In fact, the tourism potential did not even form part of the net-present-value assessment because it was given a fairly low priority. It was all about connectivity in the area. The important thing now is to get on with the job and prove that the benefits highlighted in the submission can be realised.

**Mr Allister:** If we are to be subjected to Peace IV, can the Minister give us any indication of its likely target groups, bearing in mind the great hurt caused to victims by Peace III, one of the prioritised target groups of which was ex-prisoners, who had in excess of £14 million lavished upon them? Will they, again, be a prioritised target group or can the Minister give an assurance that that will not happen this time?

**Mr Wilson:** First, many people across Northern Ireland, including me, share the view that the Member has expressed about so much Peace money going to ex-prisoner groups. All that I can say is that, so far, the emerging themes in the consultation have been children, young people, young people with disadvantage and educational provision. I think that those are, probably, the right themes for money to be targeted towards. I want that money to be used to target the most disadvantaged groups in society and not those that have a political voice, which, unfortunately, was the case in the past.

**Mr Girvan:** I thank the Minister for his statement. What is the current SEUPB staffing situation, and what will it be in future?

**Mr Wilson:** SEUPB was given additional staff at the end of Peace II and INTERREG III to wind up those programmes and to make sure that everything was in order so that we did not get penalised by the EU. There are penalties if, for example, paperwork is not in place, schemes have not been properly closed, etc. That put the staffing complement up to 65. It was supposed to return to the mid-forties by this year, but that has not happened, and I have made it quite clear to SEUPB that I will not accept the ongoing situation, where staffing numbers were inflated to do work that has now been done; it is in the past, the account has been signed off, etc. I will meet Pat Colgan next week to look at a programme for getting the numbers engaged in SEUPB down to the original level, which is commensurate with the kind of work that needs to be done.

## Private Members' Business

### 'Transforming Your Care' Review

*Debate resumed on motion:*

*That this Assembly expresses concern that the implementation of the 'Transforming Your Care' review of health and social care, commissioned by the Minister of Health, Social Services and Public Safety, has enabled health and social care trusts to take decisions on the closure of care homes; is concerned by the detrimental impact which the privatisation of many aspects of health and social care will have on vulnerable people; urges the Minister to ensure that the patient and not profit is put at the centre of care provision by the Health and Social Care Board; and calls on the Minister to introduce legislation to protect services from privatisation by stealth. — [Mr McDevitt.]*

**Mr Wells:** I beg to move amendment No 1:

Leave out all after "Safety," and insert

*"saw health and social care trusts moving rapidly to seek to close residential care homes; welcomes the Minister's intervention to halt those proposals and establish a new regional process; supports a range of options promoting independence being available for older people; recognises that all nursing home care packages and three quarters of residential packages are currently provided by private or voluntary sector organisations; reaffirms the necessity for radical reform of health and social care; further supports the founding principles of the National Health Service; and calls on the Minister to ensure services are patient-centred with the home becoming the hub of care."*

I remind the Members of the Social Democratic and Labour Party that 'Transforming Your Care' (TYC) was published in December 2011, and since that important event, the Minister has gone out of his way to consult — almost to an obsessional level — everyone on that vital document. As he stated at the time, this is a once-in-a-generation opportunity to change the direction of health and social care provision in Northern Ireland.

Mr McDevitt, Mr Durkan and I have all had the privilege of sitting on the Health Committee, and we were briefed to within an inch of our life on 'Transforming Your Care'. We had ample opportunity to find out exactly what the document meant and what impact it would have on service provision.

The Minister made a statement to the House on 9 October 2012, for which those Members were present; indeed, they asked questions. The Minister came before the Committee on 10 October 2012 and faced an intensive grilling on the implications of 'Transforming Your Care,' including the future provision of residential care. Indeed, I asked a series of questions at that hearing. On 19 March 2013, the Minister came back to the Floor of the House to make a statement on 'Transforming Your Care', and on 20 March, he went to the Committee again to answer further questions on the document.

So, if there is any doubt about the implications of that important document, it is not because Members were not provided with adequate opportunity to ask questions. Therefore, I am somewhat surprised that, at this very late

stage, people are engendering surprise and shock about the implications of that document because, on 20 March, the Minister stated categorically that TYC envisaged up to 50% of residential care homes closing. It was in plain English; it did not require a translation. Yet, there are Members who are still feigning surprise at that.

All the evidence indicates that all Members were totally aware of what was going on, and yet, we had a media-led scrum — no, a feeding frenzy — when a policy that was well heralded in 'Transforming Your Care' came to fruition. Of course, during that media scrum, the one thing that we did not hear about was the alternatives being proposed to look after our frail and elderly. For instance, did we hear any mention of the fact that there is a proposal for 450 supported living places to be developed in conjunction with housing associations and the Department for Social Development (DSD)? No, because that did not suit the agenda of certain Members or our media. The adage, "Never let the facts get in the way of a good story" certainly applied during that three-week period. People would not listen to the facts. There was never any prospect — this was never going to happen — of any frail, elderly person ever being thrown out on the street, but that is what people were quoting. That was never going to happen because included in 'Transforming Your Care' and the departmental policy were very viable options for the care of those people. However, we heard none of that. Members of the SDLP jumped on the bandwagon and tried to embarrass the Minister about a policy that they were well and truly aware of.

In conjunction with that, there were 2,242 responses to the consultation exercise, which was held between 9 October 2012 and 1 January 2013. Clearly, the public were aware of the import of the document. We have latched on to that, more laterally, concern about not only residential care but ongoing privatisation. Have the Members opposite forgotten that almost all present nursing care is provided by the private sector? All of it — more than 95% — is provided by the voluntary sector or the private sector. The vast majority of our elderly who require that sort of care have it in the private sector. Of course, it is regulated and controlled; the Regulation and Quality Improvement Authority (RQIA) can knock the door of any one of those nursing homes unannounced and check to make sure that basic standards are being adhered to. Those standards are exactly the same as they would be in the statutory sector.

Mr McDevitt is very articulate, but it will be very interesting to see whether he can convince me on this one: if we were to wind the clock back and have all that private or voluntary provision brought back into the state sector, it would bankrupt social services in Northern Ireland overnight. We, as a society, could not afford to provide that in the statutory sector. The other fact that Mr McDevitt and Mr Durkan have failed to grasp is that, already, 75% of residential care in Northern Ireland is in the private sector. We hear very few complaints because, once again, that is checked, authorised and watched over intensely by RQIA. The complaints that I get about RQIA in the private sector are that it is too evangelical and extreme; that it is demanding extremely high standards that cannot be met. If that is what the RQIA is doing, that is a good job. Its role is to ensure the best possible standards for our elderly people. When 75% of provision is already in the private sector, why the sudden outrage about a mixed economy

in health? I have no hang-ups whatsoever: whether it is private or statutory, my only aim in life — it should be the aim of everyone in the House — is about what is best for the client or the person living in residential or nursing care. That must be the main motivation. If the private sector can provide that effectively and cost-effectively, that is a good thing. If the state sector is better at it, that is a good thing. However, we should not for one moment throw the baby out with the bath water and pretend that we can never accept private provision if it is of a similar or better quality than statutory provision.

Even if Mr McDevitt's concerns came to fruition, you would still be left with the situation of the overwhelming majority of the £4-65 billion budget being spent in the statutory sector. Consultants would still do operations paid by the NHS. People would go to their GP paid by the board. There would still be a tiny fraction. However, where there are opportunities to spend taxpayers' money more wisely by providing equivalent or better care, and that is being done in the private sector, we should not rule that out. I simply cannot understand why —

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

**Mr Wells:** Certainly.

**Mr McDevitt:** This is not a debate about turning back the clock; it is a debate about setting the standards by which we are happy to move forward. I have two questions for Mr Wells. We discovered at the Health Committee a few weeks ago that a surgeon is six times more likely to make his or her appointment when they are working for us as a private consultant than when they are working for us as a public consultant. Does he think that that is right? Does that not prove that, when you allow too much of a mixed economy, you incentivise them to work privately rather than do the job that they are being paid to do in the public sector?

#### 4.45 pm

**Mr Wells:** That is a very good point, and I am glad that I have a very good answer. The reason why that situation has been allowed to arise cannot be laid at the feet of our Department and our Minister. It was the result of the gold-plated contracts that were negotiated by the British Medical Association (BMA) in 2005, which created a situation whereby consultants are contracted to work only 40 weeks of the year.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** By the Labour Government.

**Mr Wells:** Yes, by a Labour Government. That contract was so good that the (BMA went back into the room twice just to make certain that it had heard it right. That has left a situation in which consultants — in my opinion, wrongly — have far too much time to do private work. That is a contract that we in Northern Ireland are unfortunately stuck with. It is UK-wide, and, unfortunately, any attempts to unravel that situation go straight to judicial review. That is why that situation has been allowed to happen. However, when consultants are working their 40 weeks for the National Health Service, they are under the direct control of the trusts and have to do their bidding.

My view is that the Minister has been very clear on this particular sector. He has brought the issue back into the Department —

**Mr Speaker:** Bring your remarks to a close.

**Mr Wells:** He has been very clear that he is taking control of residential homes and that it will be his decision what happens. I am confident that he will make the right decision.

**Mr Beggs:** I beg to move amendment No 2:

*Leave out all after "Safety" and insert*

*“, whilst having the potential to improve healthcare by empowering GPs and the primary care sector to deliver faster and more efficient localised services, has been negatively impacted by the flawed decision by the health and social care trusts to consult on closing all statutory residential care homes by 2018; recognises the need to take on board the previous recommendations by the Commissioner for Older People for Northern Ireland and to treat all older people with respect and dignity; and calls on the Minister to provide appropriate local residential care together with a range of accessible care options such as supported housing and domiciliary care to best meet the needs and desires of vulnerable older people.”*

The motion proposed by Mr McDevitt starts by highlighting concern at the:

*“implementation of the "Transforming Your Care" review ... commissioned by the Minister of Health”.*

Given the shameful manner in which vulnerable residents of our statutory residential homes have been treated, who could disagree with that section of the motion? However, it goes on to refer to concern at the:

*“privatisation of many aspects of health and social care”;*

and to attack “privatisation by stealth.”

The Ulster Unionist Party believes in doing what is right for Northern Ireland. We are not stuck on some left-wing or right-wing dogma. We want what is best for our citizens of today, and our citizens of tomorrow, who will need those services.

Let us examine the mixed model of health that we have in Northern Ireland. For instance, our GPs and dentists are, in the main, private contractors. The new integrated care partnerships, which are an essential component of the new proposals, have GPs, nurses, allied health professionals and, I believe, the voluntary sector at their heart. It will be a mixed model that will aim to intervene earlier, get involved in preventative work and stop people getting to the critical stage of requiring treatment from our acute hospital sector. Our hospital sector is, of course, 100% publicly run. Therefore, are you saying that the fact that we are going to engage with our GPs, nurses and perhaps our voluntary sector is privatisation by stealth? Or is it just common sense? Given the delays at our accident and emergency units and the waiting lists in our hospitals, it is clear that we need the greater involvement of our primary health sector.

In my response to the Transforming Your Care proposals, I urged caution regarding the proposed changes to services for the elderly. I also expressed concern at the high risk of the flawed proposal to close so many homes so rapidly. I highlighted issues such as the increasing need for respite care in this new model, where domiciliary care increasingly

becomes the primary source of retaining our older population in their own home.

With our growing older population, I believe that there will also be a need for increased respite care. How will it be provided? Our statutory residential homes, with their professional staff teams, would be well placed to provide such care. They are also very well placed to assist our hospitals, which have been struggling with the winter pressures, the bottlenecks that have occurred and pressures on beds. I declare an interest in that two family members passed through Clonmore House statutory residential home last year. They received additional respite care and rehabilitation that, ultimately, enabled them successfully to go back to their own home. So, residential homes could have a role in that area as well.

However, I believe that we need a variety of options going forward. We need residential homes in the statutory and private sectors because a look at where they are today shows there to be a dearth of homes in some areas and, were we to close all our statutory residential homes, there would be huge voids in provision. We have nursing homes, which, as has been indicated, are in the private sector, and we must also take care there, particularly given issues of large suppliers going bust, such as Southern Cross, because of providers being pressed so heavily. So, there is a delicate line to be drawn here; cutting resources will impact on surviving care homes and, ultimately, on the care provided to people in those homes.

As mentioned earlier, there is this need for supported housing. What surprises me about the proposals to date is that there are specific plans to close named homes, but I have not seen the corresponding specific plans to replace those homes with supported housing, other than in the cases of Greenisland House and, I think, Rathmoyle in Ballycastle. Where are the plans for all the other areas where there are proposed closures? Sheltered —

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

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

**Mr McCallister:** On the point that the Member is making, does he agree that one of the areas where the trusts lose most credibility is when they go to close one thing without having the alternative in position?

**Mr Beggs:** I agree entirely, but it is not something that is entirely within their gift. It is something that I think our Ministers — the Social Development Minister and, indeed, the Ministers in the Office of the First Minister and deputy First Minister (OFMDFM), with their responsibility for older persons — should be co-ordinating to ensure that there is the necessary finance and that the plans come together in a collective manner rather than simply having closures.

We have the sheltered housing option and that of domiciliary care, which are provided by a mixed range of providers in the private, public and community and voluntary sectors.

In implementing these changes, Ulster Unionists share the view of the Commissioner for Older People, as indicated to the Minister in April 2012. At that stage, she highlighted:

*"minimising any adverse impact on the current residents has to be at the heart of the process"*

of any planned change. I note that she indicated, in particular, that that change:

*"should be led and developed on a regional basis",*

through the Department of Health, Social Services and Public Safety (DHSSPS). She also said that the Department should have a dedicated team, to include representatives of older people. It is disappointing that that did not occur and that the resultant turmoil caused unnecessary concerns to many vulnerable older people.

Ulster Unionists are concerned about the manner in which the trusts have been implementing the 'Transforming Your Care: Vision to Action' plan. I noticed that although there were attempts somehow to blame Ulster Unionists for this, that at the stroke of a pen, Minister, you were able to stop the roll-out of the various plans by the trusts. It is just a pity that such control was not exercised earlier, before the plans had materialised, and that the advice of the Commissioner for Older People was not taken on board.

It is also interesting to examine the record of what many have said over the years on this matter. In particular, I notice that the DUP and Minister Poots have changed ground significantly. The views that they are expressing now are in stark contrast to those of some five years ago. In February 2009, Mr Poots said:

*"If we go down the route of doing away with statutory residential care, we could end up with a situation similar to that in England, where care in residential private nursing homes is of a much lower standard than we would expect for our elderly people." — [Official Report, Bound Volume 38, p134, col 1].*

Rolling forward to October 2012, the Minister said:

*"I cannot ask members of the public to use a facility owned by the public that is perhaps not as good as a facility that is available in the private sector." — [Official Report, Bound Volume 78, p98, col 1].*

Somehow, between those two dates, there was a massive change of view — or was it political opportunism? I also noticed that the Minister suggested on 'The Nolan Show' on 1 May 2013 that research showed that there was no link between moving old people out of homes and subsequent early deaths. The chief executive of the Health and Social Care Board, Mr Compton, seemed to be unaware of such research. Mr Ross, one of the Minister's colleagues, said:

*"Closing residential homes and effectively telling residents to go elsewhere is hugely traumatic for them and their families and leads to distress, which, as we know, leads to premature death. Research in GB has shown that, in areas where care homes have been closed, the life expectancy of the residents decreases." — [Official Report, Bound Volume 38, p136, col 1].*

Does the Minister agree with the views of his colleague or not? There needs to be clarity here. There appears to be political opportunism. I ask Members to ensure that they go forward with a practical method —

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

**Mr Beggs:** — of bringing about the best healthcare for our entire population, and not be driven by some ideological dogma.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a Cheann Comhairle. It is a pity I have only five minutes to speak in this debate, because there is a lot to be said. As Chair of the Committee, I welcome the opportunity to take part. To give Members some background, the Committee has taken a strong interest in Transforming Your Care, right from the period when the Compton review was being carried out to the publication of the document itself in December 2011. We then took a keen interest in TYC when the population plans came up, with the public consultation that followed and ended earlier this year. We have asked the Minister to come before the Committee at least every three months to provide us with an update on every step of the process, and he has facilitated us.

The Committee is well aware of the recent problems in relation to the proposed closure of residential care homes by the trusts. That issue highlighted the fact that decisions cannot be taken in isolation from TYC in general, and that more thought needs to be given by the Department, the board and the trusts on how to actually implement TYC in a sensible way that is acceptable to those who use health and social care services. In my view, the issue of the care homes put it up there to us all, because, after the decision-making in one trust area, nobody stood back and asked how it would impact in another trust area. The regional approach to residential care homes needs to be welcomed.

We have seen the negative impact that the temporary closure of the City Hospital A&E has had on emergency departments not only at the Royal but at the Ulster Hospital and, indeed, Antrim hospital. That is another example of a decision taken by one trust impacting other trust areas.

The Committee has agreed to undertake a detailed piece of work to look at what the implementation of Transforming Your Care is going to mean in practice. As most people will know, there are 10 key themes within TYC, including prevention, older people, maternity and childcare, services for people with learning disabilities and adult care, to name a few. The Committee is going to take each theme in turn, engage with the relevant stakeholders and examine what changes are actually proposed and how they will be implemented.

To start that major piece of work, we will be inviting the health unions to give us a formal briefing on their concerns. I know from previous engagements with the unions that they are genuinely worried that TYC will result in more services being privatised. The unions have already raised concerns with me and other Committee members about the proposals for private finance to be involved in the building of new health centres in Lisburn and Newry. The unions are also concerned about the use of the private sector to tackle waiting lists for appointments with consultants, and I touched on that in the debate earlier this morning. The Committee will explore these matters more fully with the unions in the coming weeks.

#### 5.00 pm

I want to touch on some of the comments that were made earlier. No one would argue with the concept of Transforming Your Care. In my view, the concept is to ensure that the patient is at centre stage and has a care plan but also that more work is carried out on prevention

and early intervention. The concept is there; the question is how to implement Transforming Your Care to ensure that we have better outcomes.

The strategic implementation plan for Transforming Your Care is being updated by the Health and Social Care Board to take on board and reflect the conclusions of the public consultation, and it is expected that this will be completed by the end of May 2013, in two or three days' time.

Once the document is completed, the Committee will take evidence from the Health and Social Care Board (HSCB). We will want to know in detail how and when the board plans to introduce the changes that are set out in Transforming Your Care, who it will be consulting with and how it will ensure that things are done with a regional perspective in mind rather than trusts doing their own thing without consideration of how that might have a wider impact on services.

**Mr Speaker:** The Member must bring her remarks to a close.

**Ms S Ramsey:** Transforming Your Care is a hugely important piece of work that will affect everyone over the next few years. The Committee wants to ensure that its policies and implementation provide the best healthcare system possible.

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

**Ms S Ramsey:** As an elected activist, I want to protect the vision and ethos of the health service. I agree that it is about being free at the point of delivery; it is not about profit being put before our people.

**Mr McCarthy:** The Chairperson of the Committee must have had a copy of my speech, because we are thinking alike on this subject.

The review of Transforming Your Care is a very important topic. It will affect the lives of many people in Northern Ireland, so it is vital to cast aside any political point scoring and arrive at the best solutions available for everyone, including clients, patients, statutory bodies and professionals.

I welcome the opportunity to contribute to the debate and, in particular, the focus on our residential care homes. The Alliance Party supports the broad thrust of the 'Transforming Your Care' document, but the recent performance of the three trusts in their move away from the document's policy on closures gives me real cause for suspicion and scepticism.

We support using resources effectively and efficiently, and we want to seize opportunities to create a much stronger health service that has a greater focus on prevention and early intervention, with services that are closer to the patient. We fully support measures that will allow our elderly population to remain in their own homes as far as is possible. That means that elderly people must be given holistic support with a wide range of services.

Older people must not be forgotten or abandoned, nor should they receive inferior services when they stay at home. Alongside remaining at home, some elderly people will require either residential or nursing care. The state has a duty to provide such care, which will include public and private sector provision.

All in our elderly population have to be listened to and treated with respect, and we have to provide for their needs as far as is humanly possible. They are at a time in their lives when certainty, stability and companionship are paramount. Any closures of what they regard as their homes must be done only through consultation and agreement. It may well mean that they remain in their settled environment until they pass on.

The Alliance Party is certainly against the privatisation of these services by stealth. We acknowledge that there is room for public and private sector involvement, but client care, not service profitability, has to be the number one priority. We are all aware that the demand for social care will increase significantly in the coming years; now is the time to make sufficient provision, and that will mean training more people to service this new work. That, in turn, can contribute to our overall economy and give a first-class service to our elderly and infirm people.

It has to be noted that private organisations generally want to provide the less complex and more profitable work in the sector, leaving the trusts to handle the more difficult and more expensive aspects of care.

I understand that a number of private providers have refused to sign contracts with the trusts as they are unhappy with the regional rates and would wish to charge additional top-ups to trusts and families. These providers are still giving care to clients and are being funded by trusts despite having no contract in place.

In conclusion, I record my appreciation of the outcry from our population when it was discovered that three trusts were going to close all their residential homes. I welcome the Minister's belated intervention to halt that process and give everyone space and time to heed the direction given some time ago on these issues by Claire Keatinge, the Commissioner for Older People. The lesson must be learned that no Department can ride roughshod over any section of our population.

I very much welcome the contents of a letter published in the 'Irish News' last week. The author was Fionnuala McAndrew, who was recently appointed to sort out the mess surrounding the premature closure of residential homes. Fionnuala apologises for the debacle created by the three trusts and says that she plans visits to meet senior residents and families as part of her commitment to engage in a meaningful way. What a pity that this was not the policy of the three trusts before the debacle took place. I support the motion.

**Mr Dunne:** I, too, welcome the opportunity to speak on this important matter and in support of the DUP amendment.

We have an ageing population in Northern Ireland. Between 2010 and 2025, the number of people aged over 65 will increase by some 42%, and those aged over 85 will almost double. The need for support and care for elderly people is more important than ever before. Care and support must be provided with dignity for our ageing population. Three quarters of our residential care and almost 100% of nursing care are provided by the independent sector. Our ageing population deserves care that is fit for purpose, based on assessed need and meets the requirements of the patients.

Alternatives to residential care must meet those requirements through supported living accommodation in

self-contained homes, in which people live independently, with care available 24/7 if required. Reablement services provide a short-term period of support to help to build up patients' health in their own home. It is important that elderly patients are not banished to their home without proper support packages being put in place. There must be adequate resources and visits from support staff that are sufficient to meet the patient's needs.

An issue of real concern is the isolation of our older population who live in their own home. It is very evident that many older people, in urban as well as rural areas, rely on care and help. Many living in larger towns and cities are often left alone without ever knowing their neighbours or being able to depend on them.

An example of support for such elderly people, which promotes independence, is the use of Telecare, which is a voice-activated alarm system that works through the telephone and is linked to a care professional who gives advice and reassurance. A database records the information and can be called upon 24/7. The FOLD Housing Association in my constituency of North Down uses that. It is a practical example of support for our older people and should be utilised more to support independent living. It also ensures a patient-centred approach, with the home becoming a hub of care.

I also welcome the formation, through Transforming Your Care, of integrated care packages. The 17 integrated care partnerships (ICPs) across the Province will make better use of healthcare resources and allow for a greater focus on local needs, involving GPs, nurses, social workers and other healthcare professionals, including those from the voluntary and community sector. The role of the GP must be part of the work of the ICPs, with improved access for patients, including out-of-hours services. I welcome the fact that the ICPs are to consider care of the elderly, diabetes and stroke care. The need to promote mental health and well-being must be a priority to address suicide rates, especially amongst young men.

In conclusion, everyone recognises the need for change in our health service. Change can only be brought about through openness and full consultation, with everyone aware of where the changes are taking place. Change has to be driven and managed. Change is also required to address our A&E overload. We need fewer people to make our overstretched A&E departments their first port of call. Routine and doing things as we have always done them is no longer acceptable. Change for improvement and efficiency must happen, and the patients and the health professionals have to be part of what is to happen. Trade unions and professional organisations must be open to change and must adjust to the evolving health service.

The Health Minister, Edwin Poots, deserves our support and respect for driving forward Transforming Your Care as we aspire to make our health service more effective and efficient for all. I support the amendment.

**Ms Maeve McLaughlin:** I speak as a member of the Health Committee in support of the motion, which expresses concern about the detrimental impact that the privatisation of many aspects of our health and social care system will have on vulnerable people. I agree with that sentiment and would go further by saying that Transforming Your Care is proving to be privatisation by the back door. TYC is an important shift in the delivery of

our healthcare system, and whilst the principle of shifting £83 million from acute care to primary or community care is not under question, the resources, the governance, the processes and the absence of any outcomes in that shift in care are under scrutiny.

I will highlight three examples of how that has been exposed. First, as Members who spoke previously said, is the absolute mess with residential care homes. Whilst most people are not opposed to change, the process raised serious questions about who makes decisions. Those decisions did not place the needs of the elderly or vulnerable centre stage despite best practice guidance from the Commissioner for Older People that was given to the Health Minister over a year ago.

The second example, as has been touched on, is the relationship between RQIA and the trusts. Whilst none of us would challenge the regulatory role of RQIA, we have seen a stark debacle over the Slievemore facility in my constituency. We are told, for example, that RQIA did not know that the facility existed despite the fact that it was in existence for some 20 years. It simply stumbled upon it on a visit to Gransha Hospital. RQIA then visited the facility and presented the view that it is not registered. The trust refused to upgrade, and the facility has a date to close despite the fact that the residents in that facility have dementia and very challenging behaviour. Who, therefore, has considered their care needs?

The third example is the decision to locate two new health and social care campuses in Lisburn and Newry. How will those locations target the health inequalities that exist in the worst ranked constituencies? What outcomes will be delivered and how were the locations agreed? We are told that those campuses are to be funded by third-party development funding. Where have the discussions taken place around the benefits or otherwise of such a model of funding?

It is important to reflect that the English outsourcing association's research found that the vast majority of those surveyed do not think that outsourcing industry helps the economy. The general perception is that it leads to cost-cutting and job losses. The Institute for Public Policy Research and PricewaterhouseCoopers reported that 94% believe that government or public service providers should be mainly responsible for providing healthcare.

### 5.15 pm

Much of the privatisation agenda that we witness has been driven by the EU. Sufficient time has passed to measure this, and one of the most significant international studies of privatisation in Europe looked at six European countries. It noted that the main company objective of the reduction of production costs was achieved primarily at the cost of the workers, mainly the worsening of working conditions. As is contained in our response to TYC, I believe that the empirical evidence shows that the cost-driven, privatisation agenda does not provide either a trained or more skilled workforce, nor will it produce better outcomes for individuals or populations. Care in the community should not be underpinned by care on the cheap. Go raibh maith agat.

**Mr G Robinson:** It is with great pleasure that I speak to amendment No 1. I wish to particularly concentrate on care homes. I will begin by pointing out how proactive the

Minister has been in dealing with some trusts overstepping the guidelines that are contained in TYC. I welcome the Minister's positive action in taking responsibility for possible home closures back into his Department. It became very obvious that the trusts that announced decisions regarding care home closures had greatly exceeded the recommendations in TYC. The Minister's actions have proven that it was the trusts that ignored the 50% recommendation of TYC. It was the trusts that caused the devastation and heartbreak to elderly people and left the Minister and the Department to deal with the aftermath.

The Minister already appreciates how strongly I feel on the care home issue, and I and my elected DUP colleagues in Limavady witnessed at first hand the devastation and aftermath to elderly residents of the announcement by the Western Trust. We met the very caring staff at Thackeray Place nursing home in Limavady. Some of these scenes have been repeated in other homes across Northern Ireland. Minister, I sincerely hope that, after future consultation, the excellent Thackeray Place care home will be kept open to cater for the care of the elderly in Limavady.

As amendment No 1 states:

*"all nursing home care packages and three quarters of residential packages are currently provided by private or voluntary sector organisations".*

This proves that the SDLP motion is totally out of touch with reality, as the vast majority of care services are already provided in conjunction with the private and voluntary sectors. So, is the SDLP now criticising these organisations for the care that they give?

Even the previous Health Minister, Mr McGimpsey, admitted in this House that:

*"Domiciliary care and supported living have featured heavily in trust consultations as potential alternatives to statutory residential care." — [Official Report, Bound Volume 38, p140, col 2].*

This describes the basis of TYC, which is about keeping people in their own home for as long as possible and minimising the residential and care home provision. When moving to that arrangement, it is most important that we all remember that we are dealing with frail or elderly human beings. The trusts that announced proposals overlooked this in their desire to close all the homes under their control. The Minister has, through positive action, suspended the current proposals to ensure that proposals will be more patient-centred in the future to minimise upset and stress to residents and staff.

**Ms S Ramsey:** Will the Member give way?

**Mr G Robinson:** I am just about finished.

In conclusion, I commend the A&E department and all other facilities at Causeway Hospital, Coleraine. I hope that they will be retained under TYC for the benefit of the Causeway community. I support amendment No 1.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. As a member of the Health Committee, I support the motion. When 'Transforming Your Care' was published on 13 December 2011, it was given a cautious welcome by most people. It has 99 recommendations, most of which seemed to be reasonable in the circumstances.



Any major change, particularly in healthcare, is always an emotive issue. Then, however, the fear factor started to intrude, and we had a lot of negative publicity, particularly about the possible closure of hospitals. In my constituency, there was a lot of negative publicity, almost immediately, from the media and other elements in the area. Photographs were published of people pointing at the sign at Daisy Hill Hospital. The photographs bore the caption "This hospital is going to close." In fairness, many if not all those fears have been allayed at the moment through the explanations that have been given, for Daisy Hill in particular.

On the face of it, integrated care centres seem to be a reasonable idea, and I know that some Members would prefer it if areas other than Newry and Lisburn were earmarked for them. However, that is a matter of choice. In my area, Newry, I have had a number of meetings with the local GPs who represent all the GPs in the area. There is an acceptance that integrated care centres are a good idea. The difficulty is that the GPs have been kept in the dark to a large extent. That is certainly the message that I am getting. They have not been given explanations as to what is happening. I have been told by various sources of different sites where the centre may be built, but the GPs have not been told, or at least that is what I am hearing. That is a problem that needs to be addressed, and urgently.

I move on to the whole concept of keeping people — older people in particular — in the community. On the face of it, that again is a very good and laudable idea. The difficulty is that there will always be a need for residential care. In my constituency, there is a fear that one of the best residential homes in the area, which is run by the trust, will be closed. That home is doing extremely well. It has a waiting list, and so on, and people are very happy there. It has a wonderful staff and a very good atmosphere. The reason that there has been a proliferation of private nursing homes is that people are now a commodity. You can make a profit on them; otherwise, there would not be privatisation in that area. It is as simple as that.

As I said, there will always be a need for residential homes. I am sure that the Minister is aware that, at the first hurdle for Transforming Your Care, there was a failure. There was a unilateral declaration by the trusts that they were going to close all their homes, although, as Mr Wells mentioned, the Committee had been told that they would close up to 50% of them. That was going to be a matter of debate and discussion. When I contacted the Southern Trust about its statement, it said that it had issued it in response to a query from 'The Nolan Show'. If 'The Nolan Show' is dictating health policy, something seriously needs to be addressed.

For people remaining in their own home, there is supported housing. Mr Dunne mentioned the Fold Housing Association and the type of technology that is available. I saw that when we visited its housing with the Social Development Committee. It is an excellent facility, but it is fairly limited. A lot more resources need to be put in place.

We have a Commissioner for Older People. I argue that she should be at the heart of any decision that affects older people. We have been told that the elderly population of the North will have doubled by 2020. People are living longer but not necessarily more healthily. Mr Beggs made the point about Southern Cross. In my constituency, when the private sector went into debt and was unable to

function, the trusts had to step in, and that resource must always be available. People are not machines. We are not closing a factory, so we cannot sell on the machinery. We are dealing with people, and people have to be at the heart of this. That is why the unions and the staff have to be very much included in all of this.

The Minister needs to take control of the situation. As I said, Transforming Your Care has a long way to go. The Chair of the Committee has indicated that the Committee has taken a very strong interest and continues to do so. However, unless people are kept at the heart of this —

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

**Mr Brady:** Go raibh maith agat.

**Mrs D Kelly:** The main thrust of the debate is about putting people before profit, not care homes per se. The outworking of Transforming Your Care has emerged in one of the early decisions, when the trusts decided to close care homes.

I think that it would be useful to record my own interests. I am a volunteer member of Loughshore Care Partnership and a former health service employee. I think that I have some superannuation contributions somewhere in cyberspace, but it does not mean anything to my pocket at the moment. Hopefully, I will live long enough to enjoy it.

We would do well to remember that the shortfall in funding goes back, primarily, to the comprehensive spending review, which was around the time of collapse of the financial sector.

It is incumbent on all of us to make some comparisons with the budget for the health service in Northern Ireland. During the 2011 Budget debate, some £600,000 was to be taken out of the health and social care budget in Northern Ireland. There are other reports where, if you look at how that compares with England, even taking account of the social care element that is, as Members may know, the responsibility of local authorities, somewhere between £700,000 and £1.1 billion less money is spent on health and social care here in the North of Ireland compared to England. Therefore, there are genuine concerns across the community on how Transforming Your Care will be managed.

I first started out as an occupational therapist in 1981 and then moved on to be a day-care manager and rehabilitation officer in the community in 1987. As Members will know, those were the Thatcher years, and the concept of privatising some health and social care first came about at that time. It was based on, I think, the Griffiths report, the whole rationale of which was to enable people to live in the community rather than in long-stay institutions. I must say, that had quite a bit of success, in so far as people who were once admitted to long-stay institutions, whether mental health or learning disability institutions, were enabled to stay in the local community with adequate support, including day care and some additional support in the form of respite for carers.

Unfortunately, throughout all of the years in the health service, the money never went in front of the change. Therefore, one of the biggest fears across the health and social care sector, and among the service users in particular, is that although there are some very exciting and good ideas in Transforming Your Care the resources

in the community to support the changes will simply not be there.

**Mr Byrne:** I thank the Member for giving way. Does she agree that there is grave concern and fear? For example, the chief executive of the Western Trust has informed those of us in the west that she will have to find £43 million of savings over the next three years — £30 million in cash and £13 million otherwise. That is raising concerns about whether this is a real reform or whether it is about cutting budgets.

**Mr Speaker:** The Member has a minute added on to her time.

**Mrs D Kelly:** Thank you, Mr Speaker. Mr Byrne has well articulated the concerns and the reality facing many trust boards and chief executives. However, I am sure that Members in the House, particularly those who were re-elected at the last election in 2011 and served in the term beforehand, will recall very vividly the name-calling and the insults that were hurled at the previous Health Minister, Michael McGimpsey, in relation to the changes and the budget that he had to face and some of the decisions that he had to make. As I remember, some of that, particularly from the DUP Benches, was around the cost of management and administration. Perhaps in his reply this afternoon, the Minister might give us an update on the spend on administration and management in comparison to the money that is spent on the ground.

I ask all parties to consider the amendment. Most Members here support the concept of health and social care that is free at the point of delivery and when needed. A wider education programme needs to commence around how we use our health service. Unfortunately, because of long waiting times for appointments to many health care professionals, people are, I believe, using A&E inappropriately to gain access to referrals later on. I spoke recently to a GP whose brother was a psychiatrist, and he told me that some psychiatrists spend longer in determining why they should not see a particular patient on the basis of their postcode than the time it would take to see the patient.

A lot of attitudinal and cultural changes are needed in the health service that are not money driven, but are management and performance issues. I hope that the carer's voice will be heard. Many carers, particularly those who care for people with mental ill health, have expressed concerns that their needs are not taken account of and their voice is seldom heard.

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

**Mrs D Kelly:** Day care and social care are key elements in providing services to users. I hope that the Minister will reflect on day care as well as residential care.

### 5.30 pm

**Mr McCallister:** There is no disagreement with colleagues that the issue around the closure of residential homes a few weeks ago turned into a nightmare, particularly for the residents and their families. The stress and strain that was put on them during that process was a disgrace. I heard colleagues referring to that earlier in the debate. Unfortunately, I do not think that this Chamber changed the policy direction; it was probably more to do with 'The Nolan Show' and the media, which is a sad reflection on our role in this place.

We are some 18 months into Transforming Your Care. I warned about the challenges at the outset. The concept of moving £83 million from the acute side to social care was always going to be very challenging. I come back to the point that I made in an intervention during Mr Beggs's contribution: one of the greatest challenges that trusts consistently fail is that, when implementing changes, they do not put in place what is required before they close something. That undermines the confidence of the public and MLAs that the entire system is moving in one direction.

Virtually everyone I know supports the concept of caring for people as long as possible at home. We want to see our older citizens and vulnerable people stay as long as possible with their families, cared for and supported at home. That is a concept and a principle that virtually every one of us can buy into, but you need to have the confidence that, if you are changing the system, you have something else in place. You need to have the confidence that there is not a waiting list for domiciliary care, and that, if you are moving to a supported living project, it is going to be delivered on time and in the right place. The challenge that the Minister faces is to make sure that trusts live up to those commitments and obligations. When that does not happen, it does real damage to confidence in this Chamber and across our community.

Everyone knows the facts and figures around this issue and the pressures that are going to continue to build at an astounding rate over the next number of years as our older population increases in numbers — and as some Members of this Chamber reach that age. That might be why some of them have spoken so passionately today.

We know the pressures that are going to be placed on the health service, and we know that social care has traditionally been in a funding crisis. As Mrs Kelly pointed out, we know that, over the past few years, there has been a widening gap between what is spent in Northern Ireland and what is spent in England. In the previous Budget round, we continually warned about that. At some levels, health was being protected, and that was being passed on from our national Government, but, because of the different model in the rest of the country, social care was not being protected. So there were real challenges that we were going to face in Northern Ireland; real challenges and difficulties. That is coming to fruition now.

**Mrs D Kelly:** Will the Member give way?

**Mr McCallister:** Certainly.

**Mrs D Kelly:** Will the Member also accept that the legacy of the conflict has added to the pressures on our own health service and that that is not taken account of?

**Mr Speaker:** The Member has a minute added on to his time.

**Mr McCallister:** Thank you, Mr Speaker.

Mrs Kelly refers to the conflict; the real strain of that has been on mental health services. I am sure that the Minister will refer to that. As a rough rule of thumb, we spend about half as much on mental health as the rest of the country, and the need is twice as great. So you do not need to be a genius at maths to work out that that is not going to have a good ending. So there are real challenges to that.

The area that I have difficulty with in the motion today is around privatisation. I am more confident if you guard some of these services with the RQIA — if you protect the standards there. I am sure that the Minister will respond to this in his remarks, but, if we did not have any type of privatisation or any type of private money coming into it, could we have delivered the new South West Acute Hospital? Could we actually deliver the residential care that we have at the moment if all of it was in the statutory sector? I think he would find that the budgets would be very difficult to do that. We actually use a variety of models —

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

**Mr McCallister:** — not just statutory care but also independent, community/voluntary, third sector models, and social enterprise models in delivering domiciliary care. Those are things that I think we do not want to rule out.

**Mr Speaker:** Your time is gone.

**Mr McCallister:** Thank you, Mr Speaker.

**Mr Poots:** I welcome the opportunity to respond to the motion. I note that it does not rail against Transforming Your Care but the implementation of it. I think we can all say together that the implementation, in terms of elderly care, was less than satisfactory. That is why I stepped in to take the decisions that I did. I am glad that someone in the House confirmed today that the Southern Trust responded to a radio show, because it is very evident that I was not informed of these decisions and had not had input into them. Consequently, I did the right thing in stepping in to ensure that the elderly people who were so clearly distressed would not suffer further distress.

However, I would say that on the policy — on Transforming Your Care — there are no U-turns on the policies that are within that, and there will not be any U-turns on it. I do not believe that, after I leave office and my party leaves office, there will be any U-turns by the next party that holds the position, because I do not believe that there are any alternatives to doing health other than as proposed in Transforming Your Care. It is practical, it is sensible, it is rational and it is deliverable and, I believe, unavoidable. So, unlike the SDLP today, which did a very spectacular U-turn when it came to the SpAd Bill, we will not be doing U-turns on this issue, because a U-turn would not be at all appropriate given the pressures that are facing us.

I will repeat the pressures again. The demographics indicate to us that we have a population that is continuing to get older. That is a demonstration of success in health. We will have more frail elderly people, and they will require greater levels of care and support, whilst, at the same time, our budgets are not increasing as they increased in the years post-1997 right through to recent years under the previous Labour Government. So we have to live with that. That is not going to change. We are going to have more frail elderly —

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

**Mr Poots:** I will in a moment. We are going to have more frail elderly — that is a matter of fact — and we are going to have a limited budget to support all of the healthcare demands that come our way.

**Mr Byrne:** I thank the Minister for giving way. Will he give an assurance that he is not ideologically opposed to the

retention of some statutory residential homes in certain towns or areas if they are run efficiently and meet the required quality standards?

**Mr Poots:** The ideology is set out in Transforming Your Care. If some trusts want to go further than TYC, they have to provide a defence for that. Clearly, I was not happy with how things were being handled and stepped in to deal with that.

I am happy to talk about ideologies because the ideologies are clear. In Northern Ireland, the spend on non-health service providers was 3.5% of the total budget; in England, it is 8%. So there is a considerable difference between the amounts of private healthcare being provided in Northern Ireland and England. If the English want to go down a particular route, that is for them, but I am not unhappy ideologically that Northern Ireland spends considerably less than England.

I took over the Department in 2011. In March 2011, for example, just over 106,000 people were waiting for an outpatient appointment. We managed to reduce that to 102,000 by March 2013. In March 2011, the number of people waiting for more than nine weeks, which is the important target, was just short of 40,000. By March 2013, the figure was considerably lower. Figures are being driven down as a result of the work that we are doing. Last year, between March 2011 and March 2012, the total number waiting for inpatient and day case appointments went down from 52,880 to 50,828, and so it goes on.

Where I am coming from is that we have been able to use money in the private sector — some £53 million last year, which accounted for just over 1% of our entire budget — to buy services. We have been able to use that money and the private sector to deliver a service that, crucially, is driving down waiting lists and waiting times.

If Mr McDevitt were to have his way, we would follow through on his proposal to introduce legislation on privatisation. Then, if another Department were to say that it could not spend all its allocation in the current year and was surrendering money to the centre, I could not bid for that. As Health Minister, I could not say that I would take the £20 million or £30 million to reduce waiting lists further and ensure that people did not have to wait as long for hip operations, knee replacements and open-heart surgery — a whole range of services. The outworking of what Mr McDevitt and the SDLP propose would be that I could not do that. So the waiting lists would remain long, and, indeed, we would allow the money to go back to Westminster. That is not a logical position, but I see that Mr McDevitt would like to defend his illogical position.

**Mr McDevitt:** I appreciate the Minister's generosity in giving way. This is, of course, an important debate because two issues arise from the Minister's argument. The first is that, more often than not, he pays consultants already working for the NHS to work privately to bring down waiting lists. There is not just an ideological problem with that; there is the real issue of how people can be so much more efficient when being paid for their benefit than when doing their day job for the NHS.

The second issue is that the Minister does not always send that money to the private sector. Oftentimes, he sends it to other parts of the NHS or to the Health Service Executive in the Republic of Ireland. We have no ideological objection to using non-core elements of the NHS to drive

down waiting lists. What we are saying is that the Minister must not create a platform for accidental privatisation.

**Mr Poots:** I do not want to create a patchwork quilt of privatisation either, but a patchwork quilt, as was rightly pointed out to Mr McDevitt, is better than no quilt at all.

In that regard, what we are very clearly aiming for and what we are clearly attempting to do is ensure that we continue to drive down waiting times and use every tool that we can get our hands on to ensure that that is the case. If that involves using the private sector and operating within the constraints of previous agreements and policies, which, as pointed out by Mr Wells, were made in 2004, I think, and with which I do not necessarily agree, but, nonetheless, am not likely to have changed in my time as Minister, it is important that we do that to ensure that people who are waiting for services get those services.

#### 5.45 pm

Another point that we need to deal with is that there are a lot of service providers out there who are outside of the National Health Service. Within mental health and learning disabilities, for example, are numerous voluntary sector groups that are providing care and support for people who have learning difficulties or mental health problems. I think that those organisations provide service at very good value for money and are doing excellent work. I do not want to move away from that. What we are talking about here is the care of the individual and the care of the patient; it is not the care of the system. I think we need to lose focus and sight of the system, the buildings, the hospitals and the homes, and think about the people we are caring for.

We have made a lot of comments this afternoon about people and the care that they require, and about how the trusts fell short in how they handled the elderly persons' issue. I will repeat again: I want to see members of my family who are older supported in their own home, and I want the same for me when I am older. I want to have the appropriate care for them. That is why we have identified almost 500 care packages to support people who, ordinarily, would have moved into residential care homes, and to enable them to continue to live in their own home or in supported living facilities. That is crucial. I am not in the least embarrassed about that. I think that that position is wholly defensible and one that we can, and should, stand over.

I should also say that there are huge opportunities out there for us to support the social economy sector in healthcare, grow the social economy sector and ensure that people who have been unemployed for many years can be brought back into employment through social economy companies serving the healthcare sector. There are huge opportunities out there for us to do that. That is an area that we should not be afraid of.

Some people would like to present the National Health Service as the Holy Grail that we should not move away from, and there is a mantra that we cannot touch it. We can. We can do it better; we can do it with the ability to bring people out of long-term unemployment; we can do it in a way that protects the weakest and most vulnerable; we can do it in a way that provides the best services possible within constrained finances. It is vital that we address all those things.

The motion is clearly not one that provides us with rationale. In his opening proposal, and in his response to me, Mr McDevitt had the opportunity to make the case, but he has failed to make a convincing case for anyone to go with the motion. It might not be the first time today that he has made an unconvincing case with regard to how things have panned out today for the SDLP, but that is another matter.

The motion urges the Minister to ensure that the patient, and not profit, is put at the centre of care provision. Of course, that will always be the case, but let me be absolutely clear: that does not mean that the private sector is always bad; that does not mean that the private sector cannot help and assist us in delivering healthcare. We have done a considerable amount of work with the private sector and, indeed, with our universities in identifying how we can use technology and medical devices, and how we can introduce new medicines, and so forth, to support people and provide them with a better quality of care.

What we are aiming for, over this time, is not to provide a poorer level of care, in spite of the fact that we will not have as much money to go round, but to ensure that we provide with less money the level of care that people expect and should receive. In order to do that, we have to use our money more wisely. We have to invest it better. We have to deliver greater results. Using companies, such as TF3 Consortium, to deliver telecare at home, in association with Fold Housing Association, is completely sensible. I will not veer away from that. Any Minister who would veer away from that, retract and get frightened when the word "privatisation" is mentioned by someone in opposition, and did not proceed to do that, would, in fact, fail the people of Northern Ireland because they would ensure that people got a lesser standard of care and would not receive the support that they should to enable them to stay in their own home. The challenge has to be very clearly put out there that we cannot move away from systems that can provide and deliver the best possible care just because it happens to be delivered by the private sector.

I feel passionately that our health service has to be free at the point of need. I heard Mrs Kelly comment that she thinks that most people in the House agree with that. I have not heard anybody who disagrees with it. I believe passionately that people should be able to receive healthcare free at the point of need. That is something that stands out in this country. It was, rightly, pointed out during the Olympics that we should be proud that people who can least afford very expensive forms of care can get that care and support. The mixed model is the best way to deliver that because it will help to ensure efficiency throughout the system.

**Mr Gardiner:** I welcome the opportunity to speak on the motion and make the winding-up speech on the Ulster Unionist Party's amendment. I want to open my remarks by saying that what happened almost exactly a month ago was unacceptable. I believe wholeheartedly that the people in each and every one of the homes that was caught up in the turmoil deserve much, much better. The residents were traumatised. They were thrown reluctantly into the spotlight. Unfortunately, it took a tidal wave of public opinion and political opposition for the Minister to intervene. I applaud the Minister for his actions on Friday 3 May. However, I hope that even he accepts that unacceptable levels of distress had been caused by then.

It would remiss of me, as an MLA for Upper Bann, not to mention Crozier House in Banbridge. That home, whose residents I have visited many times, is cherished as much by the local population as it is by its residents. It is a great home with superb staff. I want to record my thanks and appreciation for them. At the time when the consultation on closing Crozier House, along with the other four homes that are managed by the Southern Health and Social Care Trust, was announced, Angela McVeigh, the trust's director of older people and primary care services, said that the trust was committed to working closely with each resident and his or her family individually. I am sorry, Minister, but that did not happen. Families were left shocked by the scale and suddenness of the plans. Most shamefully of all, patients were being told that they may have to move many miles just to find the next available bed. That is why I am sure that lasting damage has been done to local people's faith in the trust. It will take much hard work to win back people's confidence. I am sure that the Minister agrees with me that the trust needs to start working now.

Despite a catalogue of failings during that period, I still cannot support the original motion as it is before us. I would have hoped that by having the debate, the Assembly would have been able to have had genuine discussion on how the Minister and the trust should move forward and learn from the mistakes of four weeks ago. Unfortunately, the wording of the motion has completely misread the public mood at present. Yes, I have been concerned that the health service will move further out of anybody's reach, but that is generally not the issue. On the whole, we still have excellent staff delivering a wonderful service.

It is really the management of our health service rather than the direction of it that I have greater concerns about at present. In particular, I want to warn the Minister about what I call "mission creep". I believe that a far tighter rein needs to be kept on health service bureaucracy, particularly in the various health trusts. In the case of older people's care homes, the trusts have gone well beyond the intentions of the Minister, the Committee, MLAs and policymakers. I am concerned that bureaucrats are running ahead of public policy on many fronts by proposing cost-effective cuts without due regard for care. Care is what the health service is really about.

I believe that if the Ulster Unionist Party amendment is accepted, the motion will be a fairer representation of the current situation. Now is not the time to be calling for legislation to prevent so-called privatisation. We should instead be calling for patients' interests to be always, and I mean always, at the heart of the health system.

**Ms P Bradley:** I support amendment No 1. I will start by repeating what Conall McDevitt said in his opening remarks about how much we value our healthcare system and integrated healthcare system. I know that we are the envy of many other parts of the United Kingdom because we have an integrated health and social care system, of which we should be very proud. One of the things that I am most proud of in our country is that our health service has at its core a belief that we have a duty of care to protect the most vulnerable in our society. That belief saw my progression into the National Health Service, and it is that belief that keeps my conviction that we have one of the best health services in the world.

We know that the largest growing demographic in our society is people in their older years. I was gravely

concerned about the upset caused to that exceptionally vulnerable group of people following the boards' actions in recent weeks in their handling of the closure of residential homes. Not one person in the Chamber would welcome anyone telling us that we had to move from our place of safety, which is how many people view their residential home. Imagine feeling that that decision was being made by some faceless person in an office. I, therefore, support the Minister's decision to step into the arena to halt that process.

I support Transforming Your Care because it is clear that our health service needs to evolve in order to survive. It is not a new idea that home is the best place to provide care. In fact, it is always the first option when discussing care. In my experience, I have spoken to very few older people who want to leave their home and enter residential care. For the vast majority, their first preference would be to remain in their home, where they can be close to their family and friends and everything that they know, while, of course, getting appropriate home care to ensure that they are safe and well cared for. With that in mind, it is only proper that we ensure that the services that we provide are person-centred and that home is always considered in the first instance.

I believe that the private sector, along with the voluntary and community sector, has a significant role to play in making that a reality for everyone. Again, that is not a new phenomenon but a longstanding solution to the provision of care. We have seen the level of care that those sectors can provide, and I believe that we can continue to work on those close partnerships to ensure that we offer the best services.

On the issue of private nursing and residential care, we have numerous private providers in Northern Ireland, and, yet again, that provision has been in place for many years. It is, therefore, not a new concept. In fact, the private sector is the main provider of nursing, residential and elderly mentally infirm (EMI) care in Northern Ireland. Let us not forget that when people are deemed as needing nursing care, it is their right to decide which home they will avail themselves of. As I have said in the Chamber before, residential care has been on the decrease across Northern Ireland, with a bigger onus being placed on care at home or assisted housing. I hate to repeat myself, but I have to say that placing home at the centre of care has been main thrust of care provision for many years.

Like Jim Wells, I was somewhat surprised at some Members' reactions to 'Transforming Your Care' in the Health Committee and in the Chamber to the fact that 50% of our statutory residential homes would be closed by 2018. I am also amazed that many Members are quite obviously not aware that the private sector has been the main service provider for many years in nursing, residential and home care in Northern Ireland.

#### 6.00 pm

Many points have been made here today by all parts of the Chamber. I believe that the overall intention by us all is to support and protect the most vulnerable in every one of our constituencies. We must, therefore, proceed with caution and explain our rationale at each point to those most affected — those who need the services. By doing that, we can avoid the confusion and misunderstanding,

and we can relieve many elderly people and their families of unnecessary stress.

I support amendment No 1.

**Mr Durkan:** First and foremost, I make it clear again that the motion is not an attack on 'Transforming Your Care', its author or the Minister charged with its implementation. Hailed as a road map to the future, we agree with the direction of travel espoused in TYC, but we are on the record from the outset as having concerns with some of its content and its implications for those who need care and those who provide it.

During my time on the Health Committee, I repeatedly emphasised the need for sufficient transition funding as we move from the current model of care to the one envisaged by Compton. Although we agree with the direction of travel, we were, and remain, concerned that we might run out of fuel on the way, leading to the creation of care vacuums. I fear that recent events have confirmed that that is a possibility, if not a likelihood. We need to invest to save, not save to invest. I fear that the savings being demanded of trusts — Joe Byrne referred to them earlier — over the next few years will result in a lot of pain for patients, and for the Minister, whoever that may be. How much of TYC is about transforming your care, and how much, Minister, is about trimming your costs?

The whole furore around the care homes recently may not have been quite as loud, or the anxieties suffered by residents and their families quite as bad, had people been convinced that there was sufficient investment and improvement in domiciliary care packages. They are not convinced, and neither are we. It was inevitable that the debate would centre on the care homes fiasco. I do not want to get too immersed in that per se. I welcome, as the DUP amendment states, the Minister's intervention to halt the process of closure. However, I note that he remains committed to the policy of the closure of up to 50% of homes. I worry that many care home residents have merely received a stay of eviction and that their numbers will be allowed to be whittled down until keeping their homes open is deemed to be no longer viable. Then, they will, once again, be given the choice of care in the community or moving into a privately owned care home.

Mr McDevitt has consistently warned that TYC must not become a charter for privatisation. We believe that it is important to retain services and care in the public sector that are second to none. Although research tells us that people would rather get cared for in their homes and that demand for residential care is reducing, why are new private homes opening and existing ones extending? The reality is that some people will still choose residential care, and others will have no choice but to receive it. I fear that that may become increasingly the case due to the rise in life expectancy and the changing nature and size of families.

I thank everyone who contributed to today's debate. Mr McDevitt opened by saying that we were not opposed to 'Transforming Your Care'. We agree with reform and most of the stuff in the policy document, particularly the emphasis on preventative and Connected Health issues. However, we fear that TYC allows further privatisation, using patient-centred care as justification for privatising care.

Conall argued that we need legislation to protect and ring-fence services that should remain publicly owned. It

was his interpretation that the health trusts misinterpreted Transforming Your Care and that we need to give the policy a statutory framework to prevent this from happening again. He stated that we will be opposing the amendments because they take away from the essence of our motion: protection from wholesale privatisation.

Mr Wells spoke about the extensive consultation that took place on the document, and listed the Minister's engagement with the Health Committee and the Assembly. However, the fact is that it has never been voted on in the House. He referred to the recent media scrum and the lack of understanding of TYC. However, some of his colleagues were front and centre of that scrum, expressing shock at the proposed closures. Mr Wells also spoke of the policy being written in plain English. Obviously, it was not plain enough for the trusts to understand. He lamented what he perceived to be a lack of alternatives being put forward by us. However, I think that any alternative should involve choice, and it is important that we retain some care in the public sector. It should be —

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

**Mr Durkan:** Go ahead.

**Mr Byrne:** I thank the Member for giving way. On the same issue that I raised earlier, if we have a successful statutory residential home in a town, such as Greenfield care home in Strabane, should we be hell-bent on trying to change that and creating a private nursing home?

**Mr Durkan:** I thank the Member for his intervention. I am a firm believer in the adage: if it ain't broke, don't fix it. Therefore, something as successful as Greenfield care home should be retained. I also believe that there could be some sort of double-running as we make the transition from the current model of care to the one that is envisaged in Transforming Your Care.

Mr Beggs referred to the shameful manner in which elderly people have been treated lately, and highlighted some of the many positive aspects of TYC. He said that he would like residential homes to be used for more respite services, which we certainly agree with. He also highlighted potential problems with privately owned homes and referred to the Southern Cross fiasco of last year.

Sue Ramsey indicated her support for the motion, and said that the Department and the trusts need to give more thought to the implementation of TYC. She reminded us of the themes of the document and gave her commitment that the Committee of which she is the Chair will explore each of them thoroughly.

Mr McCarthy wished to stay away from political point-scoring. Generally, I think that Members who spoke tried to do that, with one or two exceptions.

Gordon Dunne spoke about the ageing population and its need for care and support. He spoke of improvements, such as reablement and telecare, which promote independent living. He said that trade unions must be open to change. No health professional I have spoken to is afraid of change, but quite a few of them are fed up with it — they have been in a perpetual state of change for many years.

Maeve McLaughlin raised questions about who makes decisions. She spoke about the relationship between RQIA and the trusts and the problems that that caused in our

constituency with Slievemore Nursing Unit. Mr Robinson laid the blame for the care home fiasco squarely on the trusts.

The Minister spoke about how we have to live with reduced resources and increased demand. He gave statistics about how he has reduced waiting lists, and we commend him on that. However, I wonder whether, when he talks about seeing figures being reduced, it means that his obesity strategy is working. The Minister also spoke about the work of voluntary agencies, and we would not want to see that work stopped at all. Those people are dedicated to people and patients, not to profit. As the Minister said, it is sensible to use the private sector when necessary or sensible.

In winding on the UUP amendment, Mr Gardiner virtually asked, "Who trusts the trusts?" There is certainly a huge cloud over the trusts after their recent actions.

While we are concerned that Transforming Your Care enables a continued lurch towards privatisation, we fear that RQIA is the weapon of choice when it comes to implementing cuts. RQIA are four letters that strike fear into patients, families and care providers across the North. We support regulation, but what we are seeing is strangulation through regulation. RQIA has got out of control and appears to be beyond even ministerial reproach. Although it is not a monster of Minister Poots's creation, we, as a legislative Assembly, need to help him to rein it in. With the increased emphasis on a social model of care, the Department must work more closely and effectively with DSD. Some proposals in the Welfare Reform Bill will have a clear impact on people's access to care, and RQIA's over-exuberance and apparent lack of understanding of care is affecting many good organisations' eligibility for Supporting People funding, thus directly reducing the amount of care that vulnerable people are receiving.

I appeal to the House to support our motion, to ensure the protection of our much loved and much envied health service and, indeed, of our overstretched and undervalued health servants. What will TYC mean for job reductions? Ultimately, we want to see legislation —

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

**Mr Durkan:** — brought forward to ensure that all our citizens, particularly the most vulnerable, can continue to access a high standard of state care when and where they need it, with patient needs prioritised.

**Mr Speaker:** I remind the House that if amendment No 1 is made, I will not put amendment No 2, as amendment No 2 will have been overtaken by the decision on amendment No 1.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

*Ayes 30; Noes 60.*

#### AYES

*Mr Anderson, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Lord Morrow, Mr Moutray, Mr Newton,*

*Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Ms P Bradley 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, Ms Fearon, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Swann.*

*Tellers for the Noes: Mr Durkan and Mr Eastwood.*

*Question accordingly negatived.*

**Mr Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 27 (1A)(b), there is agreement that we dispense with the three minutes and move straight to the Division.

*Question put, That amendment No 2 be made.*

*The Assembly divided:*

*Ayes 43; Noes 47.*

#### AYES

*Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr Beggs and Mr Gardiner.*

#### NOES

*Mr Agnew, Mr Allister, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Durkan and Mr Eastwood.*

*Question accordingly negatived.*

**6.30 pm**

**Mr Speaker:** Once again, I remind the House that, in accordance with Standing Order 27(1A)(b), there is agreement that we dispense with the three minutes and move straight to the Division.

*Main Question put.*

*The Assembly divided:*

*Ayes 47; Noes 43.*

**AYES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Byrne and Mrs McKeivitt.*

**NOES**

*Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Ms P Bradley and Mr G Robinson.*

*Main Question accordingly agreed to.*

*Resolved:*

*That this Assembly expresses concern that the implementation of the 'Transforming Your Care' review of health and social care, commissioned by the Minister of Health, Social Services and Public Safety, has enabled health and social care trusts to take decisions on the closure of care homes; is concerned by the detrimental impact which the privatisation of many aspects of health and social care will have on vulnerable people; urges the Minister to ensure that the patient and not profit is put at the centre of care provision by the Health and Social Care Board; and calls on the Minister to introduce legislation to protect services from privatisation by stealth.*

**Mr Speaker:** Members may take their ease as we move into the next business.

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

*Motion made:*

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

## Adjournment

### Post-primary Education: East Belfast

**Mr Deputy Speaker:** The proposer of the topic will have 15 minutes; the Minister will have 10 minutes to respond; and all other Members who are selected to speak will have approximately six minutes.

**Mr Newton:** I thank the Minister and my colleague Mr Storey, the Chair of the Education Committee, for attending the debate. This issue has raised some concerns throughout East Belfast over the past number of months. Those concerns are largely about secondary level education across the constituency of East Belfast. It also has some implications for South Belfast, but it is my intention to concentrate only on the east of the city.

I recognise that we have some excellent grammar schools in East Belfast, but I want to concentrate my remarks on those schools that are perhaps more vocational than academic. Those three schools are: Orangefield High School; the combined schools of Newtownbreda High School — in south Belfast — and Knockbreda High School; and Dundonald High School.

At the closure of Orangefield High School, I and a number of East Belfast MLAs — I assume all of them — were visited on the matter. It was made quite clear by the representatives of Belfast Education and Library Board that the parents on the board of governors had voted for closure. However, a number of promises had been given to the parents. Those promises were largely that the boys and girls from Orangefield would be accommodated in Ashfield Boys' High School and Ashfield Girls' High School. My understanding is that the boys have been accommodated in Ashfield Boys' High School, but the girls have not been accommodated in Ashfield Girls' High School.

I will deal with what happened to the girls. Parents were asked to take their children on a tour of the Ashfield campus. Travel to the school and school uniforms were discussed with them. The girls sat a test to decide which class they would be going into in Ashfield Girls High School'. Now, there are no places available for them, because the cap on the enrolment of Ashfield Girls' High School has not been lifted.

I know from experience that, when parents were trying to get their children into Ashfield Girls' High School or Ashfield Boys' High School, the cap was always a problem. My colleague Mervyn Storey and I raised that issue with the chief executive of the education and library board. I wrote to her after a meeting that Mervyn and I attended. In a letter dated 17 May 2013, she replied to say:

*"In this regard, the board has written to the Department of Education to ask for a temporary variation in enrolment number for Ashfield Girls' High School to allow them to accept additional pupils in year 11,*



*with effect from September 2013. This is still being considered by the Department.”*

That was despite the fact that parents were promised a number of months ago that the girls would be taken into Ashfield Girls' High School.

#### 6.45 pm

It seems that the closure of Ashfield has been achieved nearly in a vacuum, without consideration to any strategy for the east of the city.

Knockbreda High School is due to amalgamate with Newtownbreda High School in south Belfast. All the figures indicate that, when schools amalgamate, performance suffers. That merger has not found favour with the parents of either school. They have looked at the statistics with regard to what will happen to their children when the schools amalgamate — on two sites; split campuses. The figures show that 68% of merged secondary schools saw a dip in performance after the merger, and 51% of merged schools dipped and did not return to the pre-merger situation. You can understand, Mr Deputy Speaker, why parents are concerned about a two-campus situation and all the administrative chaos that that will bring about, such as headmasters, heads of departments and schoolteachers applying for jobs after the merger.

I turn now to Dundonald High School. I advocate academic excellence, but it is not for every pupil. There are other ways, thoughts, strategies, and routes for pupils to follow. I went to the consultation night when parents were in front of the South Eastern Education and Library Board. I know that it is a bit of a cliché, but if I could have bottled the energy in the gym that was being used to host the meeting that night, I would have made a fortune. There was standing room only, and the parents and teachers spoke with passion. There was disappointment among those who attended that the only strategy that was being considered was closure of the school and merger with another school or schools. You can understand, in a consultation process, the disappointment that was coming through from the parents.

With regard to those pupils who may find it difficult to achieve five GCSEs at A to C, including English and maths, there is another role for schools to play. There is the role for a school to ensure that pupils acquire lifelong learning skills that prepare them for the future. Schools also need to have a role in encouraging the development of the personal skills of their pupils to prepare them for the challenges of the future.

Dundonald High School is integrated into its community; it serves the second-largest Housing Executive estate in Northern Ireland and tumbles over into the Tullycarnet estate and the wider Dundonald area. Dundonald High School is a happy and caring school; that was obvious from what the parents were saying on that evening. There is a feeling of pride, even to the extent where past pupils have become teachers in the school. They have a sense of belonging to the school and to the community through the development of the personal skills of the pupils and through encouraging those pupils to achieve to the best of their ability before they move on from the school.

The motivation of the staff and their personal care for the pupils was obvious. That is not to take away from the pupils who go to the school and achieve academically.

The school encourages academic excellence where that is possible and where they can stretch the pupils. Other pupils will follow a vocational route for their future careers.

I know that the Minister and Mervyn Storey, in his role as Chair, recognise the importance of education. The Assembly recognises the importance of education and our need to provide the best opportunities possible for pupils in our schools. We need to recognise the competitive environment in which we live and the need for pupils to get their qualifications. We also need to invest in education. School facilities are important. You may think that it is only a building, but the environment and quality of the building say something about the school. The education authorities made promises to Dundonald High School and Knockbreda High School to invest in the schools, but those promises were reneged on and the potential funding was taken away. Moreover, in the case of Dundonald High School facilities were removed. The swimming pool was removed, playing pitches were removed and parts of the school were left to deteriorate. You can imagine why parents did not want to send Johnny to that school, particularly when other schools are being built and invested in.

It is right that we think about area-based planning. I acknowledge that we have to have a plan that needs to be discussed and that we must aim for. However, the only plan visible to parents in east Belfast is that at one end of the dual carriageway you will have Newtownbreda High School, and at the other you will have Ashfield Boys' High School and Ashfield Girls' High School, and there will be nothing in between. Rather than one option, there needs to be involvement of parents and pupils in what happens. There also needs to be involvement of elected representatives. As it stands, the Belfast Education and Library Board has not for a number of years now had one representative from Belfast City Council, as has been traditional over the years, to represent the views of parents and of political parties in terms of how education strategy is developed, how the working of education is delivered, and so on and so forth. We all know the conversation and the discussions that took place a number of years ago, when the South Eastern Education and Library Board members — elected representatives — quite rightly refused to implement cuts. Now the South Eastern Board is run by three appointed commissioners. There is not one word, not one strategy, not one input from an elected representative on the South Eastern Education and Library Board.

I am going back to Belfast. The Minister asked for four representatives from the council. He has four people who went through a sifting panel, they were judged to be appropriate and appointable, and the Minister has refused to actually appoint those people to the Belfast Education and Library Board. Area-based planning is right, but it cannot be just one solution, and it needs an input from political people.

In closing, let me say this: the situation in East Belfast needs to be stabilised. There is nothing, only confusion and chaos, at this time. There is a need for an area-based plan, but there is a need for an area-based plan that the parents and the political representatives can buy into. Elected representatives need to play a positive role in the South Eastern Education and Library Board, which

impacts on East Belfast, and the Belfast Education and Library Board, which impacts on East Belfast.

**Mr Copeland:** I thank Robin Newton for initiating this debate here this evening, and he has covered, in fairness to him, most of the points that I had considered making. I am a product, as is probably patently obvious to everyone, of the non-grammar system of education, but the secondary-school education that I benefited from was not the secondary-school education that I believe is currently available to pupils in that sector. In many cases, the buildings look un-cared for, and the pupils do not seem as engaged or directed as I remember us being at Lisnasharragh High School. The views I am putting forward are my own, based on my own experience, and I trust that they will not be used to batter me over the head at some stage in the future if my party decides to go along a separate route.

The truth is that we are 1·8 million people, with four or five different education sectors, all requiring a degree of oversight and control and admissions criteria. I am not sure that, in the long term, that is tremendously sustainable. Within the school network that I attended, we had Orangefield, which I was aware of. Newtonbreda and Knockbreda may as well have been the dark side of the moon, even though they were only a couple of hundred yards across the dual carriageway.

I cannot remember any discussion when I attended my first school, Lisnasharragh Primary School, which was actually a converted German prisoner-of-war hut that had been brought from the old prisoner-of-war camp at Grosvenor. I cannot remember any discussion about it. A letter arrived saying that is where you are going, and I went. As far as I am aware, everybody who was supposed to go there went. The transfer procedure, or 11-plus: I failed, and I was sent to Lisnasharragh High School, which was just the other side of where our dinner hall was. I have to confess I never felt myself in any way disadvantaged or a lesser being. I seem to have some vague recollection of, a few years later, doing a thing called the junior certificate, at which stage I could have gone to Annadale. I had heard of Annadale, but I had no idea where it was, and I was so settled with my friends and peers in Lisnasharragh that I decided to remain there.

### 7.00 pm

The difficulty arose when my wife and I went to assist our son — more particularly than our daughter — in selecting his post-primary school. My wife, as is well known, was a police officer and had been injured in a shooting incident. That made her determine, when she retired, that she did not believe in children being educated separately. She met the first members of — forgive the expression — the other community when she went to the depot in Enniskillen to join the police.

She determined, and I did what I was told, that the two kids would go to Lagan College, which was an integrated school. I will say honestly that I was not very happy with the idea, but that is where Sarah went. Mr Maskey will know, because their paths cross occasionally on south Belfast matters, that Sarah, like me, may not be academically gifted, but she can make her point and put it across.

Our son, Matthew, was slightly different, and this is where I want to get away from the notion of what schools are called. When Matthew was nine years old, we were told by Gilnahirk Primary School, a good primary school, that he would never be able to read and write. Consequently, he was not put through the trauma, if that is the right word, of the transfer procedure. He went into Lagan College in the bottom stream, although he did not know that, and, for whatever reason, came out in the top stream, secured a 2:1 in psychology at Queen's University, Belfast, and through a bit of jiggery-pokery and hard work was accepted into the School of Medicine.

I have to ask myself this in all honesty: were it not for the intervention of his mother, who is infinitely wiser than me in these matters, and Matthew had gone to Lisnasharragh, would he be a first-year medical student? The answer is probably no. I feel that the same is true of Orangefield and most other secondary schools because the route to education that is open to them — it used to be the route to jobs in factories — is closed.

I do not necessarily agree with Lagan College on the ethos of integrated in community background or religious terms. I do understand, however, that children from a diverse range of backgrounds and academic skills can exist on a single campus and, given encouragement, work their way through a system that is not class-structured. Setting aside the term "integration", which generally means religiously integrated, of much more fundamental importance is the educational integration that takes place within that setting. Unfortunately, the side effect was to suck over 1,000 pupils out of the so-called state sector, leaving a number of schools susceptible to closure.

I again appeal to the Minister, echoing Mr Newton's sentiments, and with particular reference to Dundonald High School —

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

**Mr Copeland:** — that an essential role of a school is to prepare children for the future but, primarily, to allow them to be the best that they can be. That is fundamental to the way forward. Again, I appeal for recognition of the efforts being made by Dundonald High School, which has history. History is not necessarily a bad thing, although in this case it is being used to justify the future.

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

**Mr Copeland:** I seriously believe that the school can be turned around. Thank you for your forbearance, sir.

**Mrs Cochrane:** The Alliance Party regards education as a key investment for society as a whole and in the development of our economy. We want a first-class education system that supports everyone to reach their potential.

Fewer than 10% of Orangefield High School pupils achieved five GCSE grades at A\* to C, including in English and maths. A follow-up inspection by the Department deemed that inadequate. In Orangefield's case, low enrolment numbers contributed to the problem.

The number of empty places in schools is not sustainable, and many schools built for 500 or 600 pupils have enrolment figures of about 100, with empty classrooms and a single-figure annual intake. Although that may

initially lead to smaller class sizes, with the benefit that personalised attention can bring, it ultimately leads to multi-year merged classes, which are less effective educationally, and more of the budget being spent on the maintenance of outdated buildings than on education.

My main concerns around the closure of Orangefield had been around the confusion over pupils being accepted into Ashfield. Mr Newton detailed those issues in his remarks. The trends in academic results in Dundonald High School have been similar, with attainment well below average.

Although there is an undeniable need for improvement, there also needs to be a proper plan for post-primary education services in east Belfast so that decisions are made on a constituency-wide basis and recognise the connectivity — social and physical — between communities and schools, especially as the new Education and Skills Authority (ESA) may render the current boundaries obsolete. Without that joined-up thinking, the closure of Dundonald, in addition to the amalgamation of Orangefield with Ashfield and potential changes at Knockbreda and Newtownbreda, will place a great strain on the post-primary sector here in east Belfast and have a significant effect on the post-primary children.

At this stage, it is worth noting some of the positive attributes of those schools, which Mr Newton also detailed. Dundonald High School, for example, has a significant special educational needs unit and an accelerated learning programme. They were identified as being areas of strength by the Department. The school has also accepted pupils who have, traditionally, been school avoiders and built relationships with those children to ensure that their attendance is improving. However, the challenges that that brings, obviously, adversely skew some of the school's statistics for performance and attendance. I hope that those issues will be taken into consideration by the Education Minister and the boards when decisions are being taken.

Schools are inextricably linked with communities, and east Belfast schools have provided many vital services to the surrounding area over the years. It is important that that is not forgotten or sidelined. In recent weeks, Dundonald High School has shown its strong links with the community, and it recently held a community fun day. Indeed, I also used the school premises a couple of weeks ago to host a local neighbourhood watch meeting. It is clear that those in the local community are very keen to come into the school.

The community in the Dundonald area is growing. Homes are still being built there, and it is vital to look at the long-term needs of the community. It is very difficult for pupils to attend the other high schools that are available, as there are not any direct public transport links between Dundonald and the other locations. The most convenient school to Dundonald is Movilla High School in Newtownards.

We undoubtedly need to raise the level of basic skills held by our population by ensuring that all school leavers are competent in the essential skills of literacy, numeracy and information and communication technology, as that is a key element in being work-ready and, consequently, in addressing long-term poverty and disadvantage in society.

I am meeting the principal of Dundonald High School again tomorrow morning to reiterate those points and to assist in the planning for the Minister's visit. I know that

the school management team is very keen to work with the Department to make improvements in the relevant areas and to secure the future of the school.

I ask the Minister to be imaginative, in conjunction with the boards, in the proposals for the future of those schools and to take the needs of the pupils, schools and local community into account. Decisions should also take on board the aspiration of many parents to access integrated education, which represents only 7% of provision. I also take the opportunity to thank the Minister for coming along today and listening to these real concerns in our constituency.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I will add my brief observations. I thank the Member Robin Newton for securing the debate. I think it is important that we air all these matters. I understand that there is uncertainty in east Belfast, as has been described by Robin Newton, and I think it is important that the Minister hears directly about that uncertainty. Certainly, I think it is important that we settle the schools estate as best and as quickly as we can, particularly for parents who are trying to get their children placed. Obviously, all MLAs and, probably, most, if not all, elected representatives routinely receive lobbies from a range of parents about their children and placements in various schools, particularly at this time of the year.

Although there are a number of challenges, which have been outlined by Members who have spoken, I welcome the fact that the Minister is here this afternoon. Hopefully, the Minister can formally address some of the concerns that have been outlined by Members.

**Mr Storey:** I thank my colleague Robin Newton for bringing this Adjournment debate to the House this evening. At the outset, I want to place on record the Minister's willingness to have discussions on the issue over the past number of weeks and the commitment that he has already given. I know that he has had a meeting with representatives from Knockbreda High School and that he has received and accepted invitations to visit Dundonald High School and other schools in the area. We need to ensure that there can be debate and discussion in a context which recognises that there is a need.

Just over a fortnight ago, I had the opportunity to attend a public meeting in East Belfast. It was abundantly clear that the parents who came to that meeting were the product of their area's having suffered for years as the result of a number of decisions. Clearly, the decision on Lisnasharragh High School a good number of years ago and changes to housing demographics in certain parts of east Belfast have contributed to a dispersal of a community that feels very much on occasions that no other conclusion can be reached other than just to close a school and move on. It is that type of mentality that we want to try to avoid.

There is an opportunity for us to discuss area planning. Therein lies the challenge. Looking at east Belfast and how it borders and impinges on south Belfast, and the two boards that have responsibility for education in what is, now, called "the corridor", I think that my colleague Robin Newton outlined clearly the specific problems and challenges that are faced, particularly the lack of democratic accountability of the two organisations that currently have responsibility as the managing

authorities. It is incumbent upon us, therefore, as the political representatives to encourage the Minister to have discussions. Certainly, I, along with my colleague Robin Newton, have had discussions with the current chief executive of the Belfast Board. We plan to meet the chief executives of both boards. Therein lies a challenge for the Minister and all of us. Irrespective of what may be in the future, as things currently stand and with the development proposals that are on the table, they are the authorities with responsibility for area planning.

When you read the document that was produced by the South Eastern Education and Library Board, you could easily come to the conclusion that there had been discussion. However, when you see the outworking of what is being proposed, you would find it very difficult to convince people on the ground that there had been any discussion of how education provision would be made, to the extent that, now, we have brought into the equation Priory Integrated College, which is even beyond the point that my colleague Robin Newton referred to with Dundonald High School's being at one end of the corridor and Ashfield Boys' High School's being at the other. According to the board, it will, now, have to extend to Priory Integrated College. What you have is, therefore, further dispersal of the issue rather than a concentrated effort to come up with a solution.

I want to make a suggestion. The Minister knows that I have spoken to him about it already. I have also spoken to the Minister with responsibility for further and higher education, Dr Farry. It is about a serious attempt to bring to the table a third option; one that is geared specifically to ensure that there is genuine collaboration that involves provision at Castlereagh College of Further and Higher Education — which has, now, merged into Belfast Met — and looks at something innovative. I know that we could very easily get into a debate about whether those are grammar or non-selective schools. There is a variety of provision. However, I am convinced — the House knows that I have referred to my own family and experience — that vocational provision that has a clear focus on academic needs still fails to be provided to young people in some areas, such as east Belfast in particular. Therefore, if there is the collective will among political parties, boards, the Department and the Minister, I think that there is an opportunity for us to come up with a solution.

#### 7.15 pm

The Minister referred to his concerns about west Belfast and the problems that need to be addressed in the west. However, there are issues in the east and along that corridor that are not easily resolved by dots, numbers and statistics on a page. They have to be addressed by looking at the needs of a community. When you talk to those parents from Dundonald, you see their passion, and I know that the Minister was impressed by those whom he met from Knockbreda. They are crying out to the House for a reprieve and an opportunity to have a debate to ensure —

**Mr Deputy Speaker:** Bring your remarks to a close.

**Mr Storey:** — that there is a long-term educational plan that is ultimately to the benefit of the young people, which is what this is all about.

**Mr O'Dowd (The Minister of Education):** I thank Mr Newton for bringing the topic to the House. I also thank

Members for the tone of the debate, which has been very informative and constructive. As the Chair of the Education Committee said, this is about the futures of all the young people whom we serve.

The development proposals are very complex. First, I want to put it on the record that I am limited in what I can say owing to the fact that a number of development proposals have been published. I am the person who will make the decision on those, so I have to be careful in what I say. However, I can say this: I have not come to any conclusions on any of the matters.

I welcome the fact that I have been able to engage with community representatives, political representatives, pupils and schools on the matter. I would have preferred it if I had been engaging with those schools under less difficult circumstances, but I have to say that the manner in which I was treated was excellent. I have to say that those communities opened up to me; they came and spoke to me. It is very revealing when you sit down with parent groups in some of those communities. Mr Newton pointed to the energy in the room. That was recognisable right away — the energy and commitment of the Knockbreda parents. Those communities have a clear interest in the education of young people in east Belfast, and we have to harness that in a way that ensures that they are part of the planning process and administration of education in that area and that they take ownership of education. If we can do that, we will resolve a lot of our problems with educational attainment and educational quality in that area.

We are currently dealing with a number of development proposals, and I will just put those on the record. Ashfield Boys' High School is to increase its enrolment numbers from 600 to 820, rising to 850 by 2018. It is proposed that that will start from 1 September 2013. Ashfield Girls' High School is to increase its enrolment numbers from 660 to 840, rising to 900 by 2018, again starting from 1 September 2013.

It is proposed that Dundonald High School will close from 31 August 2014. Knockbreda High School and Newtownbreda High School are to close and amalgamate from 31 August 2014. Orangefield High School is to close from 31 August 2013. I advise Members that the Belfast Education and Library Board recently requested a modification to the proposal for the closure of that school, starting instead from August 2014. It also requested to increase approved enrolment for Priory from 450 to 600, with effect from 31 August 2014. Those are individual development proposals, but they are all interconnected.

I also advise Members that I met the principals of Ashfield Boys' and Ashfield Girls'. They relayed the story to me that Mr Newton told today about children visiting those schools, being advised that they would be attending them, choosing courses, and so on. I am alarmed that that situation arose and was allowed to develop ahead of a clearer plan or strategy. I do not think that that is a fair way to treat people, and we have to ensure that it does not happen again.

At the very core of this is ensuring that the education provided in whichever location is of good quality — indeed, top quality. There are a number of concerns about the educational provision at those schools. In fact, Dundonald High School, Knockbreda High School and Orangefield High School are all currently in formal intervention.

However, schools have come out of formal intervention before and gone on to do great things. Therefore, it is achievable. When planning the way forward, we have to ensure that we do not end up again in the scenario in which we close one school to move on to close another school, and so on. When we make a decision this time around, particularly in east Belfast, let it be for the long term. Let us look at it in the long term and see how we can provide education outcomes for those young people.

Education has changed so much over the past 10 or 15 years. I suspect that, apart from Mrs Cochrane, we would not recognise education. Fair play if some have children or young people going through schools, but it is a totally different experience from when we were there. Post-primary education, in particular, is a totally different experience from the one we had. We should not fall into the debate between vocational and academic schools. I am not opening up the debate around academic selection; we do not need to go there. Education has changed in such a way that both can be provided on the one campus or in collaboration with each other. I take the point made by the Chair of the Education Committee: we should be looking at the further and higher education providers in the area as well when considering how we provide education in future.

Members, as I said at the start, I am limited in what I can say. However, I assure you that I have listened to the points that you have raised here tonight. They will form part of my deliberations. There are no easy solutions, but there should certainly be no quick solutions either. One good thing that has come out of this, as I said earlier, is that it has allowed the community to start taking some ownership of the education debate. We now have to show them that their voices are being listened to and that there are opportunities for them to shape the debate. I assure Members that I have an open mind when approaching these matters. I will visit a number of the schools in the future. I will meet delegations from the various political parties as well. A number of community groups still want to talk to me before I make any decisions. I assure Members that no decisions have been made. No decisions will be made that do not meet the educational well-being of the people in the community whom the schools are there to serve. I want to make to decisions that I can be assured are setting an educational pathway in the east Belfast area for a number of decades to come.

I will take on board all the comments made today and move forward from there.

*Adjourned at 7.22 pm.*



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# Northern Ireland Assembly

Monday 3 June 2013

*The Assembly met at 12.00 noon  
(Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair).*

*Members observed two minutes' silence.*

## Ministerial Statement

### First Minister and deputy First Minister: Visit to China

**Mr M McGuinness (The deputy First Minister):** Go raibh maith agat, Mr Principal Deputy Speaker. We visited Beijing last week at the invitation of Vice-Premier Madam Liu Yandong. This followed her successful visit to Belfast last April. Since her visit, Madam Liu Yandong has been promoted to vice-premier of the People's Republic of China, with overall responsibility for education, health, culture, science and technology. We were delighted to be able to secure a meeting with her, and, in fact, we were the first Ministers from this part of the world whom Madam Liu Yandong has agreed to meet since her promotion.

I also want to take the opportunity to thank president Li and her colleagues from the Chinese People's Association for Friendship with Foreign Countries for their hospitality and for helping to manage the diplomatic protocols involved in Government-to-Government visits. The association is also responsible for identifying and inviting foreign Governments and Ministers to China as part of a long-term relationship.

During our meeting, president Li issued an invitation to our Minister for Agriculture, Michelle O'Neill, to lead a delegation to an invitation-only Sino-European conference in China later this year. Members will be aware that there is enormous potential for our agrifood sector and agricultural sciences in China, and we see this as an important step in the process of getting our goods and services into China.

The visit also enabled us to build on our successful visit to Shanghai and Hong Kong last November and has left the Chinese authorities in no doubt as to our commitment to building and maintaining a strong relationship with their country. It was also a pleasure to renew our friendship with Madam Liu Yandong and to open up discussions in her new role as vice-premier. At our meeting, the vice-premier confirmed that the Chinese Government welcomed our visit last November and viewed this as a strong commitment by us to developing a mutually beneficial relationship with China. It was also confirmed that China would respond positively and practically to this commitment. A number of areas were discussed, including trade and investment, education exchanges, health, science and sustainable development partnership work. We will discuss the opportunities in these sectors with the Ministers responsible and agree on how they can best be developed.

Our talks confirmed that China wants to see a strong relationship developing with us and that we should be more active in promoting trade, agrifood, tourism, education and technology partnerships. China is such a vast country, and its new Government are pursuing a policy of expanding the country's economic growth and urbanisation to other regions. We have been asked to consider how we might get involved with some of those regions.

We had discussions about a focused regional partnership with a number of specific regions, and we will continue those conversations with the Ministry of Foreign Affairs. We also discussed the potential for opening a bureau representing our Executive in Beijing, and we will explore that with Executive colleagues in the near future.

We met the deputy foreign affairs Minister, Song Tao, who also confirmed that our visit in November was seen as a demonstration of our desire to build a mutually beneficial relationship with China. He confirmed that China, in turn, values that relationship and wants to make progress towards a number of pragmatic exchanges. Minister Song was aware of the peace and political process that we have been through here. He outlined one of the Chinese Government's foreign relations commitments to building a peaceful world, encouraged us to continue to share our experience with other countries and regions and said that China wanted to hear more about that work in the future. Our talks also considered a range of other issues, including political development, the economy, culture and security. That, again, highlighted the many regions in China with different characteristics and opportunities for future work.

A key focus of our future work with China will be to promote economic benefits, and we met the director general of the Ministry of Commerce, Sun Yongfu. We discussed a number of issues, including removing barriers and bureaucracy in trade, which would lead to economic benefits and jobs that, in turn, would help to improve relations between countries and regions.

China is an important and growing export market for our local companies. This market is currently worth in excess of £110 million to us in exports by companies to China, and it sustains valuable employment. China spends trillions of dollars on importing goods and services, and we are, therefore, determined to increase our levels of trade, increase our share of the market and raise our profile there generally.

At our meeting with director general Sun, a number of sectors were identified as being of particular interest, including agrifoods, animal husbandry, food safety,

software, engineering and services. We are also looking at investment, and we have invited the Ministry to consider bringing potential investors to Belfast later this year or early next year. There are also now over 80 million Chinese tourists each year, and we need to get more of them to visit us here. That means that we have to be more proactive in creating awareness and in promoting our brand in China in the future.

Education is important in developing links with countries and has the potential to contribute to our economy, technology and health objectives. We met the Minister of Education, Yuan Guiren, and we know that there are around seven million Chinese university students keen to study abroad. We discussed how we could attract more of them to come and study here. We have two internationally renowned universities, and we want to help them to get more access to Chinese overseas scholarships. The Minister also stressed China's desire to get more people to acquire vocational skills and said that they were very interested in the work of our colleges here. Our education system is something that China has started to examine and wants to learn more about. I believe that we can facilitate that with an expansion in education exchanges.

Throughout our discussions with Ministers, it was made clear to us that China needs to know more about what we can offer. We need to do more to get our message out in China. That requires Ministers and other stakeholders to visit China about specific issues and to try to get some of the 80 million Chinese tourists who travel the world to visit us, to get more of the \$50 trillion the Chinese spend on imports and to attract some of its \$9 billion in overseas investment. We are determined to continue working with the Chinese Government and their officials to ensure that we can capture a significant slice of those markets. Following our visit, we are encouraged by the growing relationship that we have with China. We hope to further that relationship, and we will discuss with our Executive colleagues the possibility of opening a bureau in Beijing and developing regional links for future trade opportunities.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

I thank the deputy First Minister for a detailed and very positive account of the trip. I also assure him that there will be at least one Executive Minister who will enter those discussions on the possibility of opening a bureau in a very positive frame of mind. Perhaps the Minister could expand his thoughts on that bureau — budgets, timing, personnel and potential impact on Programme for Government targets.

**Mr M McGuinness:** I think that all Members here, particularly those who have travelled to Washington, where we have a bureau, and to our office in Brussels, appreciate the importance of having those facilities, not just for the purposes of Members from here who are visiting but for building up important contacts in the United States and in Brussels. Given that it is accepted that China is an economic powerhouse and will probably, in a few years' time, be the largest economy in the world, it would be absolutely remiss of us not to consider the opportunity of having a similar establishment — a bureau — in Beijing. The First Minister and I, who were accompanied on our visit by junior Minister Bell, have had our own discussions about how essential we view it to be. We are tasking our officials to deal with all the issues that you correctly raised

in your question in relation to personnel, funding, cost and premises. That work will be taken forward in due course.

One thing is absolutely certain: this is a vital step to take. In our relationships with Madam Liu Yandong, it was clear that she was very deeply affected by her visit here last year. She was the person who invited us to go back. During our meeting, which was supposed to have lasted something like 50 minutes but in fact lasted nearly an hour and 20 minutes, it was clear that the woman is very focused and engaged. She made what, we think, are some important suggestions about how we can further strengthen relationships, and we will explore those, particularly in the context of the Chinese Government's determination to invest large amounts of funding into areas in the north-east of China, some of which, she actually suggested, it would be good for us to partner with. A bureau would be vital in taking that work forward.

**Mr Moutray:** I thank the deputy First Minister for the statement he has made. I think we all realise that the potential opportunities in China are enormous for a small country such as ours. He referred to the possibility of opening a bureau in Beijing, and we already have a holding in Shanghai. Will the deputy First Minister look at other out-offices, if they are necessary, in such a vast country, so that Northern Ireland may further benefit?

**Mr M McGuinness:** Obviously, we have been very proactive in Shanghai through Invest over the last number of years. The Member is absolutely right: China is a huge country. For example, one of the provinces that were mentioned to us by Madam Liu Yandong that, she believed, we should focus on has a population of something like 60 million people. The scale of that is absolutely enormous. We are very confirmed in our view that the next first step has to be to explore, as quickly as possible, the prospects for opening a bureau in Beijing. From the implementation and setting up of that we can then take forward an exploration of, first, who will man or woman that office and who will take forward the work of exploring the opportunities that clearly are there in different regions of China in a much more joined-up way.

I know that some commentators have been critical of the visits to China, but one thing is absolutely certain: if you do not go there, you do not count. When we were there it was obvious that there is a massive focus from Europe on getting into China and getting a foothold. Of course, we learned while we were there that the Scottish First Minister, Alex Salmond, is due to visit in a couple of weeks' time. Everybody is focused on the opportunities. As the Chinese said to us, what they were impressed with was the fact that, after going to Shanghai and Hong Kong last year, we actually went back again this year. It is only then, when you continue to visit and build up relationships, that you are taken seriously. That will be very important work, but the next big step for us is to open up the bureau and then explore the opportunities in other parts of China.

**12.15 pm**

**Ms Ruane:** Go raibh maith agat. Gabhaim buíochas leis an LeasChéad-Aire as a ráiteas. I thank the deputy First Minister for that statement. As someone who has visited China, I know that there is huge potential for the North and, indeed, the 32 counties of Ireland for markets and for increasing our trade.



You mentioned the agrifood industry. Marketing is a very important part of that, and, with Ireland having such a clean, green image, will you elaborate on that? It would be useful for the Assembly to hear about it.

**Mr M McGuinness:** Everybody here knows how important the agrifood industry is. It is a hugely important part of our exports, and we have big potential for developing that further. The recent announcement by our Agriculture Minister and our Minister of Enterprise, Trade and Investment at the RUAS Balmoral show that they hoped to increase the number of people working in the agrifood industry by something like 15,000 over the coming years clearly shows that the industry is up and running big time and is one of the big successes of what is a central plank of building our economy.

We discussed that with Madam Liu Yandong and spoke about the prospects for imports of milk products, chicken and agricultural services such as animal husbandry and food safety. We were delighted that, at our first meeting in Beijing with the Chinese People's Association for Friendship with Foreign Countries, an official invitation was handed across the table to us for our Agriculture Minister to visit for the purpose of a very important Sino-European conference that is taking place in September.

China also places a huge emphasis on food safety. We emphasised our commitment to public health protection through the collection of accurate food chain information and the implementation of food hygiene regulations in meat plants and cold stores. Not so long ago, as Members may recall if they cast their mind back, there was a massive food scandal in China around the issue of powdered milk for babies, which had profound implications for babies' health in China. This is an area in which we have a particular expertise, and we want to interest the Chinese authorities in it.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an LeasChéad-Aire chomh maith. I thank the deputy First Minister. I wished him and the First Minister well when they went on their trip, and I hope that it proves productive and fruitful, particularly for our export markets.

The deputy First Minister and the First Minister met Director General Sun Yongfu to discuss removing barriers to and bureaucracy in trade, which could lead to economic benefits and jobs. What might those barriers and difficulties be? Are they at this end or at their end?

**Mr M McGuinness:** It is clear from the discussions that we had with the people at the Ministry of Commerce that the major barriers are at their end. We want to explore with them, over the coming period, how we can deal with the standards that they have put in place for food imports.

Our big focus has to be on ensuring that we move forward in a way that meticulously examines the difficulties that are presented by the standards that they deploy, not just for food products coming from here but from other destinations throughout the world. It is obvious that the Chinese authorities, in recognising that links between us can be further strengthened by increasing imports, particularly of an agrifood nature, know that there are issues that currently prohibit the importation of some food products to China. We want to explore what those are, what the difficulties are and how we can dismantle some

of the barriers. In the conversations that we had, there was an openness to exploring that with us.

**Mr Lyttle:** In what way will improved links between universities in Northern Ireland and China help to develop our economy? Have the First Minister and deputy First Minister raised with the Chinese Government any concerns about human rights and religious freedoms in China?

**Mr M McGuinness:** Members are aware that, when Madam Liu Yandong came here last year and started her world tour in the North of Ireland, that was a very significant decision on her part. It sent a very important message to us, as did the visit by the then vice-president of the People's Republic of China, new President Xi. On her visit, her big focus was on education and on increasing relationships between Queen's University, the University of Ulster and Chinese universities.

A very large number of Chinese students are educated at Queen's University and the new University of Ulster. All of that enhances and undoubtedly brings much-needed funds into the universities and is, therefore, very important to the economy of university life. The opportunities presented by the opening of the Hanban/Confucius Institute at the University of Ulster are apparent to all of us. The Chinese are very conscious that, in Europe generally, there is a big debate around the teaching of foreign languages in schools, particularly at primary school level; that is no less true here. In the last while, increased interest has been generated in all our schools in the need to teach Chinese, given the importance of the Chinese language to world trade and so forth.

I was able to inform the Chinese authorities that my grandson, who is 14 years of age, is due to go to China in July with a cross-community football team that takes in a school from Coleraine and his own school in Derry city. The opportunities for building educational links are clearly there. It is obvious that the Chinese recognise the importance of the Chinese language being taught in our schools not just at secondary but at primary level. We are exploring further opportunities with the authorities of Queen's University and the new University of Ulster along with the Hanban Institute. There will be a debate about how we can further accelerate the teaching of Chinese in our schools, because the opportunities that that presents for young people to get jobs and do business in China are there for all to see.

**Mr Campbell:** Many thousands of Chinese visitors and tourists come to the United Kingdom, particularly London, throughout the year. Will any steps be taken, through Visit Britain and the United Kingdom tourism agencies, to ensure that, when those people come to London, they also come to Northern Ireland?

**Mr M McGuinness:** That is an important point. I outlined the figures in my statement: each year, something like 83 million Chinese people travel overseas and spend huge amounts of money. There is an opportunity for all tourist organisations, including Tourism Ireland, to attract the Chinese to this part of the world. That is something that we are very focused on and will further discuss with the relevant Departments. We are agreed that we need to do more. The Titanic brand, for example, is huge in China, but not a lot of people in China would know that the Titanic was built in Belfast. Madam Liu Yandong was deeply

affected by her visit to the new centre in Belfast and to the Giant's Causeway. It is clear that she is prepared to assist us in the promotion of these important tourist attractions.

I did not answer the second part of Chris Lyttle's question on human rights. During the meeting, that issue was raised by us in relation to the Dalai Lama and human rights generally. It will not come as a surprise to anybody in the House that the Chinese Government representatives are very assertive about their independence and how they handle those matters. However, we felt that it was our duty to raise those matters during our serious attempt to build up important relationships. We also raised those issues during Madam Liu Yandong's visit last year. The First Minister and I had discussions with her, and the First Minister raised the issue of religious freedoms. The opportunity was presented to her to explain what China was doing on many of these matters.

It is obvious that Chinese society is opening up to the world, given the number of people who visit there. It is absolutely spectacular to see what is happening in places such as Shanghai and Beijing and the commitment of the Chinese Government to ensuring that the growth that they are experiencing can be used to bring people out of poverty, particularly in areas outside the big centres. They make a very stout defence of all that. What we have to do and, no doubt, what other leaders do when they visit is to build up economic and important political relationships that will lead to the recognition that there is a big world out there that places great emphasis on the need for the protection of human rights.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an LeasChéad-Aire as an ráiteas sin. I thank the deputy First Minister for his statement. What trade links with China have improved since your trade mission in November?

**Mr M McGuinness:** The food and drink trade mission in November was hugely important. The First Minister and I, the Minister of Enterprise, Trade and Investment and the Agriculture Minister visited the Food Hotel China exhibition. The return of that will be in November 2013. The eight exhibitors at Food Hotel China 2012 reported potential sales of over £8 million from the event. All are now actively pursuing those opportunities, including plans to appoint distributors and to set up sales offices in China. Several companies returned to the market to follow up leads, and work is ongoing with the Invest office in Shanghai, which is seen by businesses as having a pivotal role in developing those opportunities. It is also important to stress that businesses — some 350 businesses have visited China in recent years — consistently make the point that ministerial involvement with China boosts their prospects of increasing trade. We ignore that sentiment from the business community at our peril. They believe that, if Ministers support their work, they are taken much more seriously. That was clear during our visits to Shanghai and Hong Kong.

#### 12.30 pm

**Ms Lo:** I congratulate the two Ministers on their success in gaining access to the top politicians in China and the opportunity to discuss a range of issues with them.

There is still a barrier for Chinese visitors in coming to Northern Ireland and the rest of the UK, and it is because

we are not in the EU common visa system. Has the deputy First Minister or have the Executive had discussions with Westminster about joining that system? If not, Chinese visitors will come to the Europe and go to a number of countries and leave out the UK because they will have to apply for an extra visa.

**Mr M McGuinness:** Thank you for your question. The Member's name came up once or twice during our visit, because we are very proud that somebody who comes from China is part of our Assembly. We made that point on a number of occasions. They were surprised to hear that, but it was a source of great pride for us to be able to say that you are a Member of the Assembly.

As I said, 83 million Chinese people travel overseas each year and, in doing so, spend something like \$1.3 billion. We would like some of that spend each year. Britain and Ireland were granted approved destination status in September 2004 and July 2005 respectively, and that allows Chinese tourist groups to travel for leisure purposes. A UK tourist visa from China costs £84, and a Schengen visa, which covers 27 countries, costs £50. Processing time for a UK visa is approximately 15 days, and a Schengen visa takes five to 10 days. The visa waiver scheme introduced by the Irish Government in 2011 has made access to Ireland much simpler and less expensive for those Chinese visitors who already hold a valid short-term visa for the UK under the scheme. They therefore no longer need a separate visa. To attract further tourists, we, too, absolutely need to consider further what more needs to be done to make access to our part of the world easier for Chinese tourists.

**Mr McElduff:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I congratulate the First Minister and the deputy First Minister on maintaining very strong focus in this area. The deputy First Minister mentioned the focus of the Scottish Government. What is the scale and extent of the Irish Government presence and engagement there? My question is informed by the Brussels experience, where the Irish Government have a very significant lobbying presence.

**Mr M McGuinness:** It will not come as any surprise to the Member to hear that the Irish Government also have a very significant presence in China, and Enterprise Ireland has been working away with huge success, I think, in China in recent years. We are very fortunate that Michael Garvey, who has now joined our operation in China, has had the experience of working extensively with Enterprise Ireland, and the wealth of knowledge that he will bring to our operation there will be invaluable. We had a lot of very detailed discussions with the Irish ambassador to China and the British ambassador. Declan Kelleher, who is currently the Irish ambassador — although he is due to move shortly to take up an ambassadorial position in Brussels — was very helpful in giving us his sense of what works and does not work when building relationships in China. It suffices to say that our difficulty is that, for many years, the relationships with China were handled by the British Government in London. The First Minister and I have decided, with the support of our Executive colleagues, that we need to visit those places and not leave it to others to speak on our behalf, or perhaps not speak on our behalf, as may be the case in some circumstances. In that regard, we are playing catch-up to the Irish Government operation, and the lessons that we

have learnt in our recent visit will stand us in good stead as we further develop our relationships. That is why we think that the establishment of a bureau in Beijing will be of huge importance and will send a very powerful statement to the Chinese Government that we are there to stay, not just as people who are visiting but as people who want to do business with them, and we will speak for ourselves, as opposed to having others speak, or not speak, for us.

**Mr Eastwood:** I thank the deputy First Minister for his statement and his answers so far. He has already touched on it, but will he expand a bit on the good work that the Confucius Institute at the University of Ulster does in expanding the links across the world between Northern Ireland and China?

**Mr M McGuinness:** The First Minister and I and junior Minister Bell visited the headquarters of the Confucius Institute in China, the Hanban institute. It was absolutely enlightening to see the way in which it is developing relationships not only with this part of the world but with many other regions throughout Europe and other parts of the world. It recognises the importance of education and understands the importance of cultural links.

It was obvious from Madam Liu Yandong's very successful visit to the University of Ulster at Jordanstown, which was attended by the First Minister and me, that it places a huge emphasis on education and on the teaching of the Chinese language. As we go forward, we will increasingly recognise, through the establishment of a bureau in Beijing, the importance of strengthening our relationships on all fronts, not only in the agrifood sector and by political links but, vitally, in the context of education. It is obvious that the links, particularly with the University of Ulster, both at Magee and Jordanstown, can be further strengthened and built upon.

It was very interesting for me to learn that the Hanban and Confucius approach is not just about building relationships with the universities. Yes, that is a big priority and a big focus, but their big priority is getting people to recognise the importance of teaching Chinese at primary-school level and at secondary level in schools. They absolutely understand that, when people go to China, it is much easier for them to communicate if they can do so in the Chinese language.

The other interesting fact was that, in the meetings that the First Minister and I were involved in with the different agencies, interpreters were there. Even though some of the Ministers we were speaking to had very good English, they insisted on speaking in their first language. So, this is about culture and their traditions and the way that they do business, and there was an important lesson for us in that in so far as we, increasingly, have to recognise that, if we want to trade with China on the level that we wish to do so, we really need to ensure that, in the time ahead, our education system meets the needs of businesses that will go there.

China is a vast country, and it is one that you have to get to know. You have to recognise the traditions that are there. The Chinese place a great emphasis on personal relationships. For them, it is about family. They like to speak about their family and ask about yours. I suppose that it is much like what happens in the United States of America, where we are told that, increasingly, most

business carried out by top executives is done on the golf course and not in the executive rooms.

**Mrs Hale:** I apologise for missing the beginning of the statement. Given the sheer vastness of China compared with Northern Ireland, can the deputy First Minister give details of any discussions that took place about building regional links outside Beijing and Shanghai?

**Mr M McGuinness:** Yes, absolutely. One of the most interesting aspects of our meeting with the deputy premier, Madam Liu Yandong, was her focus on the areas outside Beijing and Shanghai. As I said earlier in an answer to another question, she placed a particular focus on three provinces in the north-east, one of which she mentioned specifically and has a population of something like 60 million people.

So I think she is very keen and interested to have us focus our attention on those three provinces. She made that point particularly in the context of making it clear that the Chinese Government were going to put huge investment into areas that they consider in need of extra support in the time ahead. The argument was that we should be building our links with those areas and that business opportunities would present themselves as a result. So the answer is yes, and the area that she focused on was the north-east of China, and three provinces in particular.

**Mrs Overend:** Improving our trade links with China is something in which I declare a personal interest. It is the largest pork-eating country in the world and, almost two years ago, we in Northern Ireland exported half an aeroplane full of live pigs to China on account of the excellent genetics of those animals. However, leaving that personal story aside, the deputy First Minister talked about the huge potential for exports to China. Will he confirm whether any targets will be set for such exports in the near future?

**Mr M McGuinness:** The target is to dramatically increase what we export. Over the course of 2010-11 and 2011-12, we exported something in the region of £230 million worth of goods. Obviously, we want to increase that total. It would be wrong for me to say that we will set a particular percentage as a target, but given that we are in our infancy in building international political and business relationships at governmental level, it would be fair to say that, at some stage in the not-too-distant future, we might be in a position to set a target.

As the Member well knows, the difficulty about setting targets — this is probably the reason why the question was asked — is that if you set the target and do not reach it, you will be open to criticism in this House. However, it is a fair question, and given that we are looking to increase trade between our part of the world and China, we certainly want to increase very substantially the exports that we send there, compared with the past couple of years. However, £230 million is a huge amount of money. The more that we export to China, the more jobs there will be here.

## Executive Committee Business

(Mr Speaker in the Chair)

### Carrier Bags Bill: First Stage

**Mr Attwood (The Minister of the Environment):** I beg to introduce the Carrier Bags Bill [NIA 20/11-15], which is a Bill to amend the Climate Change Act 2008 to confer powers to make provision about charging for carrier bags; and for connected purposes.

*Bill passed First Stage and ordered to be printed.*

**Mr Principal Deputy Speaker:** Members may take their ease for a few moments while we make a change at the Table.

## Private Members' Business

### Civil Service (Special Advisers) Bill: Final Stage

**Mr Allister:** I beg to move

*That the Civil Service (Special Advisers) Bill [NIA 12/11-15] do now pass.*

I begin by paying tribute to the staff of the House, particularly those in the Bill Office and Legal Services, and the parliamentary draughtsmen for the exceptionally efficient and professional way in which they performed their duties in respect of the Bill.

Whatever happens with the Bill, I have acquired a very high regard for the work level, ethic and sheer professionalism of the Bill Office staff and those involved in those matters. In the almost two years or so that this Bill has been in the offing, I still have no idea of what the personal view of any of the staff that I engaged with is on the merits or otherwise of this Bill, and that is how it should be. They have conducted themselves in an exclusively and entirely professional manner. I want to pay tribute to their expertise and the manner in which they shared and dealt with that. In one sense, it may not have been the easiest of tasks because they were dealing with an MLA who felt he knew something about the law and who had certain ideas about how certain clauses should be expressed and what words should be used, but they were very gentle with me. They nudged, edged and cajoled in the direction of the wording that was appropriate to all parliamentary expectations. A very sincere word of thanks to the staff.

#### 12.45 pm

I also thank Members from different parts of this House who have assisted in getting the Bill to this point. I am very conscious that I am but a single voice in this House. I am very conscious that others do not share my politics, and it is a tribute to Members that so many rose above that to address the principles and the aspirations of this Bill and to see it thus far. I trust today to see it to its ultimate destination of moving on to the statute book. I sincerely want to thank Members of this House for the gracious manner in which they have dealt with this proposal and for the support, even on some very protracted and tedious voting sessions at various stages, which seemed to go on forever. I want to place on record my appreciation in that regard.

Much of the public focus on this Bill has centred, perhaps predictably, on the content of clauses 2 to 5, but I want to take a moment to remind the House that this Bill does significantly more than is contained in those clauses. The Bill also introduces other innovations relevant to special advisers that I think will make good law.

I will just say a word about the relevance and significant part of special advisers (SpAds). They are in a unique position in the governmental arrangements in that, whereas they acquire the status of senior civil servants — and salaries and pensions to match — none of them, by virtue of the special arrangements, is appointed on the merit principle that applies to appointments to the Civil

Service. That is not to say that some and many of them are not meritorious; that is to say a fact, that they are not subject to the merit principle in their appointments. To date, there has been no proper statutory regulation in respect of special advisers such as I think the public in general would expect, so I think it is right that clause 6 of this Bill introduces the requirement, which exists elsewhere in regards to special advisers, that the Department of Finance should annually produce a report on the number and cost of special advisers, because they are, of course, all publicly paid from taxpayers' money. I think that it is right — indeed, I have heard no one dissent in respect of clause 6 — that the public are entitled to know how many special advisers there are and what they cost the public purse.

I think that it is also right that clause 7 should put their code of conduct on a statutory basis and that it should form part of their terms and conditions of employment. I equally think that clause 8 is necessary to put their code for appointments on a statutory basis and to require all to be subject to vetting. Those are valuable, necessary steps taken in the Bill to add to the transparency and the accountability that would be expected in respect of individuals holding such public posts.

We then, Mr Speaker, have clause 9, which removes the anomaly whereby you, Sir, have the right to appoint a special adviser. I say "anomaly" because since the Assembly Commission introduced the office of adviser to the Speaker, a post engaged and employed by competition on merit, the justification and the need for a Speaker-appointed political special adviser has evaporated and it has been defunct in consequence of that. However, if we are looking at the subject, it is right that we remove that anachronism; hence, we have clause 9. Again, I heard no one dissent from any of that during the passage of the Bill.

I turn now to the clauses that have attracted public attention — clauses 2, 3, 4 and 5. Fundamentally, the Bill is about righting a great wrong. Those who agree and those who disagree with the Bill know that the appointment of Mary McArdle in 2011 caused great public unease for many, great disquiet and great debate but, above that, great hurt in particular to the family of her victim. She — Miss McArdle — would be convicted for her part in the murder of the gentle Mary Travers as she came out of her place of worship on a Sunday morning as an attempt was made to wipe out all the family who were present, presumably because her father had dared to serve in a public duty post as a magistrate in this land. This House knows and this community knows that that appointment, gratuitous, selective and deliberate as it was, caused immense hurt, anxiety, and re-traumatisation for the Travers family. Therefore, the Bill is about the very simple message that, in respect of such families, never again will such re-traumatising of a victim's family be permitted.

The Bill, first and foremost, is about righting that wrong and about saying that never again should it happen to anyone else. It does that by declaring, in the opening subsection of clause 2:

*"Subject to subsection (2) and section 3, a person is not eligible for appointment as a special adviser if the person has a serious criminal conviction."*

Serious criminal conviction is, of course, defined in clause 5 as meaning the application of a sentence of five or more years.

The Bill initially stopped there, but the Bill, in its final form, does not stop there. The Bill now embraces points of concern that were raised from legal commentators, from politicians, and from those who sifted and explored the Bill at various fora, not least in the Committee for Finance and Personnel in this House. The Bill, therefore, has imported, through clauses 3 and 4, what could be called appeal mechanisms for anyone affected who finds that they have a serious criminal conviction but already holds or aspires to hold the position of a special adviser. It affords, through an appeal to an independent panel established by the Department of Finance and Personnel, the right to be heard and the right to make their case within the criteria set out in clause 3. If dissatisfied with that outcome, in consequence, they have a further right of appeal to the High Court.

Those are important provisions in the Bill, and those provisions are there to stretch to meet points that were raised in the discussion and debate of the Bill. They set criteria that, I think, are fair and are good law. They say to someone, whether they are a rapist, a fraudster or a convicted terrorist, that if they expect to hold that very special position at the top and heart of government, public society expects that, in respect of their crime, they will have regret and remorse and will show contrition. They will have assisted police as a token of that in the solving of those crimes, and their victims will have a say, as they ought to have, on the fact that they are to be elevated on taxpayers' money to such a unique and pivotal role as that of a special adviser. I suggest that that is a balanced, rational and reasonable approach.

I will move now to refute some of the gross misinformation and falsehoods peddled in respect of this Bill. Indeed, in recent days, in shrill desperation, particularly from Sinn Féin, we have seen an increase in the peddling of those falsehoods. One of them is that the Bill is not compliant with human rights law. Well, there is an answer from a far better source than me in that regard, and that comes from the Attorney General. He raised issues that I listened to and responded to. The nature of that response gave rise to his letter of 22 May, which I want to read into the record. In response, he said to me:

*"I expressed some concerns to the DFP Committee when I spoke about the Bill as first introduced, particularly in the context of article 7 of the European Convention on Human Rights. I see from the Further Consideration debates and from some comments in the press that it may be thought that those concerns still exist. It is important, therefore, that my views on the Bill in its present form are clearly understood."*

He goes on:

*"As a result of the amendments made during its passage and, in particular, the existence of an appeal mechanism, which breaks the inevitable and fixed link between an historic conviction and an adverse consequence for employment, I am content that the Bill in its present form would be within the legislative competence of the Assembly. You will appreciate that my views on competence are not to be construed as a statement of whether or not the Bill is, in policy terms,*

*a good idea or not. This is, of course, the central issue, which is properly a matter for the Assembly."*

### 1.00 pm

On the issue of the Bill's compliance with human rights expectations, however, the Attorney General could not be clearer. Given his powers under section 11 of the Northern Ireland Act 1998 to refer to the Supreme Court any legislation that he has concerns about in that regard, it is quite clear from that letter that he has no such concerns and will, therefore, be making no such referral.

I trust that that letter is a considerable comfort to those who genuinely raised issues of human rights compliance. Some raised them not as genuine concerns, I suspect, and to them, doubtless, the letter is but a paper exercise. To those who genuinely raised concerns, I trust that that letter will properly help to allay those concerns and enable them to see the Bill in its proper light.

We had it peddled that the Bill will open the door to the persecution of former prisoners in teaching, nursing and doctors' jobs — in a whole raft of publicly paid positions. That is utterly, indisputably wrong. The Bill applies exclusively and only to SpAds, a coterie of 19 people. It has no application, can have no application and will have no application to anyone working as a nurse, a doctor, a teacher or anything else. In an attempt to defame the Bill, that is the sort of nonsense that has been spread about. I want to nail that firmly today.

I heard it mentioned on public radio that a Mr Thompson — not the broadcaster but another gentleman — said that the Bill did not apply to convicted soldiers. If a soldier served only two years — I think that there was mention of the name of Private Thain and others — the Bill would not apply to them. That is absolute nonsense. The touchstone and test is not the amount of time that you serve but the sentence that was bestowed on you. If the sentence was five years or more, whether you are a terrorist, a soldier, a rapist or anyone else, the Bill applies to you as a serious criminal. So, let us dispense with that lie that was peddled about the Bill.

It was then said that the Bill discriminates against those whom they call ex-political prisoners. It does no such thing. The Bill applies to all and every serious criminal who obtained a sentence of five years or more, whether that person is a rapist, a fraudster or a terrorist. It applies equally, as it should, to all criminals.

Sinn Féin has, of course, shown itself to be concerned about only its own prisoner elite, as it has been rightly called. It is not this Bill that picks out Sinn Féin's prisoner elite for special attention. It is Sinn Féin's penchant for rewarding such terrorist convicts that makes them central through the publicity for the Bill. However, the Bill itself does none of that, because it applies — without discrimination and without distinction — to all serious criminals.

Of course, the real problem that Sinn Féin has with the Bill is that it cannot, and will not, accept that those who were convicted of terrorist offences were criminals at all. That is the real nub of the issue. The Bill, however, properly makes no such distinction. It says, "Whoever you are, whoever you were, whatever you were about, you are caught by

the Bill if you breached the criminal law and obtained a sentence of five years or more." It is as simple as that.

It was said that the Bill is vindictive. No, it is not, Mr Speaker. It is not vindictive to say that serious criminals should not be employed out of the public purse in such pivotal, central roles. It would be unconscionable to say that they should be. I have heard no one say in any debate on the Bill that the rapist who violently violates a woman should be excused and elevated to a top post at the top and heart of government. I have heard no one say that. Sadly, however, I have heard people say that if you violate a woman — an innocent bystander — with the shrapnel of a bomb that rips her chest apart, and she dies, the person responsible can, and should, be elevated to the position of a SpAd. Mr Speaker, that the rapist and the terrorist should be elevated to such posts are both unconscionable propositions. That is the simple but fundamental and immutable truth to which the Bill clings, and it is the right thing to do. It is good law, I suggest, to say that.

How can it be right, in the name of conscience and all that is right, that those who are guilty of cold-blooded murder, for example, are to be rewarded with such a post by their political friends because they claim that it was done in pursuit of a political cause, but someone who is that rapist, that fraudster or that domestic killer is, by some different moral compass, to be excluded? If there is a moral compass at play, and there should be, it has to apply with equality and unanimity to all serious criminals. That is the case regardless of whether the person is someone who, for the pursuit of financial gain, kills, or whether the person is someone who lurks to pick up the guns after a murder and take them away, or whether the person is someone who sits and detonates a bomb in London and who was, in the words of the coroner, knowing, seeing and understanding of the fact that there were innocent bystanders who were going to be caught up in it. Whichever crime it is, it is a crime that deserves the same response. It is unconscionable to treat a crime differently.

Therefore, I have to say about Mr Paul Kavanagh — his "pity me" interviews in which he says that the Bill is vindictive and will rob him of his job — is that he is a man who robbed at least three human beings of their lives, including a woman who was out shopping and a young Irish lad who was walking past a barracks. The judge had this to say of Mr Kavanagh: he showed not a shred of compassion for his victims.

Some people would come to the House and say that it should make a special case for such people; that they should have a free pass to the top and to the heart of government, and that they should have access, as senior civil servants, to every paper, effectively, that a Minister sees; be party to every decision that a Minister makes, and give advice on all those issues. I will say it again: it is unconscionable that such people should be rewarded in that way, not because they are convicted of a particular crime, but because, like all the rest of those whom the Bill covers, they have been convicted of a serious criminal offence. That is the essence of the Bill.

I have heard it said that Jim Allister does not want prisoners to have jobs. That is not true. Prisoners can find jobs. They should find jobs. This particular coterie of highly paid, publicly funded jobs are not those to be tarnished by the presence of serious criminals. If Sinn Féin wants to employ such people, that is a matter for that party. Let

it pay for them out of its own deep pockets. Do not let it expect and plead victimhood if it is denied the right to pay for them out of the public purse and pocket. Those people are no more entitled than the rapist, the fraudster or any other serious criminal.

I believe that the Bill is important for another reason. In its own way, it is a landmark in how it approaches and deals with victims. It affords victims the right to be heard. For the first time, it elevates their right to a platform on which account must be taken of them. It stems the tide that hitherto has flowed unrelentingly in favour of the prisoner elite. It is right that we should do that. I trust that the passage of the Bill today will mark a significant victory for innocent victims — all victims — and that, for once, we will see something done to stem the tide that hitherto has flowed so strongly in favour of the prisoner elite.

Legislation that is set by a moral compass and respects victims is good law. It is the constant pandering to the “pity me” refrain of the criminal that is bad. I trust not only that the House will respond by passing the Bill but that, in the future, we will build on this small step to honour and respect the innocent victim in our society. The Bill shows that we can move to address the needs of innocent victims, without the political world falling in. It is time to do more of that. I trust that the Bill will be a catalyst to that end. It is, in itself, the right thing to do.

#### 1.15 pm

I could not conclude without paying public tribute to an individual whose courage has been indescribable in the face of gross and crass insensitivity shown to her family. I refer to Ann Travers. With immense courage and disarming conviction, she took to the media when that gross appointment was made, and stood up tall and told it as it was. Particularly in recent days, she has been the object of some scurrilous abuse. It is no surprise where that came from. This House — this community — owes a huge volume of gratitude to Ann Travers, who has done more than most politicians to raise awareness of an issue. She stuck by it courageously and relentlessly, even in the face of great personal difficulties with her health. That is a badge of the integrity and strength of the lady. This House — this community — owes a tremendous debt to that lady, who spoke with such compelling candour, honesty and persistence on behalf of all innocent victims. That is why, outside this House, I have said that, whereas the Bill must officially be called the Civil Service (Special Advisers) Bill, I trust that, in common language, it will, if passed, become known as “Ann’s law”. That would be a tribute in itself to Ann Travers, her family and the tremendous courage that has been shown.

I commend Ann’s law to the House.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. I speak first as Chairperson of the Committee for Finance and Personnel, which undertook detailed examination of the Bill at Committee Stage. In response to its call for evidence, the Committee received over 860 written submissions, which included over 830 signatories to an online petition opposing the Bill. Members heard from the Bill’s sponsor on two occasions and received legal advice from Assembly Legal Services. Key stakeholders also gave evidence, including Department of Finance and Personnel officials, the Attorney General,

NIACRO, the Commission for Victims and Survivors, the Equality Commission, the Human Rights Commission, Ann Travers, Coiste na nIarchimí, Tar Isteach, and a number of academic witnesses. Members also heard from Nigel Hamilton and the late George Quigley on the Office of the First Minister and deputy First Minister (OFMDFM) employment guidance on recruiting people with conflict-related convictions, which aims to fulfil commitments to ex-prisoners in the Good Friday Agreement and the St Andrews Agreement.

From the evidence provided, the Committee identified a number of key themes and issues, which were examined in the detail of our report. Those included the lack of an appeal mechanism; consideration of the needs of victims; compatibility with human rights requirements; commitments under the Good Friday Agreement and the St Andrews Agreement; and transparency on arrangements for special advisers. Unsurprisingly, there was no consensus in the evidence on the majority of those themes and issues. Similarly, the Committee failed to reach consensus on all the provisions of the Bill, as introduced to the Assembly, during its clause-by-clause scrutiny, with some clauses and the schedule being agreed on a majority basis.

Subsequent to the Committee’s scrutiny of the Bill, a number of amendments were made at Consideration Stage and Further Consideration Stage. It should be noted that the Committee has not had an opportunity to consider or reach a position on any of those amendments or on the Bill as it currently stands.

Speaking from a personal and party perspective, Sinn Féin opposes the Bill. It opposes the discrimination that it introduces. It opposes a man from Derry losing his job today because the SDLP wants to get one over on Sinn Féin. The SDLP supports this Bill. Last week’s political car crash was nothing more than an attempt at posturing, and everybody knows that. The mask slipped yesterday. The leader of the SDLP stated that there is a hierarchy of victims. He said that the SDLP consulted victims, when it clearly did not. Clearly, it has consulted victims of the IRA — victims of republicans — but it did not consult with a number of victims’ groups, including the victims of Bloody Sunday. Given all of that, when it comes to the SDLP, IRA victims are at the top of that hierarchy and everyone else comes second.

We have a petition of concern, and we have 29 signatures on it, and it is now with the Business Office. It is not too late to do the right thing, to stop this discrimination and to stop the undermining of the Good Friday Agreement. The public know that those against the Bill will sign the petition of concern. They know that those for the Bill will vote for the motion, and they know that those who abstain or vote against the Bill without signing the petition of concern are not really against the Bill and are posturing.

One thing you can be sure of, a Cheann Comhairle: we in this party will never give in to Jim Allister and the anti-agreement unionists who want to reintroduce conflict — who have reintroduced conflict, as we have seen on the television screens and heard on the airwaves in the past week, where victims have been set against victims. They set victims against ex-prisoners. That is what has taken place. Jim Allister wants to turn the clock back. That is why the SDLP should defend the Good Friday Agreement and stop this anti-agreement legislation.

Jim Allister first appeared at the Finance and Personnel Committee in September last year. This piece of work took up a lot of time and effort, and we should have been focused on other issues. We should have been focused on the economy, finance and the Civil Service rather than on a Bill that introduces discrimination.

At that session, Jim Allister made reference to NIACRO having flagged up that it was wrong to place these kinds of barriers. NIACRO was right. He also compared the Bill to the Estate Agents Act 1979 and the Solicitors (Amendment) Act 1956. Mr Allister referred to a clerk who was in post and had a conviction before the Act was made and, under the law that was introduced, was disqualified from acting. However, this predated human rights legislation that has applied in more recent years.

Also at that session, Dominic Bradley referred to the argument that a wave of emotion is not a solid basis for bringing forward legislative change. That is also right. The implications for wider society need to be thought through.

Part of the Bill sponsor's rationale was that a special adviser is a high-profile position, but many of us could not name Nelson McCausland's special adviser, Edwin Poots's special adviser, Arlene Foster's special adviser or Alex Attwood's special adviser. If you were to ask members of the public, they would not know their faces or their names. It suited the political agenda to deem this "high profile".

It is the thin end of the wedge. If Jim Allister could get his way, he would try to send all the prisoners who were released under the Good Friday Agreement back to prison. That being the case, of course he would not mind if they lost their jobs as teachers, doctors, bus drivers, council workers or politicians. What if Jim Allister brought forward similar legislation that was aimed at Jennifer McCann, a political ex-prisoner, Raymond McCartney, a political ex-prisoner, Gerry Kelly, a political ex-prisoner, Pat Sheehan, a political ex-prisoner and Martin McGuinness, a political ex-prisoner?

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

**Mr McKay:** Yes.

**Mr Allister:** Before the Member demonstrates his ignorance any further, is he not aware that all those matters are not within the ambit of legislation in this House? They fall within the ambit of Westminster legislation. Therefore, it would not be possible, no matter how inclined I might be, to take any of those steps in the House. So, perhaps the Member would like to desist from spinning a web that merely exposes the falsity of his position.

**Mr McKay:** The Member makes my point. If the House had the power to take away all those politicians who represent people in their communities, the Member would do it. We all know that. The Member has an unhealthy focus on Sinn Féin. He also has an unhealthy focus on trying to reintroduce conflict in our communities, and that needs to be opposed.

SDLP Members are so eager to get one over on us that they would facilitate the sacking of Sinn Féin members whom they work with. The SDLP meet and work with Paul Kavanagh. How many SDLP MLAs who would sack Paul Kavanagh today have sought his opinion and his views, even though they have worked with him for many years? Have they simply hidden away like they have from certain victims' groups over the past number of weeks?

The SDLP needs to think carefully about what it is about to do. Each SDLP MLA — I emphasise the word "each" — has an opportunity to stop discrimination being introduced in the House. This is Jim Allister trying to bring the old Stormont into the new Assembly and to reintroduce real discrimination. You do not sit on the fence when it comes to discrimination; you do not sit quiet. If you do, you facilitate discrimination. Once you facilitate discrimination, as it is proposed today, there is no opportunity to undo it.

The actions of each SDLP MLA will go on to the public record and will form the detail of the history of this place in future years. As a public representative, I certainly would not want my children and people in my community to come up to me in future years and ask why I stood back and did nothing whilst anti-agreement unionist politicians sacked somebody from Derry, simply on the basis —

**1.30 pm**

**Dr McDonnell:** Will the Member give way?

**Mr McKay:** Yes.

**Dr McDonnell:** Why did you vote against — Mr Speaker, may I ask why the Member voted against the retrospective amendments that were placed, if he is so adamant about sackings? Amendments were made. Amendments were on offer, and they were supported by Sinn Féin and the Alliance Party. The Member and all his crew voted against them. Surely to God, he owes us an explanation.

**Mr McKay:** I will explain: it was because the Bill, as the SDLP would have amended it, would still have been prospective.

**Dr McDonnell:** You voted for retrospective —

**Mr McKay:** Do you want me to answer the question? *[Interruption.]*

**Mr Speaker:** Order; the Member has the Floor.

**Dr McDonnell:** He voted for retrospectivity.

**Mr Speaker:** Order.

**Mr McKay:** The Bill, as the SDLP would have changed it, would still have applied to political ex-prisoners, had they applied for a special adviser's post. So, it would still have been retrospective. It would not have been retrospective for Paul Kavanagh and his post, but it would still have facilitated discrimination, and we do not vote for discrimination. *[Interruption.]*

**Mr Speaker:** Order. Let us not debate across the Chamber; let us have it through the Chair.

**Mr McKay:** Discrimination, a Cheann Comhairle, touches a raw nerve within nationalism and republicanism. At the first Committee Stage appearance that he made, Jim Allister said that his Bill:

*"is prospective; it is not retrospective."*

But it is. Paul Kavanagh has already been appointed, so this will apply to past special adviser appointments as well as to future appointments. Jim Allister said that the Bill "bases new legal consequences" on "a past event". So the Bill is about going into the past, changing legal consequences and tailoring them in such a way that the effect, in reality, is on only republican ex-prisoners.



The Attorney General, to whom the Member referred, was also before the Committee in the early stages. He referred to Jim Allister's reliance on the prior legislation that I referred to, which removed employees already in post. He highlighted that such legislation predated the Human Rights Act 1998, in particular the provisions that deal with retrospectivity. The Attorney General's concerns, at that time, stemmed from article 7 of the European Convention on Human Rights. He said:

*"it prohibits an increase in penalty or the imposition of a heavier penalty than was available at the time."*

And that still applies. A "heavier penalty" is being imposed on Paul Kavanagh by sacking him from his full-time job.

The Attorney General also said that you have to look at the Bill's "purpose and its severity". The purpose, he said, "does loom large" over the Bill. He continued by saying that it is based on the idea that a number of parties do not want certain people with convictions in the past being in this role.

There was also some discussion regarding the possible referral to the Supreme Court, and the Attorney General said of the Bill as it was then drafted:

*"For the sake of argument, and just to illustrate the point, let us look at clause 3(2)(b). The Supreme Court might say that there is a problem with retrospectivity and take out the words 'before or'."*

The Attorney General said:

*"That would leave the clause reading: '(2) This section applies whether the person — (b) was convicted after the coming into operation of this Act.'"*

He went on to say that if those changes were made — that is, were the Bill to be made to apply only to those convicted after the Act came into operation — it:

*"might well be saved in European Convention terms."*

That change was never made. There are still question marks over the Bill based on the comments of the Attorney General on the European Convention on Human Rights.

NIACRO also gave evidence to the Committee, represented by Pat Conway and Anne Reid. NIACRO's position is that people with convictions should not be discriminated against, especially with regard to access to employment. It promotes the principle and practice that employment aids resettlement and reintegration. The representatives said that people with conflict-related records should be considered separately from others. They referred to two pieces of legislation: the Rehabilitation of Offenders (NI) Order 1978 and the Rehabilitation of Offenders (Exceptions) Order (NI) 1979. For over 20 years, NIACRO has argued that those two pieces of legislation should be reviewed because they are a barrier to resettlement. That is because they are open to interpretation by employers, usually in a negative way, and the list of excepted jobs has increased significantly. Very few conflict-related convictions are considered spent under those pieces of legislation.

In NIACRO's view, the Office of the First Minister and deputy First Minister's voluntary guidelines on recruiting people with conflict-related convictions have simply not worked, essentially because they are voluntary. The

guidelines were supposed to be applied to conflict-related convictions. NIACRO made it clear that any such instrument for conflict-related convictions needs to be enacted in legislation. It is NIACRO's view that the Bill is potentially incompatible with section 75 and the Good Friday Agreement. NIACRO does not support the retrospective elements in the proposed legislation. Appointments should be made on the merit principle, and there should not be a blanket exclusion of any particular or specified group.

NIACRO also emphasised the need for a wider discussion about addressing issues of employment and conflict-related records, as happened in South Africa. The representatives said that, in any society emerging from conflict in which there are prisoners' issues, those issues need to be dealt with. They argued that, in any conflict, the issue of prisoners must be addressed, and not to do so does not assist in concluding the conflict, no matter where it is. It struck them that perhaps the Bill had been predicated on political opinion rather than on whether somebody presents a threat or a danger to society.

The Member for South Antrim Mitchel McLaughlin commented during that evidence session:

*"It is conflict-related legalisation, and it represents the conflict continuing ... it is not an example of conflict resolution."*

That is why the passing of the Bill should worry us all. People will be punished under the Bill on the basis of the findings and conclusions of a severely flawed legal system. The Bill legitimises the conclusions and findings of a system in the past that introduced internment, forced people to sign confessions for acts that they had nothing to do with and protected the RUC and the British Army from even receiving a sentence of five years or more. The SDLP is right — it is a flawed Bill — and it should block a Bill that legitimises the flawed justice systems of the past.

There is no mention in the legislation of unsafe and very dodgy convictions that have taken place. Many of the convictions to which the Bill will apply are still in the process of being overturned for being wrongful and false. I refer to the case of Charlie McMenamin, who was 16 when he was arrested at his home in Derry in March 1978 in connection with the killing of a police officer. He was questioned for two days without an adult or a solicitor present. He was forced to confess to conspiracy to murder, several firearms offences and membership of the youth wing of the IRA. He was beaten, threatened and kicked to the ground in order to secure that confession. A medical exam took place in the middle of that interrogation that showed that his hair had been ripped out — his hair had been ripped out — but the interrogation was allowed to continue. There was clear evidence of that in court. There was also clear evidence that he was 75 miles away when the incident occurred, but the prosecutors still pressed the charges.

Charlie McMenamin went to jail and got a record that, in later years, hindered him in finding employment. It was not until 2007, 27 years later, that the conviction was overturned in the courts. It might not have been overturned in the courts had Charlie McMenamin not pursued his case to overturn that miscarriage of justice. He could still have had that record hanging over him, and it would have applied under the Bill.

Eamonn MacDermott was arrested in 1977. He was abused and beaten, and he signed a confession because he was so desperate to end those beatings at the hands of the police. At the trial, the judge rejected his defence that the confession had been beaten out of him. He was jailed for life and served more than 15 years. If that case had not been quashed, Eamonn MacDermott would have been discriminated against under the Bill.

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

**Mr McKay:** Yes.

**Mr Allister:** Surely the Member understands that clause 2, which uses the phrase “a serious criminal conviction”, inevitably refers to an extant conviction. If a conviction has been overturned, a person does not have a conviction. The two gentlemen who were acquitted on appeal would be unaffected by the legislation because they do not have a serious criminal conviction.

**Mr McKay:** For 27 years, in the case of Charlie McMenamin, that would not have been the case. We know that there are still cases that have not been overturned. Therefore, the Bill will apply to those cases. The Bill, because it is reliant on the findings of a flawed legal system of the past, also ensures that those who fired the guns and killed 14 people on Bloody Sunday are not banned from being special advisers. The Bill protects those —

**Mrs D Kelly:** Will the Member give way?

**Mr McKay:** Yes.

**Mrs D Kelly:** The Member talks about people being tortured and having confessions beaten out of them. People who were alleged to have been informers were found on the border with a black bin bag over their head, having been shot through the back of their skull. What appeals mechanism did they have?

**Mr McKay:** I have made it clear that this conflict involved many parties — the UVF, the British Army — *[Interruption.]* Are you going to let me finish the point?

**Mr A Maginness:** The IRA never murdered —

**Mr Speaker:** Order. The Member has the Floor.

1.45 pm

**Mr McKay:** There were many parties in the conflict; the IRA, the UVF, the UDA, the British Army, the RUC.

**Lord Morrow:** Do you condemn the IRA?

**Mr McKay:** Do you condemn the RUC?

**Lord Morrow:** Do you condemn the IRA?

**Mr Speaker:** Order. Let us not have a debate across the Chamber.

**Mr McKay:** There are those who sit in the Chamber who served in the RUC, the UDR and the British Army. Those organisations were part of the conflict.

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

**Mr McKay:** Yes.

**Mr Hussey:** I had the honour to serve in the Royal Ulster Constabulary. I have never killed anybody. I do not have a conviction for killing anybody. However, the person

who brought this whole thing about was there when Ms Travers's sister was callously murdered. She did it. She is guilty. She is guilty as sin. I, as a serving RUC officer, was very proud to serve in the RUC. Unlike some Members of the House, I say that I served in the RUC. I served in the RUC from 1977 until 2001. I am unlike some Members over there, who will not admit how long they served in the IRA. There are people sitting over there who know murderers who have never been convicted. Get your facts right. There are people sitting over there who know people who were killed and know who killed them. Get them to stand up and admit their deeds here today.

**Mr Spratt:** On a point of order, Mr Speaker. I ask you to examine the Member's comments. I, too, served in the Royal Ulster Constabulary for 30 years. I never murdered anyone, nor was I ever convicted of any offence. Some of the language that the Member has just used is deeply and grossly offensive. I ask you to examine that language, because I think that it is unparliamentary and not to be used in the House. I have served the House well in what I have had to do since I was elected to it. Mr Speaker, please examine those remarks as they are offensive to me, Mr Hussey and others in the House.

**Mr Speaker:** Order, Members. Let me read the Hansard report and come back to the Member directly. Let me say to the whole House that we are getting slightly away from the Final Stage of the Bill. I ask Members to connect their remarks to the Final Stage of the Bill. As Members will know, I will allow them some latitude in and around all these issues. However, please let us get back to the Final Stage of the Bill. Members should make sure that they are able to connect whatever remarks they make in the House very clearly to the Final Stage of the Bill.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I say that because this Bill is aimed at republican ex-prisoners. *[Interruption.]* That is quite clearly the case.

**Mr Speaker:** Order. Let us not have a debate across the Chamber. Members should be reminded of the language that they use in the House, especially at the Final Stage of a Bill. Allow the Member to continue.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle.

**Lord Morrow:** Will the Member give way?

**Mr McKay:** No.

This Bill is aimed at republican ex-prisoners. Any time that you try to discuss wider victims issues concerning the RUC and the British Army, the response is, “Oh no. we cannot talk about that. The focus is on republican ex-prisoners.” Is this the way to deal with our conflict and ensure that we do not return to conflict? No, it is not. We need a holistic solution that looks at the needs of victims as much as ex-prisoners. We need to find that agreement.

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

**Mr McKay:** I will not take any more interventions, thanks.

The focus needs to be on that and not on one or two particular cases, although those cases are just as legitimate as any other.

Queen's and the University of Ulster gave evidence at Committee Stage. Rory O'Connell, one of those who gave evidence, discussed article 7 of the European Convention on Human Rights. He said that people could regard the Bill

as having an element of punishment in it and the purpose of retribution, and that that steers us back to a possible problem with article 7. There had been discussion about the right to seek employment and how that forms part of the right to a private life.

He said that the issue had become quite lively in the European courts and human rights case law. He said:

*"The European Court of Human Rights' reasoning is that, for many people, the forum in which they develop relationships with others is, frequently, employment and to exclude people from wide areas of employment may affect their private life."*

Reference was also made to the case of Cox v Ireland:

*"people who had been convicted under the Offences Against the State Act in the Special Criminal Court could not be employed in the Civil Service for a period of seven years."*

That was found to be a breach of a right in the constitution to earn a livelihood.

The Human Rights Commission had serious concerns regarding the European Convention on Human Rights and UN standards, stating that the European Court had said:

*"the law should not exclusively serve the process of retribution or revenge."*

The question was raised whether this was a retroactive penalty that would trigger violations of article 7 of the European Convention on Human Rights and article 15 of the International Covenant on Civil and Political Rights. Professor O'Flaherty said:

*"the key question is this: is the prohibition a penalty? If it is a penalty, we have a problem; there is a clear violation. Is the primary purpose or a prominent purpose of the prohibition punitive? If the answer is yes, articles 7 and 15 are engaged."*

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

**Mr McKay:** No.

The Human Rights Commission highlighted the United Nations document on the standard minimum rules for the treatment of prisoners and quoted a paragraph from it:

*"The duty of society does not end with a prisoner's release. There should, therefore, be governmental or private agencies capable of lending the released prisoner efficient after-care directed towards the lessening of prejudice against him [or her] and towards his [or her] social rehabilitation."*

Professor O'Flaherty then said:

*"So, you need to ask whether the Bill is consistent with the UN standard minimum rules"*.

It clearly is not. Clearly, there are question marks over the Bill. When I questioned the Human Rights Commission about the guidance from the Office of the First Minister and deputy First Minister, it was firmly of the belief that that guidance was compliant with international standards.

Ann Travers and Catherine McCartney gave evidence to the Committee. That was a very worthwhile and moving evidence session. Ann said that the first she

heard about the special adviser's appointment was when a BBC researcher rang and asked her about it. It has had an impact on her health. Like many victims, of all groups involved in the conflict, Ann seeks the truth of what happened. There is only one way of doing that. Is it through this Assembly? Is it amongst all these parties? It needs to go somewhere else. There needs to be a truth commission. There needs to be an agreed way of dealing with these issues. Otherwise, the kind of legislation that Jim Allister has brought forward will come back again and again and will rake up old sores and wounds and create conflict and arguments between victims of different organisations during the conflict. That will go on and on and would not serve anyone any good at all. There needs to be genuine and full buy-in to such a process from the groups involved. That is a choice that we have: to take either a progressive or regressive approach to the past.

Nigel Hamilton and George Quigley came before the Committee. They discussed the Office of the First Minister and deputy First Minister's guidance, which they were involved with. I had not met George Quigley before; he was a fascinating individual and a great thinker. I thoroughly enjoyed the presentation that he gave to the Committee. The Good Friday Agreement was the genesis of the guidance, as they said at the Committee, and it was based on the need to deal with ex-prisoner issues. Both men chaired a working party with representatives from loyalist and republican ex-prisoner groups, the trade unions, the CBI and Departments, especially the Department for Employment and Learning and the Department of Finance and Personnel. Both were surprised at the range of issues and blockages to reintegration. Ex-prisoners were not being accepted for jobs because they had a record; they could not get taxi licences; they could not adopt children; and they could not even get insurance for homes and businesses. There was no co-ordinated approach to the authorities and no co-ordinated effort by the authorities to address the need to integrate or reintegrate.

A task force was set up for the regeneration of greater Belfast, and it was chaired by John Simpson and Padraic White. It reported strongly that the ex-prisoner issue should be decisively tackled. That eventually led to the working group in question being set up. George Quigley was astonished that there were some 30,000 ex-political prisoners, and the figure could be higher. He said that, if you grossed that to include immediate family members, it would be over 100,000 people. I realise that that had to be a very important component of the peace process. He was impressed by the ex-prisoners and their obvious desire to move on and to contribute to shaping a new future for everybody. He summed it up very well. I will just quote this:

*"So, I asked myself whether it was sensible to deny them the opportunity to contribute and whether it was reasonable for society to expect them to espouse peaceful democratic means to shape the future but, at the same time, refuse them any place in that future, assigning to them the role of permanently idle onlookers and outsiders with all that that would mean later for opportunities for their families and the next generation."*

The work of that group resulted in the development of a principle ensuring that an ex-prisoner with a conflict-related offence will be able to compete with other applicants for employment on a totally level basis, with the

employer making his or her decision solely on the basis of the applicant's skill and experience.

The OFMDFM guidance discusses what should happen if there were a conviction and the employer considered that it was or could be materially relevant and manifestly incompatible with the post in question. The guidance was very clear that the onus of proving material relevance lies with the employer. It also makes it clear that the seriousness of the offence is not in and of itself enough to make a conviction materially relevant. It also underlines that only in very exceptional circumstances will a conviction be relevant. George Quigley considered that a good, principled start in what he believed was a very important and necessary journey, and the Member's Bill undermines all that work.

In some areas where the conflict was particularly focused, the treatment of ex-prisoners is a very significant issue. George Quigley also discussed the issue of victims. He said:

*"There are two issues to be dealt with in a very dedicated fashion in this society. First, what happens to the victims? I would argue that far too little has been done to deal with that question. It is absolutely scandalous that, at this stage, after the conclusion of the period of violence, we have still not addressed adequately the emotional or material needs of victims. Some cases are an absolute disgrace to our society. I think that that has got to be dealt with, just as much as any other issue. Secondly, there is the issue of ex-prisoners. I am not sure that bringing the two issues together helps the resolution of either."*

He is right: not enough is being done for victims. That is a disgraceful situation, but bringing the two issues together in this way will set back our peace process. That is the aim and raison d'être of the sponsor of the Bill. It is to set back the peace process and to set back the Assembly. If we are to have a stable society, there are certain issues that we simply have to address. Both the issues of victims and of ex-prisoners are critical. How can we move forward in a way that results in the past never being repeated? That needs to be the key question, and there does not need to be conflict between addressing the issues of ex-prisoners and of victims.

## 2.00 pm

We also had representation at Committee Stage from ex-prisoner groups and representatives. The ex-prisoner groups, of course, oppose the aims and objectives of this Bill. An Coiste and Tar Isteach urged the MLAs at the Committee not to support it, first, on the grounds of equality and citizenship and, secondly, on the grounds of a shared future. They emphasised this point: a shared future for everyone, including ex-prisoners. The Alliance Party recognised this point, and it voted to defeat this Bill at Second Stage. Judith Cochrane the Member for East Belfast rightly stated that no conventional senior civil servant would be comfortable with the power and status of a special adviser that is temporary compared with conventional Civil Service jobs. She said:

*"as legislators, we must be careful about making law on the basis of an individual case."* — [Official Report, Bound Volume 77, p289, col 2].

That conclusion was spot on. She said:

*"As we endeavour to move away from our dark past and seek to build a brighter future ... we will be faced with many issues that have the potential to cause hurt and pain, and legislation will not always be the answer. Instead, we, as elected Members, must be cognisant of the impact that our decisions may have and ensure that we approach matters sensitively and respectfully. It is for those reasons that we will not be supporting the Bill's passage".* — [Official Report, Bound Volume 77, p290, col 1].

She was right about the potential of this Bill to cause hurt and pain.

In the past week, we have seen victim argue with victim about this. Is the Bill worth that? Is the Bill worth a man being sacked, as will be the case? Of course not. In particular, victims of the British Army, of the RUC, of collusion and of British Government decisions have been hurt by this. The Bill is not holistic; it is focused on republicans. As Jim Allister said, he would prefer Paul Kavanagh to be in jail. He would get the Assembly to send all ex-prisoners back to jail if he could. In that same Second Stage debate, Steven Agnew of the Green Party said:

*"the past cannot be allowed to be the shackles on the feet that lead us to the future. If we continually drag ourselves back into the debates of the conflict, that is precisely what we do."* — [Official Report, Bound Volume 77, p294, col 2].

Victims across the board were not consulted on this by the SDLP. It is quite clear that many victims of state violence were not consulted, and, therefore, their anger is understandable. Thomas Quigley of Tar Isteach was before the Committee. Tar Isteach is an ex-prisoners' group that was set up by ex-prisoners. It works in north Belfast with ex-prisoners, relatives of ex-prisoners, victims and the youth of that area. It services some of the most disadvantaged areas in the North. Ex-prisoners in Tar Isteach work in those areas to provide services on welfare rights and in regard to counselling and to provide youth programmes. They also work with former loyalist prisoners and the police. They make a positive contribution to their community and, therefore, to society. They also carry out a great deal of research. One piece of research found that 75% of the ex-prisoners that they work with are victims themselves. They have had relatives — mothers, fathers, brothers and sisters — killed by state forces or loyalists. They have come through conflict, and now they want to improve society. They want to work for their communities and to play a positive role. That role can be challenging. Ex-prisoners have worked hard to move the peace process forward and to maintain it. They have been threatened by dissidents and those who are opposed to the peace process. So, this Bill — this discrimination — undermines those who are in favour of the peace process and the critical leadership that they provide in communities. That, in my opinion, is simply crazy.

The member of the SDLP effectively gave the two fingers to ex-prisoners across the North yesterday. The SDLP now has a hierarchy of victims. What is that hierarchy? Where are IRA victims, UVF victims, British Army victims or RUC victims? We do not know. We know that Paul Kavanagh is down the pecking order — that is, I might add, a rather

distasteful phrase. What about the Bloody Sunday families, the New Lodge Six, the victims of the Ballymurphy massacre?

**A Member:** Omagh?

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

**A Member:** What about Enniskillen?

**Mr McKay:** I will not give way. I include all those cases — Enniskillen and Omagh. However, I make the point that the focus, from both the TUV and the SDLP, is on republicans. There are victims of collusion who were republicans. Where do they stand? They include John Davey from Gulladuff, Gerard Casey from Rasharkin and Eddie Fullerton from Buncrana.

**Mr Hussey:** Howard Donaghy from Omagh was shot dead.

**Mr Speaker:** Order. Let us not debate across the Chamber.

**Mr McKay:** Alex Maskey was a victim of collusion.

**Mrs D Kelly:** On a point of order, Mr Speaker. Will you make a ruling on whether it is right that Mr McKay chooses the names of particular victims or should he read out all of the almost 3,700 victims? I just want to find out.

**Mr Speaker:** Members know that this is the Final Stage of the Bill as it now stands. Contributions should be made for and against the Bill. I have allowed some latitude in all of this, because these are very emotive issues. I understand that. However, it is vital that, as far as possible, Members link their remarks to the Bill and to its Final Stage. That is very important. Once again, I remind Members to be careful about the language that they use in the House. Please allow the Member to continue.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. Alex Maskey, a Member of the House, was a victim of collusion. Does the SDLP consider him less of a victim, given that it has this pecking order? That should not come as a surprise because the SDLP dismissed collusion at the time that Alex was attacked and briefed the media that republicans had attacked him. Where is the SDLP in all of this? I do not know.

**Dr McDonnell:** Do you know anything?

**Mr McKay:** I know plenty.

**Mr Speaker:** Order. Let us not have a debate across the Chamber.

**Mr McKay:** The Equality Commission also provided evidence to the Committee and said that, when someone has a conviction, the material relevance of that conviction to the post in question should be considered. That is very much in agreement with the thrust of the guidance from the Office of the First Minister and deputy First Minister. Again, we see evidence against the Bill coming from the Human Rights Commission, the Equality Commission, the Good Friday Agreement and the St Andrews Agreement, which were critical in moving this society beyond conflict, and the European Convention on Human Rights.

**Lord Morrow:** On a point of order, Mr Speaker. Would it be too much to ask the Member to direct the House to the clause he is speaking to at the moment?

**Mr Speaker:** In answer to Lord Morrow's point of order, sometimes it is difficult for Members to link what they

say to a particular clause and especially to the Bill. It is important that, as far as possible, while I allow some latitude to Members, they try to link what they are saying and their contribution to the Bill, please.

**Lord Morrow:** Further to that point of order, Mr Speaker, it is to assist some of us because we have got lost about where the Member is in the Bill. I was hoping that he could give us some guidance about what clause he is talking about.

**Mr A Maginness:** That is because he has got lost.

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

**Mr McKay:** It is clauses 2 and 3. I will make the point again because I did not get the chance to finish. Again, we see evidence against the Bill coming from the Human Rights Commission, the Equality Commission, the Good Friday Agreement, the St Andrews Agreement and the European Convention on Human Rights, and it is all being ignored.

**Mr Hussey:** On a point of order, Mr Speaker. Can we confirm that the basic right of the European Convention on Human Rights is the right to life? Will you confirm that for me because you seem to have forgotten that?

**Mr Speaker:** Order. Points of order and interventions must also link to the Bill. Let us move on.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. Peter Shirlow of Queen's University gave evidence to the Committee. We know this now, but at the beginning of his evidence, he said:

*"It is important, at the outset, to say that there is no unified victims' voice. We have to realise that there are multiple voices regarding victimhood. That is crucial."*

He made another point that is relevant in this case:

*"One of the problems in this society is that the issue of victims creates so much noise that we do not get to grips with solutions, and we do not actually articulate and work our way through what would be progressive and meaningful for this society."*

**Lord Morrow:** Will the Member give way?

**Mr McKay:** No.

Peter Shirlow said that the fair employment legislation needs to be examined, where it is enshrined that a person with a conflict-related conviction can be dismissed by an employer without any recourse. So, the SDLP is wrong to say that this precedent will not have a ripple effect: it will. Shirlow also discussed victimhood. He said that we have to be aware that victimhood is embedded in the loyalist community, in the republican community, in the prison officers' community and in the state force community.

It is not simply a black-and-white case of perpetrator and victim.

## 2.15 pm

Peter Shirlow stated:

*"One of the other important things that we found from our research was that one third of republicans and loyalists were intimidated out of their home."*

He said about victims that the research shows that the vast majority of loyalists and the vast majority of republicans agree that civilians were victims and that those on the

other side, so to speak, were victims of the conflict. He said that, in the republican community, former prisoners were twice as likely as other members of their community to state that the police, the British Army and prison officers were also victims of our conflict.

He continued:

*“DDR is successful when it is based on inclusion. Any form of demobilisation, disarmament and rehabilitation works through inclusion and not by excluding people from society.”*

Shirlow stated that he believed in conflict transformation. He said that the Bill is quite clearly contrary to conflict transformation.

He also chaired the review panel on employers' guidance on recruiting people with conflict-related convictions and found very few in industry who wanted to perpetuate fair employment legislation that could disbar former prisoners. He added:

*“If the Bill were to come into law, it would be another bar on those people, irrespective of many of the moral issues that are thrown up. If a constituency is prepared to engage, move forward and challenge itself, it should be included in society.”*

He went on to say:

*“Within loyalism and republicanism, I have had conversations, through research, with many people who, in many ways, lick their wounds, and they are concerned because they feel either betrayed, forgotten or marginalised. In many ways, those people would not necessarily be sympathetic to dissidents in either section but would state uncertainties about their commitments and allegiances. Most people do not feel that for ideological reasons, but they say to me that they feel excluded from society. We are talking about a community in which 50% or 60% have told us in survey after survey that they have been turned down for jobs and have not had interviews when they have been the best person for the job. That sense of fatalism or frustration comes in.*

*I was speaking one day to a guy from a loyalist background who was in prison for five or six years. He would be affected by this legislation, and I do not think that he would ever end up being appointed. That man was in prison and joined the Christian Fellowship. When he came out of prison, he got a job with a gentleman who was involved in the Christian Fellowship and worked for 25 years in that man's place of work. He was promoted on multiple occasions, was a good citizen, ran a youth club and intervened in all sorts of youth activities in his community. The company went bust, and he could not find work. I understand the emotions of the McArdle issue, but a broad brush whereby everybody is the same is not conflict transformation. Are we seriously talking about excluding people such as that? Are we seriously talking about excluding a middle-aged person? That man cannot get a job. He has been a good citizen, but society tells him that he is not. A political maturity has to kick in, in many ways. To answer your question: prisoner groups go into schools and youth clubs, and they tell people that the allure of violence is wrong.*

*The argument that loyalism makes is that you go to prison, you lose your wife, you lose your income, you come out, and you are put on the scrapheap. That work is crucial in diverting people away from conflict. It challenges the voice of those who are irredentist and want to take this society back to where it was. It is crucial, as are the voices in this room and elsewhere that condemn the dissidents and those who engage in that type of violence.”*

He later went on to say:

*“We need to have the right framework to engage in a proper debate, and that framework has to work only if we do not go down the route of prosecuting people. That is the model from other societies that works. Many people here will decry the funding of prisoner groups and say that that was a great assault against the victims of the conflict. Other countries are now looking at that model. One of the problems in other DDR processes is that you fight the war, say to people that it is over and give them €50 for their Kalashnikov and say, “away you go”. Those people go away and sit at home, and, a year later, say that they are still on the dole and not included so they are going back to war.”*

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

**Mr McKay:** No.

He continued —

**Mrs D Kelly:** Which clause is this?

**Lord Morrow:** What clause are you on now?

**Mr McKay:** Clauses 2 and 3.

**Lord Morrow:** You are no more on clauses 2 and 3 than I am.

**Mr Speaker:** Order.

**Mr McKay:** He continued:

*“One reason why our process was successful is that it did things that were counter to what public opinion probably wanted. One of those was to fund the former prisoner model. We have a good model of transformation. At times, we do not realise that, but whatever we do on victims — of course we can point fingers — it cannot be based on a process of putting people back in prison.”*

A Cheann Comhairle, every December, I visit the grave of a party colleague Malachy Carey, who was killed by the Ulster Defence Association in Ballymoney. Malachy went to Crumlin Road aged 21 —

**Lord Morrow:** Will the Member give way?

**Mr McKay:** No.

He was released from prison in 1987, and, when he was released, he was threatened by the RUC before he was shot in Ballymoney in 1992 as he waited for his girlfriend. It was among a number of collusion killings at that time.

**Mr Speaker:** Order. I am listening intently to the Member, and I wonder where he might be going with his contribution and how he might link it to the Final Stage of the Bill. The Member needs to demonstrate to the House that he is able to do that.

**Mr McKay:** This is in relation to the arguments that are being put forward to try to get the Bill to pass by the DUP and the TUV. The sponsor of the Bill will know the individual who was prosecuted for that murder, and he did not raise his voice when that person was appointed as a publicity officer for the DUP in North Antrim where he was a member at that time. Therefore, I question the purpose of the Bill, given that fact. The purpose of the Bill looms large in respect of the European Convention on Human Rights. That is why I raise that particular point.

**Lord Morrow:** Was that person a SpAd?

**Mr Speaker:** Order. Let us not have debate across the Chamber. The Member has the Floor.

**Mr McKay:** Many people draw certain parallels between this place and South Africa. One report found, in South Africa, that the absence of a long-term, coherent, reintegration plan had a negative effect in respect of a high rate of suicides.

**Mrs D Kelly:** Will the Member give way?

**Mr McKay:** No.

Employers in South Africa were not keen to employ former combatants of that conflict, and the use of the term "combatants" reminded people of a time dominated by fear and suspicion.

Through employment barriers, many former combatants were unable to provide their children with secure and stable homes after the conflict had ended. So, the negative social consequences in that case, because of the barriers to employment, go much wider than the ex-combatants. They affect families, partners, children and communities. It is social exclusion. In South Africa, reintegrating ex-combatants is now a key element in building social cohesion.

Recommendations with regard to ex-combatants were made at an African national Congress (ANC) national conference a number of years ago. Those were: the inclusion of ex-combatants' needs in the performance indicators for managers in the civil service; skills training; job opportunities; and an integrated approach to ex-combatants involving government, the private sector and civil society. That last point clearly runs parallel to the thinking behind the OFMDFM guidance that was applied on a voluntary basis here.

South Africa was not perfect. The peace process was not perfect.

**Lord Morrow:** What about the Bill?

**Mr McKay:** This is about clauses 2 and 3, for your information.

In South Africa, they realised that exclusion had a negative effect on society. Integration, not discrimination, helps to move society forward. A number of people have already made the point that if this Bill had become law in South Africa, Nelson Mandela, had he been in that post, would have lost his job. That would not happen there because they realise the importance of the reintegration of ex-prisoners — ex-combatants — into society.

In 2009, the United Nations introduced a policy for post-conflict employment creation, income generation and

reintegration. The UN Secretary-General states in the foreword to the policy:

*"For communities and individuals, job creation and regular income can provide the means for survival and recovery. They are also keys to reaching out to young people and reintegrating ex-combatants and returnees."*

That United Nations policy recognises the crucial link between the employment of ex-combatants and peace-building.

**Mr Speaker:** Order. I apologise but I must interrupt the Member as we move to Question Time and questions to the Office of the First Minister and deputy First Minister. I ask the House to take its ease for a few moments. After Question Time, the Member can finish his contribution.

*The debate stood suspended.*

2.30 pm

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

## Oral Answers to Questions

### Office of the First Minister and deputy First Minister

#### Defamation Act 2013

1. **Mrs D Kelly** asked the First Minister and deputy First Minister what discussions they have had with the Minister of Finance and Personnel regarding the extension of the Defamation Act 2013. (AQO 4172/11-15)

**Mr M McGuinness (The deputy First Minister):** We have had no discussions with the Minister of Finance and Personnel on that matter.

**Mrs D Kelly:** That was a very brief answer, for a change, Mr Deputy Speaker. In relation to some of the elements of the 2013 Act, and in particular the growing trend of social media, does the deputy First Minister agree that there needs to be greater clarity to allow members of the public and others to understand the import of the 2013 Act?

**Mr M McGuinness:** There has been some commentary on that in the media over the course of, I suppose, the past couple of weeks. I think it is fair to say that, by this stage, there is not a party in the House that is not aware of the position of each of the other parties on the matter. All I can say at this stage is that I have not seen anything on the matter arrive from the Department of Finance and Personnel (DFP) for the consideration of myself and the First Minister. So, in the first instance, it is the responsibility of the Department of Finance and Personnel and the Minister to deal with that matter, and, if thought appropriate, to bring it to the attention of the Executive for a decision.

**Mr Nesbitt:** I thank the deputy First Minister. I want to push him on that last answer. Will he comment on the level of consultation, rather than research, that was conducted prior to the decision not to introduce a Defamation Bill? Do you consider that to be best practice within the Executive?

**Mr M McGuinness:** It is very important to say that the Executive have not taken any decision in relation to a Defamation Bill. It never appeared on the agenda of any Executive meeting, and it was certainly never given to me, as deputy First Minister, for agreement to be reached between myself and the First Minister in relation to what goes on the agenda of an Executive meeting, as is normally the case prior to a meeting of the Executive. The reason for that is that I have not seen anything from the Department of Finance and Personnel on that matter.

#### FM/DFM: Visit to China

2. **Mr Humphrey** asked the First Minister and deputy First Minister for an update on their most recent visit to China. (AQO 4173/11-15)

5. **Mr Brady** asked the First Minister and deputy First Minister for an update on their most recent visit to China. (AQO 4176/11-15)

8. **Mr Weir** asked the First Minister and deputy First Minister for an update on their most recent visit to China. (AQO 4179/11-15)

**Mr M McGuinness:** With your permission, Mr Deputy Speaker, I will take questions 2, 5 and 8 together.

Our mission to China was to further strengthen government-to-government relationships through a number of high-level meetings with Ministers in Beijing. We met with Madam Liu Yandong, who visited us last year and who has since been promoted to the position of vice-premier. Madam Liu has overall responsibility for science and technology, education, sports and culture, and sustainable development. Through her invitation to visit China, we also held meetings with the Minister of Commerce and the Minister of Education. Those meetings were extremely useful, and they enabled us to progress a number of issues that we hope will result in expanding trade opportunities for our firms and Chinese government investment in university partnerships.

With the support of the Chinese Minister of Education, we met the Hanban, the head office of the Confucius Institute, and discussed the possibility of future support to expand educational exchanges, partnerships and teaching of Chinese in schools, community organisations and business here. We also met the Department of Foreign Affairs to discuss plans for developing the Executive's long-term relationship with China.

Throughout the visit we were supported by the Chinese People's Association for Friendship with Foreign Countries. We believe that this relationship will lead to future visits by Ministers and other organisations to negotiate on a range of tangible issues that will benefit communities and businesses here.

**Mr Humphrey:** I thank the deputy First Minister for his answers so far. What steps are being taken to open further offices on mainland China? What steps are being taken to establish a Northern Ireland bureau in China, and what is the time frame for such progress?

**Mr M McGuinness:** Given my statement to the Assembly earlier, I think that people are aware that we have had an office in Shanghai for a number of years and we give serious consideration to how we can extend our ability to communicate and do business with the Chinese Government and businesses there. During our discussions, which I think were very beneficial and, potentially, hugely fruitful, the First Minister and I discussed the real option of opening a bureau, something akin to what we have in Washington in the United States of America and the office that we have in Brussels, which works within the European Union. We have come to a firm conclusion that it would be a sensible next step for us to open such a bureau; naturally, that would be in consultation with diplomatic services there, which have all been very helpful to us during our visits, the last one to Shanghai and Hong Kong and the recent one to Beijing. We had great support from the Irish and British ambassadors. In conjunction with them, we obviously need to work out what the cost of such a facility would be, how many people would be required to work in it and what office accommodation would be needed. It is a serious objective that we intend to pursue, given the success of the two visits to China so far and the fact that, even while we were there, more invitations were being offered



to our Ministers. For example, at our meeting with the Chinese People's Association for Friendship with Foreign Countries, we were handed an official invitation for our Agriculture Minister to attend a Sino-European conference in China in September of this year.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I listened to a radio interview that the First Minister and deputy First Minister did from China last week. It seemed as though the media were more intent to talk about the cost of the trip than its value. It is very clear that those trips have an intrinsic value and bring investment and work back to the North. Does the Minister agree?

**Mr M McGuinness:** There is no doubt that some people tend to focus on the cost of visits whereas, in fact, all the evidence has shown clearly that, in recent times, the people who most appreciate ministerial presence in China are those involved in the businesses that are trying to do business there. In recent years, we have had something like 350 businesses making trips to China and trying to build their connections. All of them have made it clear that they regard it as vital that there is ministerial support when they engage in China.

From our perspective, rather than getting into any wrangle with commentators and people who are looking for tittle-tattle, we need to focus on the big objective. What is the big objective? It is to increase our political, business and commercial relationships with China. Why do we want to do that? We want to do it because China is an economic powerhouse. There are real opportunities for us to move forward and develop that relationship in a way that will bring sustainability to jobs here and increase jobs here. It would be hugely remiss of us as political leaders if we took a decision not to engage with the Chinese Government on the basis that the air fares were too expensive. The reality is that it is a golden opportunity. We have a friend at court in Madam Liu Yandong, who is very powerful in the Chinese Government and who, during our conversations with her, certainly committed herself to working with us to ensure that we can take best advantage of the opportunities that are presented.

**Mr Weir:** The Minister referred to a meeting with the Commerce Minister and an invitation being made to the Agriculture Minister. In meetings that were held with Chinese Government Ministers, what discussions took place about removing barriers to the exporting of formula milk and meat products from Northern Ireland?

**Mr M McGuinness:** We had very detailed discussions on those matters. As I reminded the Assembly this morning, the Chinese Government had a very serious issue with baby food formula, which resulted in the deaths of babies and was a major scandal in that country, to deal with some time ago. I think that the Chinese Government know that we have, in our agrifood industry, one of the best and safest systems anywhere on earth, so I think that they are intensely interested in developing their relationships with us on the basis that we can deal with these matters. Naturally, because of the protocols involved and the obstacles, we have left them to consider those issues. No doubt, when our Agriculture Minister goes there in September, those discussions will be taken forward further.

There will have to be an opportunity at some stage in the not-too-distant future for our Minister of Enterprise, Trade and Investment to visit for the purposes of negotiating how

we can increase the numbers of our products exported to China. The opportunity is there, and we do not intend to miss it.

### Delivering Social Change: Signature Programme

3. **Ms P Bradley** asked the First Minister and deputy First Minister for an update on the roll-out of the signature project under Delivering Social Change. (AQO 4174/11-15)

**Mr M McGuinness:** Mr Deputy Speaker, with your permission, I will ask junior Minister Jennifer McCann to answer the question.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** Work on the implementation of the six Delivering Social Change signature programmes, which were announced by the First Minister and deputy First Minister on 10 October 2012, is advancing. Lead Departments are responsible for the development and implementation of the programmes. The Office of the First Minister and deputy First Minister (OFMDFM) is responsible for the co-ordination and evaluation of that work.

The Department of Education (DE) is leading on the signature programme to improve literacy and numeracy levels in primary and post-primary schools. It is planned that 230 recently graduated teachers will be appointed prior to the beginning of the 2013-14 academic year to enable additional targeted tuition to be delivered.

The Department of Health, Social Services and Public Safety (DHSSPS) has lead responsibility for two of the signature programmes: the provision of additional family support hubs, and support for parents. Those two signature programmes will enable the commissioning of additional early intervention support for families and parents experiencing difficulties.

The Department for Social Development (DSD) is working in conjunction with the Department of Enterprise, Trade and Investment (DETI) on the programme to create 10 social enterprise incubation hubs. Some hubs will be established in currently vacant commercial premises and will offer a range of business advice and practical support to social enterprise entrepreneurs.

The Department for Social Development has been tasked, in collaboration with the Department of Education, to deliver 20 new nurture units in school settings. Plans have been developed, with the aim of having all the nurture units in place by the start of the 2013-14 academic year.

Finally, the Department for Employment and Learning (DEL) is leading on the community family support programme. The pilot programme is to be scaled up and rolled out to areas of greatest need, where the levels of young people who are not in education, employment or training are highest.

Further details of specific aspects of each of the signature programmes should be sought directly from the lead Departments.

**Ms P Bradley:** I thank the junior Minister for her answer. I welcome the fact that every school is to get a numeracy and literacy teacher, which is extremely important. Will OFMDFM and the Department of Education ensure that those teachers are used for only that purpose?

**Ms J McCann:** Yes. From some of the discussions that have already been had, there is a view that the extra tuition that will go into primary and secondary schools will have a specific focus on raising the standards of numeracy and literacy. That will certainly be the focus of those teachers.

**Ms McGahan:** Go raibh maith agat. Given the announcement about the signature projects and the more recent announcements about building a united community, does the Minister see a direct link between all those projects and Delivering Social Change?

**Ms J McCann:** The simple answer is yes. We are looking to join things up more. We have had many debates in the Assembly. I think that we all agree that the signature projects are trying to address poverty and deprivation. However, the signature projects will not do that on their own; they have to be incorporated into other government policy and programmes. So, I believe that the Delivering Social Change framework will act as a holistic framework, through which we can ensure that poverty, disadvantage and need will be tackled.

2.45 pm

**Mr A Maginness:** Will the junior Minister give a date or an indicative time when the social enterprise hubs will become operational?

**Ms J McCann:** As I said, quite a bit of work has already been done with the Department for Social Development and the Department of Enterprise, Trade and Investment to identify areas in the social investment fund zones in which to put the social economy hubs. I do not have a definitive date here, but work has been well progressed, and we will monitor it. I hope that those hubs will be up and running very soon. As I said, I do not have a definitive date here, but work has progressed in identifying where they will be, and we will monitor to ensure that it is brought forward.

## Peace Monitoring Report: Residential Segregation

4. **Mr Lynch** asked the First Minister and deputy First Minister for their assessment of the conclusion in the peace monitoring report number two which highlights an expansion of shared space due to changing demographics in electoral wards and a decline in residential segregation for the first time in a couple of generations. (AQO 4175/11-15)

**Mr M McGuinness:** Mr Deputy Speaker, with your permission, I will ask junior Minister Jennifer McCann to answer this question.

**Ms J McCann:** The latest peace monitoring report recognises that we have already come a long way as a society, and the collective effort at a political, community and individual level must be commended. Work such as the peace monitoring report contributes to assessing our progress. It highlights progress to date and challenges for the way forward.

Residential segregation has diminished for the first time in a couple of generations. Data from the 2011 census shows that only 37% of electoral wards are now single identity, as defined by having 80% or more from one community background. This compares with over 50% having a single identity in the 2001 census. There has also been

an increase in wards with mixed identity, where neither community has more than a 50% share of housing.

We welcome the reassuring evidence that we now live in a community in which our citizens are less likely to be victims of crime and in which racist hate crime has decreased and the fact that, for the first time in a couple of generations, residential segregation has diminished.

We know that there is still plenty of work to do, and the publication of the report also underlines where there continue to be challenges for all of us at an individual, community and political level. We will not shy away from these challenges, and we remain committed to building a united community by continuing to improve good relations across our society.

The new good relations strategy, which we published on 23 May, provides the policy context and framework for strategic actions, which, when implemented, have the potential to make a real difference to the lives of many communities by addressing the challenges identified in the peace monitoring report.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer. Will she give us more details on the new equality and good relations commission?

**Ms J McCann:** A key action of the good relations strategy will be the establishment of an independent organisation to provide advice to government and to challenge all levels of government in their performance in improving good relations.

The Equality Commission already fulfils a similar role in monitoring public authorities against the statutory duties in section 75. We will, therefore, establish an equality and good relations commission to change the roles and responsibilities of the Equality Commission to include good relations. This change has the potential for a significant impact on the Community Relations Council, which is a major administrator of good relations funding. So, aligned with the management statement for the Community Relations Council, OFMDFM will use the next planned review of the organisation to inform detailed arrangements for future funds.

**Mr Lyttle:** Does the progress made on shared space suggest that there is potential for a much more ambitious approach to shared and mixed housing than is currently the case in the 'Together: Building a United Community' document?

**Ms J McCann:** Again, we aspire to have that shared and mixed housing rolled out. As I said in my first answer, there are indications in the peace monitoring report that that has moved forward. That has not happened as quickly or even as much as we would like, but our view, and, I am sure, that of all those in the Chamber, would be that we have more integrated housing, rather than some of the segregated housing that we do have.

However, we are dealing with realities. There is still a bit of a fear factor, where people like to live in their communities. Through the good relations strategy and the good relations statement that we published — the proposals — we are hopeful that we can change the mindset, particularly of our young people, to enhance the integrated housing that is there.

**Mr Campbell:** Does the junior Minister agree that the expansion of the shared space philosophy is not encouraged when we have, for example, protests peopled and supported by her colleagues in the Executive against the pursuance of traditional routes by the loyal orders?

**Ms J McCann:** Dialogue and discussion are needed to solve that issue. There are only a small number of contentious parades. However, the rights of residents are also very important. Many residents' organisations, in particular, have asked to have that direct discussion with the Orange Order, and, in some cases, that has been denied. I believe that the way forward in all of this is through discussion and through getting around the table and talking.

**Mr Deputy Speaker:** Question 5 has already been answered.

### Maze/Long Kesh: Balmoral Show

6. **Mr Irwin** asked the First Minister and deputy First Minister for their assessment of the functionality of the Maze/Long Kesh site during the Balmoral show. (AQO 4177/11-15)

**Mr M McGuinness:** This year's Royal Ulster Agricultural Society (RUAS) agriculture show at Maze/Long Kesh was a great success. The final visitor numbers are not yet available, but the chair of the Maze/Long Kesh Development Corporation stated that attendance had significantly increased from previous years, estimating that some 100,000 people attended the show over the three days.

Given the short lead-in time for the event, the provision of essential on-site facilities by the RUAS, its partners and the development corporation is commendable and without doubt helped to contribute to the success of the show. There were some frustrating traffic delays accessing the site, particularly on the first day of the event. However, through the combined efforts of those involved — the RUAS, Roads Service, Translink, our police service and corporation staff — those issues were significantly reduced over the remaining days of the show.

The success of the show highlights two important factors: first, that the site is now a viable development opportunity, primed and ready for investment; and, secondly, that we now have a development corporation that is capable of and committed to the regeneration of the entire site.

This first major event shows that there is still work to do, particularly on roads infrastructure and utilities provision. We can confirm that the corporation is working closely with the relevant agencies to deliver those essential services, which, in turn, will attract further investment.

We wish the RUAS every success at its new home, and we will continue to support the development corporation as it strives to deliver on its vision of regenerating Maze/Long Kesh.

**Mr Irwin:** I thank the deputy First Minister for his answer. Does he believe it to be vital that road infrastructure is in place as soon as possible to ensure that the site is more accessible in coming years?

**Mr M McGuinness:** I absolutely agree with the Member. Our Department has allocated £21 million in the current comprehensive spending review period for the regeneration of the site, including provision for essential

infrastructure. To date, the development corporation has provided some essential internal road infrastructure, interim surfacing and an additional site entrance to help with the current levels of traffic there.

The corporation is commencing initial survey work and feasibility studies for inclusion in its detailed proposals for improving infrastructure linkages to the site, including a link to the M1. Decisions have not been taken regarding the preferred options for linkages to the M1. Extensive engagement with stakeholders and the local community will be undertaken before any decisions are made about changes to the external road structure. Those wider road developments are seen as absolutely key to the overall delivery of the site's regeneration. They will also help to attract further private sector investment.

**Mr Byrne:** I thank the deputy First Minister for his comments about the RUAS and the Balmoral show and I echo them. Is the deputy First Minister able to say whether the Executive would support the holding of the National Ploughing Championships at the Balmoral Park site, given that there are 300 acres there and it would be a major economic boost?

**Mr M McGuinness:** There is no doubt that we are open to all ideas and suggestions. In the first instance, it is a matter for the development corporation, in conjunction with the Royal Ulster Agricultural Society, because it is the corporation's site and the decision is in its domain. There are precedents for events of significance to the island of Ireland taking place here in the North, including, for example, the Irish Open at Royal Portrush. I think that people are open to ideas and suggestions, given the huge success of the RUAS in opening the show at Balmoral Park. I think that, until last year, the figures showed some 80,000 people attending the show; this year, we saw in the region of 100,000 people. For a new site, that is absolutely amazing and gives us a clear indication that people regard this site as one of the most important for regeneration probably in the whole of western Europe. So, yes, we are open to all ideas and suggestions, but we must work in conjunction with colleagues, the RUAS and the development corporation.

### Economic Recovery

7. **Mr I McCrea** asked the First Minister and deputy First Minister for their assessment of economic recovery. (AQO 4178/11-15)

**Mr M McGuinness:** There is no doubt that our economy has come through a very difficult period over the past five years. We have seen some positive developments in the labour market in recent weeks, with announcements of the creation of more than 1,200 new jobs. For example, the major expansion project announced by the US insurance company Allstate will create 650 high-quality jobs over the next three years. The project will create software development, knowledge and business-process outsourcing positions across Allstate sites in Belfast, Derry and Strabane. Also, meat processing company Linden Foods announced expansion plans that will create 179 new production and managerial jobs in Dungannon. Lloyds Banking Group plans to create around 160 new jobs in Belfast, mainly in its anti-fraud operations. Other job news includes US payment technology company Merchant Warehouse announcing the opening of its first international

office in Belfast, and that high-quality investment will create 70 new jobs in technology development and consumer support roles. Deloitte has announced that it will create 177 new ICT jobs at its technology studio in Belfast.

Although economic forecasts also predict a return to growth for the local economy this year, it looks to be too early for commentators to predict significant improvements in our unemployment statistics. The First Minister and I will continue to put economic recovery at the centre of our efforts to improve life here. We are working closely with the British Prime Minister and Treasury to ensure that they fulfil their financial commitments to stimulating our economy, and we will remain tireless in our efforts to attract overseas investment in and trade opportunities for the local economy.

**Mr Deputy Speaker:** I am sorry but we do not have time for a supplementary question. Time is up.

3.00 pm

## Enterprise, Trade and Investment

### Power NI: Prices

1. **Mr Nesbitt** asked the Minister of Enterprise, Trade and Investment when she first became aware that Power NI intended to increase its consumer electricity price by 18%. (AQO 4186/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** My officials participate as observers in the electricity and gas tariff review processes on a confidential basis. My officials alerted me at the end of April 2013 to the likelihood of a price increase as a result of the Power NI tariff review, but that was subject to final analysis and a decision by the Utility Regulator. I was advised of the final decision on 20 May 2013.

**Mr Nesbitt:** I thank the Minister for her answer. Will she inform the House whether her officials were content with that process, what the implications of the price rise are for meeting the 40% renewables target, and the cost implications of that for the consumer?

**Mrs Foster:** It is not a question of whether my officials were content or not. The Utility Regulator is charged with setting the price tariff, and he has said that he is content with the 17.8% increase. I note that other providers have followed that regulated price increase with increases of their own. We understand that the wholesale costs have risen, which is what led to the price rise. The rise presents a lot of challenges for many domestic consumers and small business consumers. The large energy users are not regulated in the same way; their price is dealt with through the single electricity market and in a competitive way. However, it presents us with a huge number of challenges, and I have asked for some work to be carried out in relation to the whole energy market to find out exactly where the costs are coming from so that my Department and the House can be better informed.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire chomh maith. I thank the Minister for her response. Will she give me some indication as to what steps will be taken by her Department and the wider Executive to ensure that vulnerable groups

are not forced into deeper debt by increased electricity bills as a result of the price hikes by Power NI and other electricity providers?

**Mrs Foster:** I thank the Chair for his question. As I have indicated, I recognise that increased energy costs will be a significant burden, not least on the most vulnerable in our society. Power NI does, of course, offer discounts for customers who opt for online billing or payment by direct debit, as well as offering incentives for keypad customers. My officials will continue to work closely with colleagues in other Departments. As he knows, the Department for Social Development takes the lead on fuel poverty, and we have been working with it on a cross-sectoral fuel poverty partnership.

As well as that, we have, of course, been looking at ways in which we can bring natural gas to more customers throughout Northern Ireland, where it is economically viable to do so. That includes the current proposals for which the Executive have approved subvention funding of up to £32.5 million. That will give a wider choice to people living in Northern Ireland. As you know, gas does not cost as much as electricity, so people can choose. I think it is important that we give people the opportunity to make that choice.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. I understand that pricing is not the direct responsibility of the Minister, but will she provide the House with an update on how policies brought in by her Department help to provide consumers with greater transparency as to what they are paying in electricity costs?

**Mrs Foster:** It is important that all elements are looked at. We need to look at the energy policy elements, and we are doing that at the moment. I think that it is a good time to do that because the strategic energy framework has been in place for a couple of years and, therefore, it is a good opportunity to see whether things are working in the proper way.

As the Member will know through the Committee, I have also asked the regulator to give thought to establishing a joint working committee to look at a wide range of issues, not least the pressures on some of our large energy users. I have asked him specifically to examine whether there are any structural weaknesses in the operation of the single electricity market and the extent to which it has delivered the most appropriate pricing structure for customers here in Northern Ireland.

I am very much looking forward to that piece of work by the Utility Regulator to give us some of those answers so that we can move forward and look at policy in that context.

### Carrickfergus Castle

2. **Mr Hilditch** asked the Minister of Enterprise, Trade and Investment what action the Northern Ireland Tourist Board and Tourism Ireland are taking to market Carrickfergus Castle as a visitor attraction. (AQO 4187/11-15)

**Mrs Foster:** Both organisations promote attractions in Northern Ireland, including Carrickfergus Castle. The castle is featured in the 2013-14 visitor guide, which is produced in five languages, and it is included in the suggested itineraries in the Great Days Out for Groups guides. Tourism Ireland also features Carrickfergus Castle

in market guides, websites and regular updates that are sent to key travel, consumer and media contacts in markets overseas.

**Mr Hilditch:** I thank the Minister for the information on visitors in her answer. Given the very successful upturn in the film industry — I have heard some rumours locally — will she consider promoting the iconic heritage site as a potential film set?

**Mrs Foster:** I am very pleased to tell the Member that, indeed, that is the case. As well as groups of travel journalists visiting Carrickfergus Castle, in April past a group from Germany spent a week travelling around Antrim and had the chance to experience Carrickfergus Castle for themselves.

The new creative industries in Northern Ireland are going from strength to strength. I understand that a new science fiction-based movie produced by Mark Huffam, called 'Our Robot Overlords' — aimed not at anyone in this House, but at the 14- to 18-year-old demographic — will be filmed at Carrickfergus Castle. We are delighted that that is the case, and again, it builds on the work that has been ongoing with 'Game of Thrones', the highly successful 'The Fall', a second series of which has now been confirmed and which will be filmed in Northern Ireland, and Universal's announcement that it is going to make a new version of 'Dracula' here.

There is a cluster building in connection with the creative industries, and we are delighted that Carrickfergus Castle is going to be one of the sites for a new film that is to be made in Northern Ireland.

**Mr Beggs:** I welcome the news that some will benefit from the fantastic heritage of Carrickfergus Castle, but many believe that Carrickfergus and, indeed, Northern Ireland is not fully benefiting from the tourist potential that exists there. What is the Minister doing along with her colleagues in the Department of Culture, Arts and Leisure, the Ulster Museum and its artefacts, local government and any other relevant agency to ensure that they work in partnership and maximise that potential in the tourist offering so that more people will go there?

**Mrs Foster:** As well as the list of organisations that the Member has read out, it falls on the Members of the legislative Assembly to be positive about their particular areas. I am very positive about the area from which I come, and I am sure that the Members from east Antrim are very positive about their area; I would like to think that that was the case.

Carrickfergus Castle absolutely provides us with a great focus for tourism in that area, but there is much more happening there. I am pleased to see the progress that has been made on the Gobbins path, for example, and the fact that the local council is proceeding with the project. The Member will know that, under INTERREG IVa, a considerable amount of money has been made available from my Department to see that path brought back to life. We very much look forward to that being something that will attract even more visitors to east Antrim on what is one of the most beautiful drives, from Carrickfergus right the way up to the north Antrim coast. We look forward to everyone promoting it in as positive a way as possible.

**Mr Deputy Speaker:** I remind Members that this question is about Carrickfergus Castle.

**Mrs McKeivitt:** I tend to agree with the Minister that it is up to Members to promote their own areas. What is her assessment of the efforts to date in promoting Northern Ireland as a tourist destination?

**Mrs Foster:** Last year was a tremendous success for us with our ni2012 campaign. It was a great success in many ways, not least given that hotel accommodation has seen a 10% increase, which I think is a good barometer of the increase in tourism here. I hope that the official tourism statistics will be available on 6 June. We will see then what the official statistics show.

### Economy: Private Sector Growth

3. **Mr McMullan** asked the Minister of Enterprise, Trade and Investment for an update on her Department's actions to help the growth of the private sector. (AQO 4188/11-15)

**Mrs Foster:** It is the responsibility of all Departments, through the commitments that they made in the Northern Ireland economic strategy, to help grow the private sector and rebalance the economy towards one in which a greater number of firms compete in global markets and there is growing employment and prosperity for all.

In my Department, considerable progress has been made towards the delivery of the key commitments that we made in the Programme for Government and the Northern Ireland economic strategy. From March 2011 to March 2013, Invest Northern Ireland promoted 13,870 jobs, supported projects that will secure over £780 million of investment, and provided support that will deliver £168 million of business investment in research and development. Over 40% will come from small and medium-sized enterprises.

The Executive subcommittee on the economy will publish its first annual report later this summer. It will set out progress against the delivery of the commitments that Departments made in the Northern Ireland economic strategy.

**Mr McMullan:** I thank the Minister for her answer. Does she agree that the only way that we can ensure economic recovery and private sector growth is through having access to the full suite of levers that will enable us to grow our economy?

**Mrs Foster:** The very short answer is yes. I very much hope that the Members opposite and those on this side of the House will continue to push our national Government to make sure that we retain our 100% selective financial assistance (SFA) coverage right across Northern Ireland. That has still not been confirmed by the Government, but we look forward to that confirmation coming in the near future.

**Mr Dunne:** Will the Minister give us an update on Invest NI's performance over the last two years?

**Mrs Foster:** I thank the Member for his question. We have been very pleased with Invest Northern Ireland's performance against its targets, which were set by the Executive in the Programme for Government and latterly in the economic strategy. We have had 13,870 jobs promoted. We secured, as I said, total investment of £784 million against a four-year target of £1 billion, so we are well on our way to meeting that target. We have also secured total wages and salaries of £198 million. At the

end of the financial year, we had created 2,699 jobs under the jobs fund; job creation is the key element of that fund. The four-year target for the jobs fund was 4,000, so we are well on track with that as well. That is a very important statistic.

The one statistic that we register concern about relates to exports. The concern is not about exports to the new markets that we are targeting, the so-called BRIC countries. In fact, there has been quite a good take-up in relation to exports, albeit I entirely accept that we are coming from a low base. We need to redouble our efforts regarding exports to our more traditional markets. We know that it has been a difficult time for companies, but we need more work to be carried out. As we all know, we have set our face towards an export-led recovery. Therefore, we really need to push very hard with that target.

**Mr Eastwood:** Does the Minister have any plans to bring forward a properly funded green new deal package to help job creation in and around the renewable energy sector?

**Mrs Foster:** That, of course, would be a matter not just for me but probably the Executive subcommittee because it touches not just my Department but, in particular, the Department for Social Development. As I said before, DSD leads on fuel poverty. We are doing a lot in and around the renewable energy sector. In particular, we are looking at ways in which we can be part of supply chains into that sector. Companies are looking for advice and assistance on that. We are very happy to give that advice and assistance, because we see that as a priority growth sector. We will continue to work with those companies.

### 3.15 pm

**Mr Cree:** Let me take the Minister back, if I may, to the exports issue. I believe that Invest Northern Ireland has achieved only 2% of the 20% target. Could she perhaps share with the House just what particular plan she has to improve that situation?

**Mrs Foster:** I think that it is important that we look at the reasons behind why exporting has become difficult for those companies. It is, of course, because those companies have traditionally exported to their very close markets, such as the Republic of Ireland, and there have been well-documented difficulties in relation to that market.

There is also an issue in and around access to finance. For companies to be allowed to grow, they need access to finance. Unfortunately, that has not been as forthcoming as either I or the Finance Minister would like. That is why we are engaging at present in our second round of talks with the banks — we have just had another meeting today with one of those banks — and why Invest Northern Ireland has put in place a suite of access to finance initiatives, including, of course, the growth loan fund. That fund makes available to companies finance that is not secured but that offers them the chance to put their plans into place, because a lot of times they do not have the security but do have very good sustainable growth plans. That is why we needed that access to finance piece put in place.

So, it is about looking beyond and below why those companies have had difficulties exporting. Finally, we need to encourage them to look beyond their traditional markets. That is why we need to focus on bringing them out to markets like Brazil — where, as Members will know, I was

two weeks ago — and places like Russia, where a trade mission from Northern Ireland is visiting this week.

## Inward Investment

4. **Ms Boyle** asked the Minister of Enterprise, Trade and Investment for an update on her efforts to stimulate inward investment. (AQO 4189/11-15)

**Mrs Foster:** Invest Northern Ireland continues to target high-quality inward investment in very challenging economic conditions. I will continue to provide whatever support I can to Invest Northern Ireland's effort, whether that is meeting potential investors when they visit Northern Ireland or taking part in visits to overseas markets.

A number of recent high-profile announcements, including that of Merchant Warehouse, which plans to create 70 quality jobs, underline our competitiveness. The announcement that Allstate Northern Ireland is to create up to 650 high-quality jobs in Belfast, Londonderry and Strabane is further evidence of our ability to work with and help investors grow and thrive. Most recently, I had the opportunity to lead a multisectoral trade mission to Recife and Sao Paulo in Brazil. During the trade mission, I continued to cultivate trade and investment links and relationships first developed by the First and deputy First Minister during their visit to Brazil in March 2013.

**Ms Boyle:** Go raibh maith agat. I thank the Minister for her response. Given that Strabane business park is nearing completion for interested businesses and sits well along the border corridor, has the Minister had any discussions with her Southern counterpart in relation to maximising opportunities for investment on an all-Ireland basis?

**Mrs Foster:** I very much want to see businesses come and use the park. I have been past the new business park on a number of occasions recently on my way to Londonderry. We have completed the first phase of construction in the Strabane business park, releasing 16 acres of new service land to support economic development in the area. To date, we have received formal interest in the new land from five businesses. Of course, we will continue to work closely with them over the coming months to develop those growth projects further.

However, as to the Member's question, I would have thought that she would prefer that businesses come to Strabane as opposed to the other side of the border. That is my focus; I want to see businesses coming to this side of the border, to make sure that we get the benefit of those businesses here in Northern Ireland. I look forward to visiting the first firm that goes into the new Strabane business park.

**Mr Campbell:** It used to be the case that Ministers did not come to the north-west. Thankfully, the Minister is one of the frequent visitors to the north-west. It also used to be the case that international sales reps of Invest NI did not come to the north-west, but they now do.

**Mr Deputy Speaker:** Is there a question coming, Mr Campbell?

**Mr Campbell:** Yes. Will the Minister give us any assistance on what is the best way to promote regional development? Is it to whinge and moan about it or to get on with promoting it?

**Mrs Foster:** Well, it is certainly not to whinge and moan about it — I can tell the Member that. I have made comments in the House today about being positive about the tourism potential for individual parts of Northern Ireland, and I replicate those comments about investment in particular areas of Northern Ireland.

Do Members really think that international investors will come to their part of the world if they are whingeing, complaining and saying that nobody ever bothers about them, or do they think that there is a better chance of that if they talk about the benefits, the skills, the people and what is happening in their area? Do they think that that is possibly a better way of getting international investors to come and look at their city?

I was absolutely outraged — I do not know why I was outraged because I have come to expect it from Radio Foyle in particular — about the outrageous comments that were made about Invest Northern Ireland over the past week. Invest Northern Ireland, and in particular Alastair Hamilton, have gone out of their way to promote the north-west of this country as a destination. Indeed, he took part in a hugely successful seminar in the Guildhall in London. He made sure that he was there to talk about the benefits of investing in the north-west. Last month, he also brought his international sales team from Invest Northern Ireland. That team comes back to Northern Ireland once a year to make sure that it is aware of what is going on. Where did it go? It went to the north-west, specifically to talk to stakeholders and large employers and to learn about the key messages that the city of Londonderry and the wider region had to offer to potential investors. That is the way to do it.

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

**Mrs Foster:** We should work with Invest Northern Ireland in a proactive and positive way.

**Mr Lyttle:** In what way is the Minister working with the Minister for Employment and Learning to ensure that our workforce has the relevant skills to avail itself of inward investment opportunities?

**Mrs Foster:** I thank the Member for his question. I have said on a number of occasions — I will repeat it — that the relationship between the Department for Employment and Learning and my Department, and, indeed, between the Minister for Employment and Learning and me, has never been as good. I say that because we work together when a firm indicates that it has specific skills needs in the technology sector, where it is quite common, or the engineering sector. If a firm states that it needs a particular type of skill, we work together with the universities or the colleges and provide those skills. The Member will probably know that we call that the Assured Skills scheme. That provides a guarantee for inward investors that, when they look at Northern Ireland, they will be able to access skills. Therefore, it gives us a competitive edge. The benefit of devolution and of having a small Administration is that we can be flexible and meet the needs of those inward investors. I look forward to continuing my good working relationship with the Minister for Employment and Learning.

## Jobs Fund

5. **Mr Spratt** asked the Minister of Enterprise, Trade and Investment to outline the impact of the jobs fund since its creation in 2011. (AQO 4190/11-15)

**Mrs Foster:** To date, the jobs fund has promoted 5,060 new jobs against a two-year target of 4,333 and created 2,699 jobs against a target of 2,395. The jobs fund is having a positive impact on new job creation for large and small businesses across Northern Ireland through its various measures. Those include employment support to business in a range of sectors; support for social enterprises; and support for new business starts by residents of neighbourhood renewal areas and by young people not in education, employment or training.

**Mr Spratt:** I thank the Minister for her answer. As all politics are local, will the Minister give us some insight into how the jobs fund has benefited Belfast South?

**Mrs Foster:** In the Belfast South parliamentary constituency, there are 32 jobs fund business investment projects at various stages of development. Should they all come to fruition, they will lead to the creation of 317 new jobs, 147 of which have already been created.

Announced projects in Belfast South include Belfast Telecoms — sorry, British Telecommunications plc, although I wish it were Belfast Telecoms. There are 116 new jobs there, and in SlidingbiFolds, seven jobs. Therefore, it ranges from two or three jobs in individual small companies right up to the bigger multinational companies, which we also assist. There has been a good range of applications, and we are very pleased with that. That is the case not only in Belfast South but across Northern Ireland.

**Ms Maeve McLaughlin:** Go raibh maith agat. In answer to a previous question, the Minister indicated that 2,699 jobs were created as a result of the jobs fund, and then it was 560. What is the actual figure, and are they new jobs? Will the Minister be considering developing a subregional strategy that will tackle regional disparities for economic growth?

**Mrs Foster:** If the Member had listened, she would know that I said that the jobs fund has promoted 5,060 new jobs and created 2,699 jobs. It is her party that has been pressing for the jobs-created figure, so I am pleased that we can provide that figure for clarity purposes so that people are aware that those jobs are in place at present on the ground.

On subregional targets, as the Member will know, when I had a piece of work carried out by an independent economic review, it advised very strongly against subregional targets, saying that the best way to bring investment into Northern Ireland was to sell the proposition of Northern Ireland as a whole and, then, that each individual area should put forward its strengths, skills and what it had to offer. I was advised that the individual investor would then make up his mind about where he wanted to locate in Northern Ireland. That is the policy.

**Mr Rogers:** Does the Minister agree that the jobs fund represents good value for money?

**Mrs Foster:** I absolutely think that the jobs fund provides excellent value for money, because it is bringing jobs that we otherwise would not be able to support. It was

brought into being in 2011 because we recognised that there was a need to support jobs that we may not have supported in the past, because of the nature of the wages involved. It has been a tremendous success, and I say to the Members opposite that that is not least because it has allowed us to create jobs right across Northern Ireland in little pockets that we perhaps would not have been able to get to otherwise.

**Mr Gardiner:** When does the Minister plan to set some job creation targets outside of the jobs fund, and can she give an indication of an overall job-creation target for this mandate?

**Mrs Foster:** That is in the economic strategy and the Programme for Government. It states very clearly there that our aim is to create 25,000 jobs. Part of that is made up of the jobs fund, and it also looks at indigenous companies that fall outside the jobs fund and, indeed, at foreign direct investment. Those targets are all present in that target in the Programme for Government.

### Giro d'Italia: Armagh

6. **Mr Irwin** asked the Minister of Enterprise, Trade and Investment for her assessment of the tourism and economic benefits of the Giro d'Italia visiting Armagh city in 2014. (AQO 4191/11-15)

**Mrs Foster:** The key aim is to showcase Northern Ireland, including Armagh city, on a local, national and international stage. It is also the aim to raise the profile and change perceptions so that Northern Ireland is seen as a great venue for cycling as well as a place to visit, work, study and invest. I expect the event to be of significant benefit to Armagh city.

**Mr Irwin:** I thank the Minister for her answer. Can she confirm whether any of the pre-race events will take in Armagh?

**Mrs Foster:** The pre-race events and, indeed, the precise route of the Giro d'Italia will be set by its organisers. RCS Sport is the organisation that is working with the Northern Ireland Tourist Board and Tourism Ireland, so it is very difficult to say at this precise moment where the pre-race events will be held. I can tell you, however, that Northern Ireland will be a sea of pink during that time, and I am expecting everyone in the Assembly to don their pink Lycra and do their bit for Ulster. *[Laughter.]*

**Mr Deputy Speaker:** That concludes Question Time. Members will take their ease while we change the top Table.

3.30 pm

*(Mr Speaker in the Chair)*

## Private Members' Business

### Civil Service (Special Advisers) Bill: Final Stage

*Debate resumed on motion:*

*That the Civil Service (Special Advisers) Bill [NIA 12/11-15] do now pass. — [Mr Allister.]*

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I refer to some of the effects — or the effects that do not occur — as a result of the implementation of clauses 2 and 3, with respect to a combatant in a particular case.

I refer to the case of Aidan McAnespie. Different victims have different views, and this is just one view of the Bill. Many victims see the imbalance of the Bill. Aidan McAnespie was a member of Aghaloo GAA club and he was travelling to a match when he was shot. He had just walked past a British Army checkpoint. He had previously been threatened by the British Army and his sister said that British soldiers had threatened to kill him on several locations. The RUC at the time concluded that the shooting was accidental. Charges were initially brought against Grenadier Guard Jonathan Holden for manslaughter but were dropped prior to prosecution. Jonathan Holden received a fine. In 2008, the PSNI concluded that Holden's account of the events was highly unlikely and that the chances of the killing being an accident were so remote that they could be virtually disregarded. If this Bill is passed, Paul Kavanagh, who participated in the conflict, will be excluded from being a special adviser but Grenadier Guard Jonathan Holden, who was guilty in the case of Aidan McAnespie, can still become a special adviser.

A number of days ago, a cousin of Aidan McAnespie said:

*"With the position now adopted by the SDLP you have a bizarre situation whereby the British Soldier who murdered my cousin Aidan on his way to a football match in 1988 would be eligible to be a Special Advisor, yet Political Ex prisoners ... would be excluded."*

The Committee received a great deal of evidence and correspondence from members of the public. A petition was submitted which bore just under 900 signatures. It was totally opposed to the Bill. It read:

*"This bill aims to discriminate against former political prisoners imprisoned during the conflict. Political prisoners will be barred as Special Advisers to Government Ministers and serving Special Advisers will be sacked."*

*Former political prisoners already face serious discrimination in many areas that detrimentally affects their lives and the lives of their families. This is especially so in the area of employment where many barriers exist, both structural and political, excluding them employment in numerous sectors of the labour market."*



It continues:

*"This Bill will add to the number of legal ways in which former political prisoners can be excluded from employment and it will reinforce the discriminatory attitudes and practices with which former political prisoners have to contend."*

The petition says:

*"This Bill will operate as a breach of the international agreement between two sovereign states, the Irish and British governments, that gave effect to the Good Friday Agreement. It will also contravene the commitments given in regard to political ex-prisoners in the Good Friday Agreement and in the St Andrews Agreement. If it is passed in the form proposed its retrospective penalisation of current special advisers will be in contravention of domestic and international human rights provision."*

That petition was signed by nearly 900 members of the public, and it makes reference to both the Good Friday Agreement and the St Andrews Agreement. There is a section in the Good Friday Agreement on prisoners that reads:

*"1. Both Governments will put in place mechanisms to provide for an accelerated programme for the release of prisoners, including transferred prisoners, convicted of scheduled offences ... or, in the case of those sentenced outside —"*

— NI —

*"similar offences (referred to hereafter as qualifying prisoners). Any such arrangements will protect the rights of individual prisoners under national and international law.*

*2. Prisoners affiliated to organisations which have not established or are not maintaining a complete and unequivocal ceasefire will not benefit from the arrangements. The situation in this regard will be kept under review.*

*3. Both Governments will complete a review process within a fixed time frame and set prospective release dates for all qualifying prisoners. The review process would provide for the advance of the release dates of qualifying prisoners while allowing account to be taken of the seriousness of the offences for which the person was convicted and the need to protect the community. In addition, the intention would be that should the circumstances allow it, any qualifying prisoners who remained in custody two years after the commencement of the scheme would be released at that point.*

*4. The Governments will seek to enact the appropriate legislation to give effect to these arrangements by the end of June 1998."*

The final point of that excerpt from the Good Friday Agreement's section on prisoners reads:

*"5. The Governments continue to recognise the importance of measures to facilitate the reintegration of prisoners into the community by providing support both prior to and after release, including assistance*

*directed towards availing of employment opportunities, re-training and/or re-skilling, and further education."*

There is also reference to this issue in the St Andrews Agreement, under the heading "Human Rights, Equality, Victims and other issues":

*"Both Governments have also discussed other matters raised by the parties. Some of these relate to the final implementation of the Agreement and others have been raised in the context of the Preparation for Government Committee. The British Government has also agreed to take forward a number of measures to build confidence in both communities and to pursue a shared future ... in which the culture, rights and aspirations of all are respected and valued, free from sectarianism, racism and intolerance. Details of all these issues are set out in Annex B."*

Annex B reads:

*"The Government will work with business, trade unions and ex-prisoner groups to produce guidance for employers which will reduce barriers to employment and enhance re-integration of former prisoners."*

I think that it is important —

**Lord Morrow:** In the Bill.

**Mr McKay:** This is about clauses 2 and 3.

**Lord Morrow:** In the Bill, but.

**Mr McKay:** In the Bill.

We need to remind ourselves about the Good Friday Agreement and the St Andrews Agreement and the need for those agreements in terms of conflict resolution and the need now not to undermine both of those documents.

**Mr Byrne:** I thank the Member for giving way. Given the seriousness of the situation as he has espoused, has his party and the deputy First Minister raised the issue formally with the First Minister? Given that Sinn Féin and the DUP make up 15 special adviser roles, surely, at the very highest level of access to government here, it needs to be put on that level or basis.

**Mr McKay:** It is clear that the DUP does not support us on this issue. It is also clear that the SDLP does not support us on this issue, so it is a moot point. However, the fact is — *[Interruption.]* Please, no comments from a sedentary position. The fact is that the SDLP recognises that this is flawed legislation and recognises it as being wrong, but it is still going to go ahead with it today. That is deeply shameful from my perspective.

With regard to the deaths in the conflict, we need to ensure that we do not go back to a situation where we are plunged back into conflict. The evidence before the Committee from the Human Rights Commission, the European Convention on Human Rights —

**Mrs D Kelly:** Will the Member give way?

**Mr McKay:** No. *[Interruption.]* I have listened to enough nonsense for one day.

**Mr Speaker:** Order. Members need to watch their terminology and language in the House. Order.

**Mr Campbell:** On a point of order, Mr Speaker. With regard to the scheduling of business as well as MLAs'

outside interests with regard to their constituency business and given the length of the current contribution, have you given any thought to the concluding time of the debate? If this contribution is anything to go by and if it is to be followed by substantial contributions from other Members, we may well be approaching the 7.00 pm deadline.

**Mr Speaker:** Yes. For Bills travelling through the House at any stage, there is no limit on contributions from Members. I remind the House that we stop at 7.00 pm, unless I get a motion to go beyond 7.00 pm from the House. Certainly, there is no time limit on contributions as Bills travel through the House.

**Lord Morrow:** Further to that point of order, Mr Speaker. Is there not provision in Standing Orders that the Question can be put? It would then be at your discretion whether the debate would continue. This is not setting a precedent; it has been done before. This might be a good opportunity to do it again.

**Mr Speaker:** Lord Morrow makes a very important point. Under Standing Order 25, if a motion is proposed in the House to bring it to a vote, I must be satisfied that all sides of the House have been able to make a contribution to the debate, and I must be clearly satisfied.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. It was the view of a number of witnesses, including those from the Equality Commission and the Human Rights Commission I mentioned earlier, that the material relevance of the conviction to a post should be considered. The centrality of the material relevance test was also highlighted in the evidence from Nigel Hamilton and the late George Quigley on the Office of the First Minister and deputy First Minister's (OFMDFM) guidance for employers on recruiting people with conflicted-related convictions. The Committee was advised that the guidance, which aims to fulfil the British Government's commitment to ex-prisoners that was made in the Good Friday Agreement and the St Andrews Agreement, states:

*"the onus of proof on the employer to show material relevance"*

and

*"the conviction must be manifestly incompatible with the position in question".*

It also explains that the seriousness of the offence is not of itself enough to make a conviction materially relevant, as I said. NIACRO's position is that people should not be discriminated against with regard to access to employment. NIACRO said that employment aids resettlement and reintegration, and NIACRO supports a progressive rehabilitation and resettlement process. Of course, it also argued that people with conflict-related records should be considered separately.

### 3.45 pm

Of course, the OFMDFM guidelines have not worked because they have not been legislated for. NIACRO wants to see those strengthened and enacted in legislation. It agrees, as do others, that the guidelines are positive and set in an appropriate framework, but it said they need to be put on a firmer footing. There was a lot of concern that the Bill is being predicated on political opinion rather than on a person being a threat to society.

The Department's review of the guidance, which was referred to earlier, came out in early 2001. It wanted to make special advisers subject to vetting. Those with convictions would have to show remorse or regret as part of the vetting criteria. NIACRO is concerned that the model in respect of spent and unspent convictions is quite restrictive, as is the term "character" in assessing suitability. In NIACRO's view, the risk assessment process adopted is flawed in that it is not as detailed, tight or transparent as it should be. It made reference to the fact that it works closely with Access NI in adopting its code of practice and believes that that is the example that should be followed and applied across the Civil Service.

It was also NIACRO's view that the risk assessment grid promotes exclusion rather than inclusion. A number of examples were highlighted to show that, including one instance where a job offer was rescinded by the Department of Finance and Personnel. In that case, the Department did not bother to explore the details of the conviction with the candidate to assess how relevant it would or would not be to the post.

There was also some discussion at that session about rehabilitation and a lot of concern about introducing the words "repentance" and "contrition". "Sackcloth and ashes" is the term that comes to mind when I look at some of the proposals. That is not the correct approach to rehabilitation, especially in the context that we have here. A lot of the main actors in the conflict did not go through the court system, such as those who were members of the British Army, the RUC and others.

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

**Mr McKay:** No.

**Mr Hussey:** I did not think that you would.

**Mr McKay:** I did not think so either.

**Mr Hussey:** What about the murderers?

**Mr Speaker:** Order.

**Mr McKay:** Ultimately, issues like this —

**Mr Hussey:** Hypocrite.

**Mr Speaker:** Order. Members should not debate across the Chamber. I know that this is a very sensitive issue for a number of Members and for the whole House. Also, Members need to be reminded of their language in the House.

**Mr Hussey:** On a point of order, Mr Speaker. The Member continually makes reference to murders committed by whomsoever. He does not seem to be able to accept that the IRA was a gang of murderous thugs. He does not seem to want to accept that, so I believe that he is a hypocrite.

**Mr Speaker:** Order. First of all, that is not a point of order. I remind Members to be careful of their language. We are in a parliamentary institution, and Members should act in a professional manner.

**Mr McKay:** On a point of order, Mr Speaker. I just want to put it on the record that I am not a hypocrite, and I would appreciate it if the Member would withdraw that remark.

**Mr Hussey:** I will not withdraw the remark.

**Mr Speaker:** Order. I did not ask the Member to withdraw the remark. We should really move on.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. The Member from the Ulster Unionist Party makes a point about other victims and other parties. I have said in this speech that there were many parties in this conflict — the IRA, the British Army and others. There are victims from all corners of the community and from all those groups, but the fact of the matter is that this legislation is focused on republicans and republican ex-prisoners in particular. The cases that I am outlining are cases where this legislation will not apply to other players in the conflict who were guilty of similar actions to the IRA and other combatant groups.

**Mr Hussey:** Will you accept an intervention?

**Mr McKay:** A Cheann Comhairle —

**Mr Speaker:** Order. Just to remind the House, the Member who has the Floor decides whether he wants to take an intervention or not. However, this is not about unparliamentary language but the language that Members may use in the House in a temperate and moderate way. I remind the House of that because I have no intention of allowing the debate to get to a point where Members feel that they can say whatever they want. That is not the issue. So, let us remind ourselves of our language here in a parliamentary institution.

**Mr Allister:** On a point of order, Mr Speaker. Is it in order for the contributor to constantly repeat a falsehood, namely that the Bill is focused only on republican prisoners, when it applies to all serious criminals? Should he not be called to order for perpetuating a falsehood?

**Mr Speaker:** I am listening carefully to the debate and contributions. The Member will know that I have continually said to Members and to the Member especially that it is important that whatever is said in a contribution is clearly linked to the Final Stage of the Bill. We are at the Final Stage of the Bill, so what was said at First Stage, Second Stage and Consideration Stage is now gone. We are now at the Final Stage.

**Mr McKay:** I was going to say — the intervention ties into this — that issues such as this ultimately become a blame game and a de facto continuation of the conflict. We do not want to see that. I long to see the day when the issues being debated in the Chamber are not like the debate that we are having today. We do that through political maturity and having a holistic approach to the conflict that takes into account all the ex-prisoners, former combatants and victims. A piecemeal approach will not work. That will create further conflict in our community, and we do not want to see that.

The Human Rights Commission stated that the law should not exclusively serve the process of retribution or revenge, as is clearly the case here. In retrospective application, there is a possibility of triggering violations of article 7 of the European Convention on Human Rights. The retroactive penalty is a clear violation in that case. Given that the Bill's purpose is to be punitive, articles 7 and 15 of the convention are, as I said, engaged. It was interesting that the commission's view was that, if the guidance from the Office of the First Minister and deputy First Minister was legislated for, it would meet international standards and be a suitable alternative.

The ex-prisoner groups that came before the Committee, represented by Michael Culbert and Thomas Quigley, were particularly praising of George Quigley and Nigel Hamilton for their work, and rightly so. Much of that work was done under the radar to bring people together and get them around the table to discuss those issues. That was mutually beneficial, given some of the comments from Mr George Quigley in his evidence.

Most members of the Committee shared the view that it was scandalous that, at this stage, we had still not addressed adequately the emotional and material needs of victims. However, bringing the issue of victims and ex-prisoners together does not help to address that issue.

There was huge interest in the Bill. We received over 800 replies opposing the Bill, including the petition to which I referred. That was, perhaps, one of the greatest responses to a Committee Stage that I am aware of in the history of the Assembly. That shows that this issue touches a nerve with members of the public. A significant majority in those responses opposed the Bill, and hundreds signed the petition opposing it.

The petition recognised that the clauses included will add to the number of legal ways in which former political prisoners can be excluded from employment and reinforce the discriminatory attitudes and practices with which former political prisoners have to contend.

Numerous points were raised in different letters to the Committee; some were very good. Conflict resolution requires a no-winners and no-losers approach. One respondent wrote:

*"Punitive measures against one particular group of former participants in the conflict run contrary to conflict resolution and leads to alienation from the political process".*

The Assembly should not be involved in creating a barrier to employment. A respondent wrote:

*"My specific objections to Clause 2 of the Bill is that it will open the floodgates to the political vetting of political ex-prisoners".*

Another respondent wrote:

*"This further punishment is unfair and unjust and clearly discriminatory."*

The Bill represents a breach of human rights, and it contravenes the European Convention on Human Rights.

An ex-prisoner responded:

*"we, as ex-prisoners already face enough barriers to employment without those opposed to us creating more barriers. It is an affront to section 75 equality legislation".*

That correspondent also stated that the Bill would alienate many ex-prisoners from the political institutions. He stated that clause 2, if enacted into law, would be in breach of the international agreement between the Irish and British Governments and in contravention of domestic and international human rights provision because of its retrospective penalisation of current special advisers.

The idea of singling out one group for punishment is anathema to the building of a better, safer future for all.

How can anyone who has an eye to a more equal and settled community give the legislation anything other than a complete rejection?

The overall view of the people who responded to the Bill with extreme concern is that it sets a dangerous precedent, is an unwinding of the Good Friday Agreement and of the commitments at St Andrews, and there is no good reason for it. There are concerns about victims' needs and the needs of ex-prisoners, but to intertwine the two in this way will not do anyone any good and is not in keeping with conflict resolution.

As the Human Rights Commission and NIACRO said, this is not a positive development in any way. Conflict-related offences should be treated differently because if they are not, it is more difficult to move beyond conflict. Perhaps that suits the proposer of the Bill, but it most certainly does not suit our society.

The Human Rights Commission also suggested that the Bill would be more punitive for those in post than for those applying for a post. This is a time when we should be focusing on job creation. It is concerning that, although the evidence during Committee Stage was interesting and useful, we should be focusing on job creation as opposed to excluding people from jobs. Those bringing forward legislation should focus more on those issues than on punitive matters such as that.

The majority of respondents to the consultation believe that the Bill is in contravention of the Good Friday Agreement, which refers to the reintegration of prisoners, and that includes assistance towards availing themselves of employment opportunities. The Bill is about barriers.

The OFMDFM guidance took a more mature approach to conflict resolution, reintegrating political prisoners and moving society on. It recognised that political prisoners would not have been imprisoned had it not been for the onset of the most recent and prolonged period of disorder and violence that caused so much damage and hurt and which shaped the lives of so many during those 35 years. We also need to take all of that into account.

#### 4.00 pm

There have been a number of contradictions in some Members' positions now and those at Consideration Stage. Then, many Members from other parties commented on amendments to do with the Office of the First Minister and deputy First Minister. They said that the Bill needed to be kept away from Departments, that it was being thrust into the political arena and that its independence would not be guaranteed were it to go into one of the Departments. It is interesting, therefore, that, somehow, Sammy Wilson, the Finance Minister, is now considered to be independent by the Bill's sponsor, whereas Ministers in the Office of the First Minister and deputy First Minister are not.

In the Hansard report of the Consideration Stage debate, the Bill's sponsor said:

*"a special panel appointed by political vested interest or that contributes to an appointment by political vested interest is far less likely to command public confidence and deliver an impartial outcome in any such scenario". — [Official Report, Bound Volume 83, p157, col 1].*

At that time, therefore, Mr Allister said that a panel should not be appointed by a Department because, owing to "political vested interest", it was less likely to deliver an "impartial outcome".

At that time, the SDLP also considered transferring the matter to a Department to be the wrong move. Dominic Bradley said that his party believed that it was:

*"better to take these matters out of the political sphere and arena and rest them with an independent body". — [Official Report, Bound Volume 83, p166, col 1].*

Sammy Wilson's comments were the most interesting of all the contributions. He said:

*"The one thing that I will say is that an appeal mechanism that in any way involves other Ministers or Members from other parties in setting up the panel or whatever is bound to face derision." — [Official Report, Bound Volume 83, p169, col 1].*

The Bill, as amended, will ensure that Sammy Wilson will oversee what happens to ex-prisoners who are affected by it. The SDLP will therefore not only facilitate the sacking of Paul Kavanagh today but will set up an appeals process that will be overseen by Sammy Wilson, who is anything but impartial when it comes to republican ex-prisoners.

It is interesting to note that the SDLP has had a different position —

**Mr Allister:** On a point of order, Mr Speaker. Is it in order for a Member to impugn a Minister in the performance of his official duties and ascribe to him partiality?

**Mr Speaker:** Once again, the Member raises a point of order. I say to the whole House that Members need to be very careful of their terminology in the House and of what they accuse Ministers. All Members from all sides of the House need to be careful.

We really do need to get back to the Final Stage of the Bill. Members need to link their comments to the Final Stage. I remind Members about their language in the House.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I made the point because the Bill, as amended at previous stages and as it now stands, is a changed Bill. It will not sit with the Civil Service Commissioners, because they do not want it. Of course, the Bill's sponsor had to undo a mistake that he made. However, the public can judge for themselves. It will go to the Department of Finance and Personnel (DFP), which is overseen by Minister Sammy Wilson. It will set up a panel to which ex-prisoners who are affected by the legislation will appeal. Members of the public can judge whether it is in the interests of moving forward to locate that mechanism in the Department of Finance and Personnel. The sponsor of the Bill was opposed to it going into any Department, but now he has changed his mind. Perhaps that is because it is not a Sinn Féin Minister in post.

It is important to discuss the definition of a victim and victims.

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

**Mr McKay:** No.

Article 3 of the Victims and Survivors (NI) Order 2006 gives an interpretation of a victim as:

*“(a) someone who is or has been physically or psychologically injured as a result of or in consequence of a conflict-related incident; .*

*(b) someone who provides a substantial amount of care on a regular basis for an individual mentioned in paragraph (a); or .*

*(c) someone who has been bereaved as a result of or in consequence of a conflict-related incident.”*

Article 3(1)(c) makes an important point, because there are many victims. Many of them are from the British Army, the RUC, the IRA, the UVF and so on, and their families. Grief affects many people in this society. It is just as distressing for the family of an RUC man as it is for a member of the British Army, the IRA, and so on. It does not distinguish between what particular party their son, father or mother belong to. It is important to make that point.

In the debates leading up to today, we have heard the parties set out their views on the proposed legislation. It is clear that some parties support it and others oppose it. However, there is still ambiguity about the position of the SDLP. Those who support the passing of the Bill do so for very obvious reasons: they want to pretend that the unionist-dominated and controlled Northern statelet was not in any way complicit in the conflict here. They want to pretend that it was only republicans who had any hand in the conflict. For that reason, they are content to revert to the type of discrimination and exclusion politics that led to the conflict in the first place.

Republicans have always been opposed to the Bill. We have been very clear about what it seeks to do, and we have always been very clear about the motivations behind it. The Bill is an attack on the peace process. It is an attack on the Good Friday Agreement and the institution in which we are debating today. Jim Allister split with the DUP because he did not want to see republicans taking their rightful place in representing people in the Chamber. He is still an old-style unionist. As I said earlier, the other unionist parties in the Assembly support the Bill. The only difference between them and Jim Allister is in style; the substance is the same.

The one party's position that I am not clear on — that we are all not clear on — is the SDLP's. Throughout the Consideration Stages of the Bill, we heard it say that the Bill is flawed and that it is bad legislation. Anyone would think that a legislator, when faced with bad and flawed legislation, would block its passing. However, that is not the position that the SDLP has taken, despite flagging up very clearly that that was what it intended to do. That was before the external leadership decided that it wanted a different approach. Of course, the current leader did not have the courage to stand up to that. The party's position is now that it is doing it on behalf of victims. Let us not try to kid anyone; passing bad and flawed legislation will not help victims. What it will do is take us back to the past and reassert that old unionist agenda of exclusion and discrimination.

The SDLP cannot pretend that there is such a thing as just a little discrimination. They know exactly what they are doing: they are dancing to Jim Allister's agenda. They are prepared to see again the introduction of discriminatory practices because they think it will curry favour with some sections of the community. That is playing politics not just

with victims but with the whole political process. We will see and hear what their true position is today.

There is no moral decision other than to sign the petition of concern if they believe that this is flawed and bad legislation. I have no doubt that they will seek to dress up the failure to do that in any number of different ways, but the reality is that the public will not be fooled. Those who they want to label as second-class victims will not be fooled, and each and every SDLP MLA should hang their head in shame if they go ahead and implement this old-style unionist discrimination. It is wrong. It is unjust. It is against human rights. It is against equality. It is against the Good Friday Agreement. Just to score political points.

**Mr Girvan:** I support the Bill, and I am glad to get the opportunity — I thought that we might still be here in another two hours. I want to go over a few points that have been mentioned, particularly clause 12 of the Bill. Great emphasis has been put on a person, Paul Kavanagh, getting the sack. It is unlikely that his conviction will be overturned, so it is likely that he will have to resign his post, but clause 12 allows for a severance package and a way of dealing with such anomalies, should they arise.

Comments were made in the previous contribution about a number of people who gave evidence to the Committee. The Member left out some others who gave evidence to the Committee. Brice Dickson and Dr Braniff came to the Committee and reported that they believed that the Bill met all legal competencies and, as far as they were concerned, went some way towards addressing some issues.

We are dealing with two appointments, one of which brought the whole issue to the fore: the appointment of Mary McArdle. Unlike other parties around the Chamber, which use some element of common decency in trying to assess whether the things that they are doing are right or wrong, their moral compass has to be seriously questioned. I, for one, feel that unionists would be rubbing the face of those from a republican background in the dirt if they appointed someone such as Johnny Adair to such a position. We would never think of doing that, but, if we had, it would have created an issue.

An attempt has been made to put all the emphasis on those associated with political crimes. This Bill does not deal solely with those who have received a five-year tariff for a political crime; it covers all crime, as the sponsor of the Bill has stated. Unfortunately, those on the opposite Benches have focused on one small area because it affects them, and them solely.

We should not give people the impression that this country is easy on terrorism.

Let us be honest: those who are involved in terrorism have served their time for their crimes. However, there are certain posts — 19 positions are in question here, not the whole of the Civil Service — and republicans will only ever have the opportunity to put people who have served a prison term of more than five years into a small proportion of those posts. On that basis, it is a very small number of posts that will be affected by this.

**4.15 pm**

**Mr Humphrey:** I am grateful to the Member for giving way. As the Member will be aware, I tried on a number

of occasions to ask the previous Member who spoke to give way.

I have listened to Members from Sinn Féin, including the previous Member who spoke, over the past number of days, saying that all victims in Northern Ireland should be treated the same. That is whether they were members of our security forces, who protected us from terrorists, terrorist perpetrators or, indeed, innocent victims. They said that they should all be treated in the same way.

As I sit in this Chamber and listen to the contributions inside and outside of the House by republican and broader nationalist politicians on this issue, I have to ask, what about the victims of Gerry McGeough? What about the victims of Raymond McCreesh? You sided with the SDLP to call a children's play park in Newry after a terrorist. What about the victims of Marian Price? Those victims are not being treated as equals by Sinn Féin or the SDLP on this issue. It is an absolute affront, and it is broad, clear hypocrisy to the House.

**Mr Girvan:** I thank the Member for his intervention.

I believe that we have put an awful lot of emphasis on those who have received sentences for crimes that are associated with the Troubles that we had in our Province. However, the legislation and the Bill, as presented, treat all with the same opportunity. Those from my community — the loyalist and unionist side — and those who class themselves as nothing else or "Other" will all be under the same restrictions, and that is where the fairness issue comes into it. I appreciate that some people feel that they will only represent one side of the community whenever they want to put something forward.

The proposer of the Bill commented that the Bill was measured, and I believe that it has been measured in the way that it has been presented. A number of points were raised in relation to the appeals mechanism, and that has been amended to suit. Unfortunately, we have let a government authority, the Civil Service Commissioners, off the hook on this matter, and I am not too happy about that. However, I will support the Bill in its entirety.

We have listened to detailed extracts of those who gave evidence to the Committee. I actually thought that I was still sitting in the Committee at some stages today, because we regurgitated the majority of those witness statements, except those who spoke in favour of the Bill. We regurgitated extracts that suited from those who gave evidence to the Committee.

I appreciate that the majority of the correspondence that was received by the Committee came from the republican side, rather than those who are associated with the loyalist community. I think that there is a realisation in that community that they do not wish to take the top positions in the Civil Service. Effectively, that is what these positions are.

We should recognise the work by Ann Travers in bringing this matter to the fore through the Bill and the way that she has helped to bring it forward. She spoke to the Committee from the heart and delivered what was a very compelling and moving evidence session. It brought forward the total immorality that we, as an Assembly, would and have allowed to happen.

Great emphasis has been placed on the Belfast Agreement and what happened in 1998. I never signed up

to that agreement in 1998 and, irrespective of what some people feel we should or should not be looking at, I think that there are areas that need to be seriously looked at.

The Bill relates to ex-prisoners. Ex-prisoners are quite at liberty to work in the Civil Service in other areas, and plenty of positions are available. I do not know how many Ministers Sinn Féin has at the minute — I could probably sit down and work it out very quickly — but it is no more than four or five, including the deputy First Minister. If that is the case, Sinn Féin has a relatively small number of people associated with the 19 positions, and I feel that we have had quite a bit of what I call filibustering going on here this afternoon to try to drag this matter out. All the talking has been done. All the evidence that we have heard here was presented to the Committee. I support the Bill as presented.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leat as an deis labhartha ar an chuid deiridh den Bhille seo. Thank you for the opportunity to contribute to Final Stage.

Over the past number of months, the focus of the debate around the Bill has moved away from the issue of a special adviser or special advisers losing their jobs as a result of the Bill's provisions to how we deal with victims and the past. The SDLP has always adopted a rights-based approach to issues here, and its record clearly shows that. Included in that approach are the rights of victims and a victims-based approach. I have brought victims issues to the House. Time and again, Mr Speaker, you will recall that I have brought motions to the Assembly in support of the families of the disappeared and their right to give a Christian burial to the remains of their loved ones. I have spoken here in support of the families of the Kingsmills massacre and of the victims of the Glenanne gang. I stood with the family of Paul Quinn in hospital when he died. I stood at his graveside, and I have raised the issue of his death on numerous occasions, including on the Floor of the House. I have supported victims of republican, loyalist and state violence, as well as victims of collusion, because I believe that that is the right thing to do. That is what the SDLP does, has always done and that is what I am doing here today.

I believe that the SDLP is the only party in the House that can lay that claim and has the record to prove it. We have no vested interest in hiding the truth of the state's violent actions, whichever agency carried them out. We have no vested interest in hiding the truth of loyalist violent actions, including their, and republicans', collusive actions with state agencies. We have no vested interests in hiding the truth of republican paramilitary violence, including that of the IRA. However, there are those with vested and personal interests in state and terror groups who have little appetite for a comprehensive process of truth. There are people who had command and control of organisations — state and non-state — who directed, conducted or approved appalling terror and violence, from whose thinking a comprehensive process of truth and accountability is removed.

Our efforts to amend the Civil Service (Special Advisers) Bill were aimed solely at creating better legislation, not at protecting any vested interests. You will recall, Mr Speaker, that much reference has been made to the Good Friday Agreement and the rights of ex-prisoners therein, and I respect those rights. However, that agreement also seeks

to acknowledge and address the suffering of victims of violence, and we must stand by that. The Bill may affect a tiny number of an elite of ex-prisoners, but it will have significance for a huge number of victims from all backgrounds. It would be helpful if Mr Allister would make it clear that he recognises that there is a range of victims — victims of loyalist paramilitaries, victims of republican paramilitaries, victims of state violence and victims of state collusion with paramilitaries, both loyalist and republican.

There has been much talk about the Bill leading to the sacking of one Sinn Féin special adviser, but there is a certain irony in the fact that the only Sinn Féin special advisers who have been sacked to date have been sacked not by the Minister's regulations or by the Special Advisers Bill but by Sinn Féin itself. I will not mention all those sacked by name, but I will refer to one of them — Mary McArdle. She was sacked by Sinn Féin from her post as a special adviser. Sinn Féin might dress that decision up in some fancier clothes to hide the fact, but it is nonetheless a fact. She was not afforded an appeal mechanism of any type. Her employment and human rights were cast aside in the interest of Sinn Féin's political expediency.

We have to ask what message that sends out to ex-prisoners. What is Sinn Féin saying to former prisoners? "You can have a job with us, but, if it is politically expedient for us, we will unceremoniously boot you out of your post." I am sure that ex-prisoners are not reassured by that message, wherever they may work, but particularly if they work for Sinn Féin. What message does that send out to other employers or potential employers of ex-prisoners? What about the ripple effect of that decision? Sinn Féin had done Mr Allister's work for him before he even had a chance to draft the Bill. Is it all right for Sinn Féin to summarily dismiss ex-prisoners when it is politically expedient for them? Ex-prisoners should be aware that Sinn Féin has set a dangerous precedent. It believes that you can be summarily dismissed from your post if you prove to be a barrier to Sinn Féin's progress. There will be no court and no Civil Service Commissioners to hear your appeal. You will just have to pack up and go.

Of course, one has to ask why Sinn Féin sacked Mary McArdle. The answer to that question is very clear. Sinn Féin recognised that her appointment had inflamed the sensitivities not only of the family of the victims of her crime and not only of victims everywhere but of the public in general. So Sinn Féin attempted to assuage the ire of the public by sacking Mary McArdle. In doing so, they conceded the fact that there is an issue around appointing perpetrators to such positions. In sacking Mary McArdle, they have also conceded that there is indeed some basis to the Bill before us today. That was a major faux pas by Sinn Féin, which it has not even awakened to yet. All Mr McKay's filibustering was in vain when they have already conceded that important point.

My colleague Conall McDevitt has said that, to date, all we have to address the past is a patchwork quilt of mechanisms, none of which can bring the comprehensive and ethical approach that the SDLP has always advocated. This Bill is yet another pattern in the patchwork. It is not the long-term answer that all victims deserve. The past is present around us here, from Kingsmill to Ballymurphy, from the Newry customs bombing to Bloody Sunday, from Claudy to Glenanne, and across many other cases.

#### 4.30 pm

Families, victims and survivors are speaking out in their search for truth and accountability. Those voices, as we heard recently, are resilient, articulate and fearless, and they have a wisdom that the pain of loss and the passage of time brings. The SDLP believes that the increasing strength of the voices of families, victims and survivors is a call to all that this phase of politics must comprehensively address the past and that that is a central issue around which politics should revolve.

We must clarify the terms of the debate on victims and the past. Clarity will not suit everyone, and it will not suit some vested interests. The SDLP position is that we must deal with those issues on an ethical basis, which means basic fairness and equality of treatment. That means that all victims — there is a legal definition of "victims" that we insist on — should get the same fair and equal treatment. Some people are both victims and perpetrators. We treat them all equally as victims but not as perpetrators.

That is the basis on which we approach the Bill. It is flawed, but in a situation in which victims are being so sadly neglected for political reasons, the lesser evil in this case is to abstain. That is an honourable and ethical position. I would like to think that the House could go further than the debate on the Bill to deliver an equal and ethical plan for dealing with our past. For the sake of victims and for the sake of the future, I hope that we do that.

**Mr Nesbitt:** It will not be a surprise to the House that I support the passage of the Bill. It would be more thought-provoking to say that there are circumstances under which I would not support the Bill. Those are circumstances that we might describe as an "ideal world". In an ideal world, I would not support the Bill because we would not need it. In an ideal world, we would not need the Bill because we would have already comprehensively agreed on how to deal with the past. Had we done that, we would not need a day like this, when the House will divide, when society will divide and when victims and survivors will divide in their opinion about the worth of the Bill. It is worthwhile to focus for a few minutes on the broader context of how we deal with the past.

We have four processes: public inquiries; the Office of the Police Ombudsman for Northern Ireland; the Historical Enquiries Team; and Coroners' Courts. Public inquiries, by definition, look only at the activities of the state and those who were acting on behalf of the state, whether it is a group of paratroopers on the streets of Londonderry in the early 1970s or a train company responsible for a fatal crash at Paddington station in London in the late 1990s. Those inquiries look only at the state and the actions of those representing the state.

The Office of the Police Ombudsman for Northern Ireland, by definition, looks only at alleged wrongdoing by police officers.

There is the Historical Enquiries Team (HET). It reviews the cases of all conflict-related killings, but what does it review? It reviews files of the state, including those of the police and the army, but not the files of the IRA, the UVF or the UDA. It reviews only the files of the state and its agencies.

Finally, we have Coroners' Courts, particularly legacy Coroners' Courts, which come under the control of article

2 of the European Convention on Human Rights. Even our sainted Attorney General, John Larkin, admits that that is not a proper mechanism for dealing with the past.

Therefore, what we have in those four processes is an incomplete, imperfect and, most importantly, imbalanced way of dealing with the past, because it puts a focus on the state and those who operated on its behalf without an equal and reciprocal focus on the terrorists: the IRA; the UDA; the UVF; the INLA; and all the rest. The result is that we are rewriting history.

The Saville report led the Prime Minister to say that the actions of those paratroopers were unjustified and unjustifiable. That is a hard message for me as a unionist, but I have to accept the validity of the Saville report. In passing, however, I also have to mark the fact that Martin McGuinness said “under any circumstances” — in other words, under no circumstances would he discuss those who were in the IRA with him in that city at that time. When he was asked that direct question during the Saville inquiry, he said that he could not talk about it because of a code of honour that he would not break “under any circumstances”. Therefore, if we are going to discuss some sort of process for truth and reconciliation, let us remember that the deputy First Minister has said that there are no circumstances under which he will tell the full truth. However, the Saville report sits on the shelf with a validity in its own right.

What happens next is that the Police Ombudsman says that he has taken a look at the McGurk's Bar bombing and is not happy with the actions of the RUC. Perhaps that report has validity in its own right, but what happens to it? It goes on the shelf beside the Saville report.

Then, the then Secretary of State, Owen Paterson, says that he has been looking at the Claudy bombing and how we dealt with the priest who was believed to have been at the centre of it. He says that he is not happy and that he apologises for that. In its own right, that may have merit, but what happens? It goes on the shelf beside the report on McGurk's Bar and the Saville report, and we start to build a library of reports that paint the state, and those acting on its behalf, as the only villains, because the IRA shelf is empty, as is the UDA shelf and the UVF shelf. We are rewriting history, and we are putting a new focus on how we look at things.

I will give Members one example of that before I move on to the Bill. There was an incident in Londonderry in 1988 that became known as the “Good Samaritan bombing”. The IRA was so keen to kill someone wearing a uniform that it hijacked and held a member of its own community — a man from the Creggan estate who was a member of the Catholic, nationalist/republican community. The IRA held him hostage in the hope that the neighbours would spot that he was missing and would ask the police to investigate, and it placed a booby-trap bomb at that man's flat. The IRA got it half right: after six days, the neighbours decided to do something about the fact that they had not seen the man. Rather than call the police, however, they took it upon themselves to visit the flat. They detonated the bomb, and three people died — three of the IRA's own community.

Surely the focus should be on why the IRA would think it appropriate to endanger members of its own community because of their bloodlust to kill someone whom it did

not know who happened to wear a police uniform. Today, however, the focus is on whether the police knew about it, whether their knowledge came from an informant and whether they were so keen to protect that informant that they did nothing about the bomb.

The question of informants when we are dealing with the past is valid. Of course it is valid. However, it is not valid to put the whole focus of blame on the police. They did not plant the bomb. The IRA planted the bomb, so we are rewriting history. The facts are there: we are rewriting history. We will continue to do so until we find a new, inclusive and holistic way in which to deal with the past. Until we do, we will have days like this and Bills like Mr Allister's Bill.

I have heard a lot of speculation and scaremongering that this is the thin end of the wedge and that we will move on to trying to stop people with conflict-related convictions from becoming teachers, and the rest. Of course not. If any Member of this House were a school principal who needed a new geography teacher for Key Stage 3, we all know that we cannot just pick up the phone to a friend and ask them to take the job. There has to be an open and transparent process. There have to be published criteria, details of qualifications and length of service and all the rest before you appoint the best person for the job. I suggest that, for the role of special adviser, we are talking about a unique bit of employment process. The criterion or criteria can exist in just the head of one man or woman called the Minister. It is the laying on of hands. One person can say, “I have decided that you are the best person for the job. I do not have to explain to anybody why that is.”

The rest of us look at the appointment of Mary McArdle, which gave rise to this Bill, and ask, “What message does that appointment send out?” The message that Sinn Féin seems to be sending to the faithful is, “Do not worry. We may now be wearing suits and working up at Stormont, but we have not forgotten our roots.” I have no evidence to prove that because I am not in the mind of the person who made the appointment. However, there is some evidence. Look at the co-options onto councils and into this Chamber. The expression “the most wanted man in Northern Ireland” springs to mind. There is evidence that Sinn Féin is sending out a signal with that appointment. The former deputy First Minister and SDLP MLA, Séamus Mallon, summed it up eloquently when he said that the signal was putting two fingers up to the unionist community.

**Lord Morrow:** Will the Member give way?

**Mr Nesbitt:** Yes.

**Lord Morrow:** Does the Member agree with me that, when Séamus Mallon made that intervention and said that it would be perceived and understood that Sinn Féin was putting two fingers up to the unionist community, which is true, he was, at the same time, addressing the SDLP? We must remember that, at that stage, the SDLP was in a state of flounder and lacking leadership and direction. It was only after the timely intervention of Mr Mallon that the SDLP got back some of its courage, albeit not entirely as we have now learnt that it plans to abstain. It was only then that the SDLP got back some of its courage and started to give some degree of direction.

**Mr Nesbitt:** I thank the Member for his intervention. I will let it just speak for itself. However, the two fingers were not



just put up to the unionist community. Many people in the nationalist community would have been very upset by the news.

On the radio last week, I heard a current special adviser, Mr Kavanagh, whom we have discussed to some extent today. I have to say that I was disappointed in his entry into the public discourse on this issue. There are two reasons for that. First, he chose immediately to position himself as a victim with the argument, "I will lose my job if this goes through." Technically, he may be right. However, apart from the fact that he would be entitled to compensation, as has been pointed out, does anyone in this House believe that what happened to Mary McArdle is not what will happen to Paul Kavanagh? He will continue to be paid the industrial wage. He will continue to be valued by the leadership of the political party that he supports. There will be no material difference in his life. We have over 60,000 people seeking work today. How many people who lose their job do so in the certain knowledge that it will make no difference to their lives, that they will still get their pay, that they will still have influence, and that they will still be welcomed by their work colleagues? I was not impressed.

Secondly, Mr Kavanagh made it clear that he did not understand all victims. He has a basic point. Victims are not all the same. Of course, victims think differently and have different needs. However, Mr Kavanagh is a victim maker. We heard one of his victims on the radio this morning. He is a victim maker, so my question to him is this: to what extent has he reached out to try to understand the victims whom he does not understand? That victim said on the radio this morning that Mr Kavanagh had never made any attempt to contact him to say why he detonated that bomb. As Mr Allister reminded us some time ago, the judge, in sentencing Mr Kavanagh, said that, the way that it was all set up, he would have seen the faces of the people he was about to blow to kingdom come with the flick of a switch.

And yet he has made no attempt to understand how those victims feel. That is disappointing, because Sinn Féin, as it tells us, is the party of respect. Its members demand respect for themselves, but what about respect for those victims? What about respect for Ann Travers?

#### 4.45 pm

Again, on the radio the other day — I will come to that in a moment. There is something else about this. Whether people like Mr Kavanagh understand victims or not, there is no possibility that you could persuade me that Sinn Féin did not realise that, in making the appointment of Mary McArdle as special adviser, it would be deeply distressing to the Travers family. So what do you do if you really want to be victim-centred? You find a friend —

**Mr A Maginness:** Will the Member give way?

**Mr Nesbitt:** In a moment.

You find a friend, a neighbour, a clergyman, whatever. You get somebody to Ann Travers's house. You get them to say, "Ann, you need to sit down, I have got some really bad news for you. And when I say really bad, I mean unimaginable. What I am about to tell you is going to make you think that Sinn Féin is about to reward the person convicted of your sister's murder. When you pick up the paper or switch on the radio tomorrow, this is what you are going to hear, and you have got only a few hours to get

over it." Did they do that? No. They let Ann Travers find out through the media. In communications terms, that is a punishment beating. The SDLP did not learn the lesson. How did Ann Travers find out that the SDLP is thinking of a petition of concern? By watching BBC television, where one of its Members let her know that way. That is not right.

I will give way to Mr Maginness.

**Mr A Maginness:** On the appointment of Mary McArdle, I would like to remind the Member, and indeed the House, that during the course of the Irish presidential election there was an intervention by Ann Travers in relation to Martin McGuinness's candidature. That was via a radio programme on RTÉ, in which she confronted Mr McGuinness and said that he had failed to apologise adequately in relation to the death of her sister and had not condemned the attack on her father, who was a judge. She confronted him about that particular issue. So he was well warned, several months in advance of the appointment, that such an appointment would be grossly insensitive and create the reaction that it ultimately created.

**Mr Nesbitt:** I thank the Member for his intervention. I am sure that the facts are all solid. All I will say to him is that I believe that logic, common sense and an understanding of human nature would dictate that you would know how offensive and deeply hurtful that action was going to be. I ask the members of the SDLP to reflect again on how Ann Travers became aware that they were considering a petition of concern and whether, on reflection, it might not have been better to have picked up the phone. She tells me that you have her mobile number. I have her mobile number on my mobile as well.

I note that people like to say that Jim Allister is using Ann Travers, in the same way that people like to say to me and the Ulster Unionist Party that we are using victims in our objections to the peace centre at Maze/Long Kesh. Let us think about that. On Radio Ulster the other day a comment was read out from a member of the public — probably a political activist, but however. The presenter said, "Here is so-and-so with a comment." The comment was, "Shame on Jim Allister for using Ann Travers." The presenter was very quick to say, "I am sure if Jim Allister was here, he would deny that."

Just think about that. What is missing from that comment? What is missing is, "I am sure that if Ann Travers was here, she would be quick to say that that is not true." That comment plays into the narrative that victims and survivors are people to whom something horrific happened and that that has left them as passive people who are neutered, emasculated, cannot think for themselves and are utterly without the power to contribute to public discourse. What nonsense. Why do we have the phrase "victims and survivors"? "Victims" sounds like something passive, and "survivor" is the active and the person who has had something horrific visited upon them but has survived it, come through it empowered and can speak for themselves. Ann Travers can speak for herself. Jim Allister may be good, but he is not that good. He cannot use or abuse somebody of the stature of Ann Travers.

As I draw to a close, I want to touch on the idea that this is anti-agreement and anti-prisoner. Page 25 of my copy of the Belfast Agreement has five paragraphs at the top half of the page under the heading "Prisoners". Paragraph 5 is the key. There is a commitment to the reintegration of ex-

prisoners by way of employment opportunities, reskilling, retraining and educational opportunities. Fifteen years on from the Belfast Agreement, have we got there? No, we have not. Am I prepared to do my bit? I believe that I am. I have worked and continue to work with ex-prisoner groups in my constituency, particularly in Newtownards.

There is a working group on ex-prisoners sponsored by Martin McGuinness and Peter Robinson, and I have met it three times. The first time was one of the most remarkable experiences of my life as I sat across the table from a representative of the Provisional IRA, the UDA, the Official IRA, the UVF and the INLA. They all sang off the same hymn sheet about the three main issues of difficulties in securing employment, insurance and travel visas. I took that on board. The second time I met the group was not because it asked to see me, but because I asked to see it in order to bring a businessman who had ideas to put to it. The third time was because it asked for a follow-up meeting. So, I and the Ulster Unionist Party will do our bit.

We have heard about the recommendations from those most eminent of people: the late Sir George Quigley; and Nigel Hamilton, former head of the Civil Service. Their guidelines are now six years old. Have we done enough to implement them? I doubt it. Quigley and Hamilton made it clear that we are talking about 30,000 people who were in prison for conflict-related convictions. Never mind fairness and equity, but would it be sensible to try to build a new Northern Ireland leaving 30,000 people and their families disenfranchised? It would be madness. Whether we like it or not, we have to bring that community with us as we build a better Northern Ireland.

There is another message today. In a few days' time, when Drummer Lee Rigby is buried, I will stand for a moment's silence, and I hope that a lot of people in this country will stand in solidarity with Lee Rigby, in sympathy for the family, in support of the armed forces and in solidarity against terrorism. However, as I stand for that minute's silence, I will also be thinking about 8 April 1984. Lee Rigby was butchered by terrorists on the streets of Woolwich. In 1984, the Travers family lost their daughter and were lucky to not all be butchered by terrorists on the streets of south Belfast. No difference. No difference.

Today, we must send out the message to ex-prisoners that you cannot have everything and, to innocent victims, that you can have something.

**Mrs Cochrane:** I welcome the opportunity to speak at the Final Stage of this Bill. The Bill is not a perfect product, but we have had to take a balanced judgement on it. The Bill as originally introduced had as its core the primary objective of disqualifying prospective and existing special advisers with serious criminal convictions. It had secondary objectives, designed to produce a revised code of conduct and code of appointment.

At the Second Stage of the Bill, as Mr McKay pointed out, I stated that the Department of Finance and Personnel guidance had already moved to tighten protocols and that the review in 2011 strengthened the vetting procedure and moved it into line with the procedure applied for other Civil Service appointments. Alliance did vote against the passage of the Bill at that stage, as, instead, we believed that there was an opportunity to place the existing code on the appointment of special advisers on a statutory basis. Indeed, that is the essence of how we then tried

to amend the Bill at Consideration Stage, and that would have perhaps been a neater and less controversial means of advancing this issue. Nevertheless, the introduction of an explicit appeal mechanism, albeit using some rather loaded language, is a major change from the original Bill, and the process has effectively stumbled towards placing the revised DFP code of appointments on a statutory basis.

As others have already stated, this issue has now become much broader than the words on the paper or the direct consequences of the legislation. It has become a focal point for highlighting the frustrations at the lack of recognition of the place and needs of victims in our peace process. Fifteen years from the Good Friday Agreement, we are continuing to address the past in a piecemeal manner, with demands for inquiries etc, instead, we need a comprehensive process for dealing with the past. Until we reach that point, we will have to make calls on individual matters that come before us. The challenge is to ensure that what we do is not fundamentally against the spirit and letter of where this society has evolved to over the past decade, and I do not believe that voting for this Bill goes against this.

Let me make it clear. Alliance supports the Good Friday Agreement and accepted the logic for the early release on licence of prisoners who were convicted of paramilitary offences before 1998. Not only did we support the Good Friday Agreement but we supported the St Andrews Agreement, which committed the two Governments to working with businesses, trade unions and ex-prisoner groups to produce guidance for employers to reduce barriers to employment and enhance the reintegration of former prisoners. That is a recognition of the much-reduced risk of reoffending, however it does not mean that we excuse what they did.

So, we support the agreements, but the agreements themselves do not solve our problems. They are a basis to work from, and I stand by my comments in previous debates that, as we endeavour to move away from our dark past and seek to build a better, brighter future for Northern Ireland, we will be faced with many issues that have the potential to cause hurt and pain, and legislation will not always be the answer. However, a degree of political maturity and mutual respect is also required if we are truly to take this society forward. Political parties must consider how their actions are perceived by others, including by victims. Perhaps if this had been the case, there would never been the need for this Bill to come forward.

In bringing my comments to a close, it is clear from the contributions thus far that we are no closer to dealing with the past in a comprehensive way. Until we agree a mechanism to do this, our political system will continue to struggle with a win-lose approach around a succession of individual aspects of the past. I hope that today's debate becomes a watershed and that parties genuinely start to move towards creating that process. We support the Bill.

**Lord Morrow:** I rise in support of this Bill, as has been intimated by my colleague Paul Girvan. Since this Bill first saw the light of day, it has been, to say the least, steeped in myth. It has been entangled with fact and fiction, and, sadly, as we move on to the conclusion of this Bill, unfortunately there are still Members in this House who are bent in keeping it in that position. I think that this Bill is worthy of the support of this entire House.

**5.00 pm**

Quite frankly, I think that there is something lacking in those who find the Bill offensive, find that it is in some way trying to get at some innocent person or persons, or that it is, in some way, selective in what it is trying to do. I do not think it is. It is a genuine and honest attempt to address an issue that is causing considerable angst, not only in the House, but among those whom we all represent.

I have heard much today, and particularly from Mr McKay, who, I suspect is away for a lie down and rest, now that he has delivered his 40 or 50 foolscap pages that, obviously, were prepared earlier.

However, the Bill challenges the House and every Member of it. Directly, there is a challenge for those of us who tell the world at large that we are democrats and that we want to follow democratic procedure from this day forth. And I believe —

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

**Lord Morrow:** Yes, I will give way.

**Mr Humphrey:** I thank the Member for giving way. I tried to make an intervention when the Member for Newry and Armagh was speaking, earlier in the debate. I am pleased that he raised the issue. I welcome the shift that there has been in the position of the SDLP since the last time that we debated the Bill in the Chamber. That party's position was torturously worded in a petition of concern, which was then confirmed on television later that evening. That shift is welcome, whether it came because of Séamus Mallon, Bríd Rodgers or Ann Travers. The House and the people of Northern Ireland should welcome it.

I listened to the leader of the SDLP earlier this week say that his party would put victims first, second and third, and that the SDLP was about standing up for victims. At this late stage, I appeal to the SDLP and its leader, who is in his place, that, if they are really serious about standing up for victims — all victims, genuine innocent victims of the Northern Ireland conflict who have suffered at the hands of terrorists — then the SDLP should do the right thing, and go into the Lobbies with those of us who will vote for the Bill and not take the coward's choice of abstaining on it.

**Lord Morrow:** I thank the Member, my colleague Mr Humphrey, for making that very salient and valid point. As I said, there is a challenge in the Bill for all of us. It is time that the real men and women in the Assembly stood up. I believe that this Bill attempts to move society forward, and that it can do that to some degree. It will not take us to the final and ultimate goal, but it will take us in the right direction. If the House passes the Bill and brings it into law, it will send out a clear message that Northern Ireland is moving on and wants to see things differently in the future. However —

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

**Lord Morrow:** I will in a moment, yes.

I want to make it clear that Sinn Féin has an issue and it needs to address it. It is all very well for Sinn Féin members to go back into their camps, sit down among their own people and discuss what they will or will not do. I hear repeatedly from their chairman that they are reaching out to unionists. They would need to be a wee bit more explicit, and tell us what they mean by reaching out to unionists. They want to enter into dialogue with unionism;

but they send out the wrong message today, if they stick to the position that they are in at the moment. I give way to Mr Hussey.

**Mr Hussey:** Had I followed the example of Mr McKay, I would probably have opened this book, 'Lost Lives', at page 1 and continued to read until tomorrow. We would have heard of all the lives that were lost in Northern Ireland. The Sinn Féin member seemed to make little of the fact that republican terrorism killed over 2,000 people. In fact, to listen to him, you would think that republicans did not really do anything. Any of them who were charged were innocent. They did not do anything; they were all innocent; and the corrupt British state brought them all to court and forced them all to plead guilty, and that was that.

There are hundreds of republicans who have not faced a court for the crimes that they committed; there are hundreds of loyalists who have not faced a court for the crimes that they committed — and they may still, despite the Bill, be appointed as advisers, or SpAds, to Ministers. However, he has to accept that the Member who spoke previously — Mr McKay — obviously made no attempt to accept that republicans were, and continued to be throughout the Troubles, a murderous gang.

**Lord Morrow:** I thank Mr Hussey for that. I also reiterate that Mr McKay missed a very good point when he was going through his 20, 30 or 40 foolscap pages, or whatever it was, when he listed ad infinitum all the alleged misdemeanours that fell upon republicans. Not once did he suggest that there were other sufferers here, and many who were innocent victims in this were discarded as if they were of no consequence.

If Sinn Féin wants to be taken seriously, it is going to have to change its message. It might also want to change its messengers. However, Sinn Féin will certainly not influence unionism by standing in its trenches as it has done for the past 40 years. They tell us that they have moved on; they tell us now that the bomb and the bullet is not the way that they will take things forward. Well, that is welcome. However, they need to do more than that. They need to ensure that they are not going to drag the past with them and, at every given opportunity, condemn the state for alleged misdemeanours.

I have something to say to the SDLP, because its members have been quite disappointing throughout the whole debate inside and outside the House. When the Bill was first introduced in the House, I think that it would have been taken as read that all Members, with the exception of Sinn Féin, would have signed up quite easily and quite clearly. Unfortunately, that was not the case. However, onto the scene stepped one from the past by the name of Séamus Mallon. Séamus Mallon is not a man that I always agreed with. Indeed, he was quite belligerent at times. However, Séamus Mallon put some things very vividly and very straight, and he challenged the SDLP quite clearly as to where it was standing and the message that it was sending out on the issue. I think that there are doves and hawks in the SDLP. The doves now have got beaten down by the hawks, the feathers have got mixed up and it is not sure who is in what camp any more.

During my time as Chairman of the Justice Committee, I had very strong representation made to me by the SDLP Member Mr Maginness: representation that I felt was justified. He spoke to me of the very sad situation — he

also raised it in the Committee at the time — of the foul murder of Thomas Devlin. Thomas Devlin was a young lad of 15 years of age, I think, and he was done to death most brutally, barbarously and cruelly. Nobody but nobody who believed in the sanctity of life could in any way condone what happened to Thomas Devlin.

At that time, Mr Maginness asked me whether I would be prepared to meet the Devlin family, and I intimated right away that I certainly would. As a matter of fact, Mr Speaker, I would have looked forward to meeting the Devlin family to pass on directly to them my own personal condolences and condemnation of what happened to their young son. That did not happen, but I do not think that that was my fault, and I do not think that it was Mr Maginness's fault either, but it never happened. However, Thomas Devlin was, in my books, an innocent lad growing up into this world and one day, hopefully, he would have made it, but he was deprived of that. It has to be said that that whole case touched everybody who has any morsel or degree of concern for their fellow human beings. The court case was heard by Sir Declan Morgan, along with Lord Justice Higgins and Lord Justice Girvan. In his summing up, Sir Declan Morgan said:

*"The consequences of that night have been life changing and enduring. The emotional impacts and the effects on the mental health of the Devlin family have been profound and devastating."*

I would like to challenge every MLA, whether they are in this Chamber or sitting watching in their offices, to take stock of what Sir Declan Morgan said, because I believe that every word of it is true. I believe that the Devlin family has been left with a legacy, and I suspect that no matter how long their lives might be, they will never get over the loss of that young lad.

I turn to the nationalist Members of this House today, and I challenge you directly. Can you live for five minutes in the shoes of the victims of Northern Ireland? They have been shamefully treated, and here is an opportunity today to state very clearly that we are going to try to put the past behind us. That is not in any way suggesting that we should forget it. We should endeavour to do all that lies within us to ensure that whatever we do from this day forth will send a clear message out to those who have carried out those barbarous deeds in the past, that they are not going to be in a privileged position should they continue down that road.

Sometimes in life we have to stand up and give an account, and if we do not do it on this earth, we will do it later in another life. There will be no ducking and diving on that day. There will be no ambiguous legislation to escort us through a difficult time, but while we are here as elected representatives, and whether we are here for a long or short time, we should send out a very clear message to everybody who wants to listen to us that the time for change has come. The time for taking difficult decisions has come. We have all had it to do. Some of us had to swallow very hard to get to where we are today, and some of us have been severely criticised for doing it.

I am leaving Sinn Féin out because I suspect that it is beyond the pale. As someone has already said, it is now bringing into its ranks, whether it is at council level or onto these Benches, those who have long criminal records and those who have been hardened in the war of terrorism.

I suspect that they are quite proud of that, and I suspect that if some of them — maybe not all of them — had it to do again, they would do it all over again with no regrets, no remorse and no thinking that they caused awful terrorism on innocent families, but, as one said, "So what?".

There are perhaps those in the ranks of the SDLP who have a conscience and a heart and want to move on in the future into a different society. You have a lot of thinking to do before you cast your vote today.

You may decide to sit on your hands, which would be marginally better than voting against the Bill. However, I say to you directly that that is not enough.

#### 5.15 pm

The SDLP will very soon fall into the Sinn Féin category if it does not unshackle itself from the ways of Sinn Féin. You have in the past declared that you are against violence. I take that as read and do not doubt it. However, we unionists do not understand why prominent SDLP members headed up the campaign for the release of a man called Mr McGeough from south Tyrone, who was charged under due process through the courts in an open and transparent way and convicted for the attempted murder of my council colleague Sammy Brush. You headed up the campaign for the release of Ms Price. We do not understand why, and you did not explain it. If you did, it is clearly not getting through. You joined Sinn Féin in the naming of a children's play park after a convicted terrorist. You have all that to explain. They do not explain themselves. I say to the SDLP, "You will have to put your past behind you and unshackle yourself from Sinn Féin in whatever way you feel you have to do it to declare to the world at large that you and Sinn Féin are different, so different that you manifest it in your actions in the House and how you deliver your speeches and votes, because today is a defining day". It is a defining day in particular for nationalists in this House and this country.

I have no doubt whatsoever that there is no DUP or Ulster Unionist man or woman who would not stand with me in condemnation of the murder of Thomas Devlin. We would do that without equivocation. Nor is there is a shred of hope that those who did that deed would be put into a place of influence in the Office of the First Minister and deputy First Minister or any Department that we were in charge of, if they were in such a position. That just would not happen. Why would it not happen? Would it be because we would be afraid of a rebellion from that side? No; the rebellion would come from this side.

Much more could be said. It was difficult for me to say what I have said, but I implore the House to take what, for some, will be a courageous step. However, it is a necessary step. We have to get the message out that the past will not be tolerated in the future. Supporting the Bill is one way to declare to all and sundry that Northern Ireland is moving on. We are moving into a better place. We want a better future for our children, grandchildren and those who come behind us.

Whatever political differences we may have — I suspect that there will be plenty in the future — let it be said that, when it comes to the denunciation of the taking of life, we will not be found wanting. I come from a border constituency; I know what genocide is like. I know what it is like to attend too many funerals in too many homes in

south Tyrone, Fermanagh and on the Armagh border. As a border representative, I am acutely aware of the hurt and the pain that exists, but, today, we can take a step forward. I trust, Mr Speaker, that, in fact, the House will avail itself of that opportunity.

**Mr Mitchel McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I was struck by the tone and the manner in which Lord Morrow delivered his contribution. He was making a serious effort at staying focused on the discussion before us and not contributing to any further exacerbation of what, I think, are quite raw feelings at the present time. Clearly, some of the discussions and the evidence that we heard in the processing of the Bill to this stage have revisited many of those very, very traumatic events that have created so many victims and survivors and traumatised an entire generation or, going further back, it might be more accurate to say "generations".

We have had problems in this society for a very long time. If we could come at the Bill on the basis that it is attempting in a substantive way to deal with some of the outstanding matters, then, perhaps, we could understand the motivations of the sponsor. Of course, the sponsor has made no secret of his feelings and hostility, to put it at its mildest, towards the Good Friday Agreement and the institutions of which this Assembly is one, perhaps the main one. He has made no secret whatsoever of his political ambition to damage and undermine that agreement, and his sympathy for Ann Travers has to be regarded in that light.

I spoke with Ann Travers when she came to the Finance Committee. I can tell you that it was a very impressive and emotional experience for me. Clearly, this was a grievously injured and traumatised human being, and it would have taken a heart of stone to ignore that. I certainly do not claim to have a heart of stone, and I made it clear to her that, although the discussion was difficult, it was not my intention to add to the suffering that she had already experienced. It is all the more regrettable for me that that suffering was caused by republicans.

In recent days, Ann Travers has made a very interesting reference to the victims and survivors of state violence and collusion. The silence of the response has been deafening. I think she has addressed the elephant in the room. The reason why we have made negligible progress in reconciliation and truth recovery is that we cannot get all the agencies or elements that have vital pieces of the truth to submit them and to commit to a common process of truth recovery that no section or organisation, including republican organisations, can evade or avoid. Until we do, victims will continue to get traumatised.

Consider, in the context of the Bill and its implications, what we agreed to 15 years ago and the actions that we took 15 years ago with the unionist party, the SDLP, the Alliance Party and the Green Party. We went out and sold the agreement. We did not sell parts of it; we sold all of it, including the section on safeguards, which is on page 5 of the agreement. There, it describes the institutions that the agreement would set up and the fact that it would provide protections for all. It uses the word "all"; it does not exclude prisoners of the conflict. In the section on prisoners, the agreement also describes the process and circumstances of the early release scheme. It did not throw open the doors of all of the jails; it released prisoners of the conflict. We recognised all those issues. We went out and sold an

agreement that we signed with our eyes wide open. I know that the DUP did not go out and sell it. That party opposed it. It fought its argument. We heard it reiterated here today, 15 years later, that it does not support the agreement. That is that party's entitlement. Nevertheless, the issue was endorsed decisively. We had a national debate. We had a majority on the island, in the South and in the North.

**Lord Morrow:** I thank the Member for giving way. Does he accept that it is quite legitimate and proper to be for or against something provided that you do it by peaceful, democratic means and do not take up arms?

**Mr Mitchel McLaughlin:** With regard to the agreement, the answer is unequivocally yes. We had a situation and a society in which democratic rights were systematically and institutionally denied. I do not think that anyone with any wit of education, intelligence or knowledge of our history would deny that. It sowed the seeds of conflict and division. Interestingly enough, we had a situation in which — I made the point at an earlier stage of discussion on the Bill — Gusty Spence, no less, indicated that the revival of the UVF in the mid-1960s was at the behest of a member of the Unionist Party who argued that there was a need to stand up to what was then described as a republican plot, even though the IRA was in ceasefire. Of course, in very short order, the UVF was blowing up reservoirs and attempting to blame it on the IRA, as well as killing Catholics. If we are to deal with the truth, that is one aspect of our history that cannot be ignored.

We can get into "whataboutery", or we can have a system that is agreed. I want to come directly to the point that was just put to me by Lord Morrow: in circumstances where, in fact, people have democratic access and decisions are made, whether we win or lose on a particular vote, we all have an obligation to respect and accept. If the Bill goes through today, Sinn Féin will not be happy. I can tell you that. You, probably, could have guessed it. We will not be happy, but we will accept it as the decision that was made here. Then, we will go on with our business.

I know that Jim Allister has referred to my party's deep pockets. Let me tell him that we are already contributing out of our own pockets. Here, let me say that my party is guilty — very guilty — of standing by the obligations and commitments that are in the Good Friday Agreement. That includes commitments to former prisoners of the conflict. We have no hesitation about standing over our record with regard to inclusion and equality of opportunity and demonstrating that.

**Mrs D Kelly:** Will the Member give way?

**Mr Mitchel McLaughlin:** Yes.

**Mrs D Kelly:** If that is the case, can the Member explain to me why his party signed up to the St Andrews Agreement, which changed some of the Good Friday Agreement's core principles? Can he also explain why his colleague John O'Dowd said to three other parties in a television studio, "So what?"?

**Mr Speaker:** Before Mr McLaughlin continues his contribution, I remind Members that we need to be careful that even interventions relate as far as possible to the Final Stage of the Bill.

**Mr Mitchel McLaughlin:** Thank you for that, Mr Speaker. I think that I could, in fact, demonstrate that, with regard to St Andrews and Hillsborough, those core principles —

*[Interruption.]* I am getting barracked from the side. I want a bit of order from the SDLP.

**Mr Speaker:** Order. Members should not comment from a sedentary position. The Member has the floor. Order.

**Mr Mitchel McLaughlin:** I was making the point, Mr Speaker, that neither St Andrews nor Hillsborough interfered with the core principles of the Good Friday Agreement in any circumstances. The agreement — I have the document in front of me — provided for periodic reviews by which we could work collectively to improve its operation.

Among the core principles, which were not altered and are reflected in both Hillsborough and St Andrews, as well as the original Good Friday Agreement, is the section on prisoners. Not a word was changed.

My party is guilty of standing by the agreement. After today's vote, we might be the only party in here that is standing by the Good Friday Agreement as we all went out to sell it. Did some do that in a tactical way? Did some do it with the intention, over time, of departing from it? We can demonstrate to anyone —

### 5.30 pm

**Mrs D Kelly:** Will the Member give way?

**Mr Mitchel McLaughlin:** No. You got your chance, and you missed it.

**Mrs D Kelly:** I am wondering how the Member's party was selling the Good Friday Agreement.

**Mr Speaker:** Order. Once again, I remind the House that the Member who has the Floor decides whether he or she wants to give way. Let us move on.

**Mr Mitchel McLaughlin:** As someone who was there, I can testify to the commitment that we brought to the process. I can also testify to the difficulties that we had with some of the parties, including the party to which the Member who spoke previously belongs, in convincing them of the need to be inclusive and to recognise that there could be no sustainable arrangements unless we broke with the past, which was a past of discrimination, victimisation and exclusion. On the face of it, that principle was accepted. We now see in practice that some are having difficulty with that. I argue — I will do so in any circumstance or forum — that this could be a very good day for the Good Friday Agreement and the Assembly if we return to those principles.

The Bill involves one job and is centred around the very harrowing and genuine suffering of one individual and her family, when, in fact, we are talking about thousands upon thousands of victims and survivors. We are talking about families who had no part nor part in the conflict but were caught up in its consequences through indiscriminate attacks or misfortune, in that they were in the wrong place at the wrong time. How often have we heard that terrible expression? The suffering of those families, as a result of a failure of politics to address those kinds of issues, went on and on.

I say "our opportunity" in the collective sense. I say it in the presence of people whom, I know, I can have a political disagreement with and we will remain on civil terms. I may have missed the comment that was made, but I have said before and I say to Ross Hussey today

that our argument and disagreement with the RUC never depended on arguing that its members were all bigots or sectarian murderers. However, there is indisputable evidence that there were problems in the RUC and that there was sectarianism. One section of our community — the community that I come from — had no allegiance, trust or faith in it. The organisation —

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

**Mr Mitchel McLaughlin:** I was not looking to provoke an intervention from you, but I would be glad to hear your comment on that.

**Mr Hussey:** I thank the Member for giving way; I am glad that he did. The RUC suffered horrible murders and injuries as a result of IRA activities. To this very day, should the term "RUC" be used, members of your party need to eat a clove of garlic to keep them from falling to pieces. They deliberately try to stop RUC officers getting jobs. If an RUC officer gets a job anywhere, they nearly ask for an inquiry. That is inbuilt into your psyche. The RUC was not all bad. Members of the Roman Catholic community could not join the RUC because of threats from the IRA. Those who did join were persecuted by the IRA. I will give you one example: I will refer to the man as Michael. He was shot dead by the IRA in Londonderry for one reason: he was a Catholic serving in the RUC. The IRA made the RUC the bogeyman. It created that by continually attacking the RUC. The RUC was prepared to take on the IRA. I contradicted your colleague, who made very spurious remarks about the Royal Ulster Constabulary. I was never ashamed to wear my uniform. I got one big enough to fit me, and I wore it proudly.

**Mr Speaker:** Order. Let us not get into a debate about the RUC or any other issue. Let us return to the Final Stage of the Bill.

**Mr Hussey:** Prior to that, the same thing happened to the Royal Irish Constabulary.

**Mr Speaker:** Order.

**Mr Mitchel McLaughlin:** Let me say that if I have annoyed you, rather than helped you understand our position, I apologise for that as well, Ross.

If we accept, and this is my basic point, that there are problems on every side, nobody is an innocent victim in this, because their community or someone whom they knew or someone in their family history took a particular action. There is no one alive in our society today who started this conflict. We have an opportunity to end it. I think that we have brought the conflict in here today. I think that the Assembly does not measure up to the principles of the Good Friday Agreement, because we have returned to conflict. Perhaps it is only disagreeing, blocking each other, vetoing and all that unnecessary hassle that drags out the decision-making process. Is it any wonder that there are those in our community — some on my side, and I am talking now about dissident republicans — who are watching this and saying, "This is going to fall apart." Well, not on my watch. I think that that goes for everybody in my party. We will stand by the agreement in all circumstances, and we will conflict with and confront those who would attempt to destroy it.

As for the Bill, and clauses 2 and 3, I would argue that, for any fair-minded individual, we are talking about one job here. How is that going to help? Honestly, how can

anyone argue that that will help the victims while we refuse to sign up to an all-embracing truth recovery process, which is something that would help victims and give them some sense of understanding of what all that madness was about. We have had 15 years of opportunities to do that, and we have not taken the first step. This Bill actually drives a wedge between what, I think, was an emerging understanding — not a consensus at all — that there are different points of view to be balanced in here. My appeal to those parties, and I include the Ulster Unionist Party, which went out and won the argument among the electorate to support the Good Friday Agreement, is to reject this Bill and return to first principles. That is the challenge.

Whether it is the Green Party with its one vote, the Ulster Unionist Party, which in the present circumstances does not have the strength that it had at the time, or the SDLP, which is similarly reduced, they have an opportunity. The Alliance Party constantly tells us that it is for a shared future. How does this add to a shared future? What would former prisoners of the conflict make of the Alliance Party decision to vote for this Bill? Will it help one family that has suffered bereavement or trauma? Of course it will not. It might feed a sense of, "Well, the Shinners got a poke in the eye." That is not going to put us off either. At the end of the day, shake your head, consider what this is about, consider the author of this mischievous legislation, get your nerve and either go out and sign a petition of concern, which is the appropriate response, or stop counting numbers to see whether you should get off the fence before the splinters get too painful.

**Mr D McIlveen:** I support the Bill. When I heard the first Sinn Féin contribution today, it reminded me of the words of Thomas Jefferson, who said:

*"Speeches measured by the hour, die with the hour."*

That can probably be said to represent that contribution quite accurately. It took a lot of time to deal with a number of contributions made to the Committee, but it was notably silent about a number of others. Perhaps, as part of my contribution, I will introduce a couple of those perspectives.

First, we have to listen, as the sponsor of the Bill said, to where this whole idea came from. What prompted this legislation? Ultimately, it was sparked by an incredibly misjudged, bad appointment made by the party opposite. That is really what this all boils down to.

Taking that a step further, it then came down to the hurt and anxiety that it caused an innocent victim of the terrorist campaign that the IRA was involved in for 30 years. To quote Ann Travers directly, when she spoke to the Committee, she spoke about how this issue had been haunting her for 30 years; haunting an innocent victim of the Troubles for 30 years. To bring all this up again was one of the most insensitive acts that I believe Sinn Féin could ever have allowed itself to be involved in.

As part of that evidence, we were directed to a piece of research by a lady called Jenny Edkins. What she said about the trauma of victims was:

*"What we call trauma takes place when the...powers that we are convinced will protect us and give us security become our tormentors: when the community of which we considered ourselves members turns*

*against us and is no longer a source of refuge but a site of danger."*

That is exactly what the appointment of Mary McArdle to this position did, not to all victims but certainly to this victim, who very courageously spoke out about her discontent and disgust at what Sinn Féin had done in appointing Mary McArdle to that position.

It will come as no surprise to Members on this side of the House when I say that I am certainly no advocate of the Belfast Agreement. However, the Belfast Agreement — or very selective sections of it — has been quoted quite widely throughout the debate. There is one part of the Good Friday or rather the Belfast Agreement that I want to refer to. It states:

*"we...dedicate ourselves to the achievement of reconciliation, tolerance and mutual trust of all."*

I ask Sinn Féin what has it done to win the trust of the innocent victims of the terrorist campaign by appointing Mary McArdle to that position? What has that appointment done to build trust, not just in the unionist community but among all innocent victims who have been affected by the Troubles?

There are times when we walk through the Lobbies of this place almost with a heavy heart. You walk through the Lobbies to make a decision, largely based on conscience and you cannot be completely sure whether it is the right thing to do. However, I can assure you that when I walk through the Lobby this evening in support of this piece of legislation it will not be with a heavy heart. I will be doing it as a tribute to the innocent victims who have suffered beyond measure, not just throughout the 30 years of the Troubles that we had here but as a result of the misguided, misjudged appointment that was made by the party opposite.

I have respect for victims. I do not want to see the victims of the Troubles treated like a political pawn that can be used in that way. I have nothing but heartfelt respect for the innocent victims of the Troubles we had in this part of the United Kingdom, but I think —

**Mr Mitchel McLaughlin:** Will the Member give way?

**Mr D McIlveen:** Yes.

**Mr Mitchel McLaughlin:** I want to make a simple point. Perhaps in your remarks you could explain what your party understands by "innocent victims". Who does it include and who does it not include?

**Mr D McIlveen:** I think that we can answer that pretty easily. It really depends on what side of the gun you are on. That is how I would describe a "victim". The person who pulled the trigger is not the victim. The person who is on the other side of the gun is the victim. Of course, we have to take it a step further when deciding whether they are "innocent victims" and the Member will know that. Perhaps to do that — I appreciate the challenge that has been given — I think that we should probably go back to 20 March 1977, when a man by the name of James McMullan, a reserve RUC officer, was ambushed in his lorry as he tried to get home from work. He drove through the ambush and the ambush was very clearly not successful in murdering him as it was its attempt to do. Now, was that the end of that evening? No, it was not. The terrorists, knowing very well that Mr McMullan was not at

home because they had just seen where he was going, proceeded to go to Mr McMullan's home, open fire on his mother's house and, in the process, murder a 77-year-old lady called Hester McMullan.

#### 5.45 pm

If we are calling this a "conflict", bearing in mind that the dictionary definition of a conflict is "a serious disagreement", what was Dominic "Mad Dog" McGlinchey's disagreement with Hester McMullan? What was Dominic "Mad Dog" McGlinchey's disagreement with a 77-year-old pensioner living on the outskirts of Portglenone? What was his disagreement with her? I would like to know what it was. The only disagreement that there could have been was due to the fact that, by accident of birth, she gave birth to a man who decided to join the Royal Ulster Constabulary, of which Mr Hussey has spoken valiantly today, and for which we have heard nothing but hatred and disdain from those on the Benches opposite. That is the difference between an innocent victim and a victim. There is a hierarchy of victims, but it is a hierarchy created by the people on the Benches opposite and their comrades who, through 30 years of the Troubles, brought destruction, death, murder and terror to this country. We have to keep that in mind. That is what the difference in victims is here.

In conclusion, I appeal to the SDLP. I appeal to you because I know that you have had difficult decisions to make. I know that you are balancing conscience against the perceived views of the vast majority of your electorate, and I encourage you not to do that. Some of the most impassioned pacifistic views that I have heard expressed in the Assembly have come from the SDLP. If you are serious about deploring violence, I strongly encourage you not to abstain on this. Do the right thing. Vote with your conscience. Vote against violence. Vote against hatred. Vote against the provocation of innocent victims, which the party opposite shamelessly sought to advocate in appointing Mary McArdle as a special adviser. I encourage you strongly to do that, to do the right thing and support the legislation.

*The debate stood suspended.*

## Assembly Business

### Extension of Sitting

**Mr Speaker:** Before I call Mr McCartney, I advise the House that I have been given notice by Mr Peter Weir of a motion to extend today's sitting beyond 7.00 pm. Under Standing Order 10(3A), the Question will be put without debate.

*Resolved:*

*That in accordance with Standing Order 10(3A), the sitting on Monday 3 June 2013 be extended to no later than 3.00am. — [Mr Weir.]*



## Private Members' Business

### Civil Service (Special Advisers) Bill: Final Stage

*Debate resumed on motion:*

*That the Civil Service (Special Advisers) Bill [NIA 12/11-15] do now pass. — [Mr Allister.]*

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Beidh mé ag labhairt in éadan an Bhille seo. I will be speaking in opposition to the Bill, and I hope that Mr Weir does not have to get to his feet around 2.30 am to get another extension, but one never knows in these circumstances.

From the outset of the Bill's passage through the Assembly, Sinn Féin and I have said that, at its core, it was about denying employment to political ex-prisoners as special advisers. I suppose that I have to declare an interest, as I have done in every stage of the debate: I am a former political prisoner.

The whole thrust of the contributions in debates and in public by the proposer of the Bill endorses our view. He makes no secret of the fact that he sees this as an attack on Sinn Féin. He has said openly on a number of occasions that he does not want to see political ex-prisoners as special advisers. In my opinion, to portray or try to dress it up in other ways because it extends to other convicted people flies in the face of fact and reality.

I want to make again a point that I have made before: since the establishment of the Executive and the Assembly — indeed, in every Executive that has been in place in this House — there have always been political prisoners as special advisers in ministerial offices. I trawled to try to get some evidence of whether the proposer of the Bill, on any occasion while he was a member of the DUP, ever objected to a political prisoner being a special adviser, and I could not find any. Perhaps he did. Perhaps he made some public statement, but it is very interesting that, in all the commentary and all the debates that he has been part of through the passage of the Bill and on the airwaves, he never once said that he objected to a particular person at a particular time. I made that point because there are people here today who are entitled to express their views, but I think they have to be honest, open and frank about it. I made the point because people here are saying that they support the Bill, that they are doing it for all the victims and that they are doing it for all the reasons that they outlined. I asked this question at the last debate and I ask it again: did any of them at any time in the past ever table a private Member's Bill to stop other political ex-prisoners who were ministerial special advisers? The answer then was silence. The opportunity is here. Perhaps someone did, and they may take the opportunity to do so again.

When Mr Nesbitt was the victims' commissioner, in all his meetings with OFMDFM, did he ever say, "There is an issue that I feel so bad about that I want to express a view. You currently have in position within the Executive, under ministerial control, special advisers who are ex-political prisoners"? Again, I trawled to see whether there was some public expression of that, but I could not find any.

**Mr Nesbitt:** I thank the Member for giving way. I ask the Member to recollect that I applied for what was a single job

as a victims' commissioner and, for reasons that people will make their own minds up on, the then First Minister and deputy First Minister decided to appoint four co-equals. That is like trying to run a company with four co-equal chairs or chief executives. I assure Mr McCartney, Mr Speaker, that I tried very hard to make that work, and I believe that the other three genuinely tried hard to make it work, but it failed. The proof that it failed is that, when it came to the end of the first four-year contracts, the First Minister and deputy First Minister chose not to deploy the option of offering the remaining victims' commissioners the one-off extension for another four years. They chose to readvertise and appoint a single commissioner. So, I believe that my hands were tied as a victims' commissioner, as, indeed, the other three commissioners at that time probably felt that their hands were tied. I hope that explains it.

**Mr McCartney:** In some sense, you gave a sense of what you feel were the inadequacies of the particular office, but I have pulled out statements and seen statements in which you and the other three commissioners made observations. Perhaps you made them with those constraints, but you did not shy away from making observations about other things. That is why I asked the question. In my opinion, it was not an issue for you when you were a victims' commissioner to the extent that you brought it to public attention. I have asked people that question, and I said it at the last debate. It is the same for Séamus Mallon. Séamus Mallon has been praised by Lord Morrow today for his intervention. When Séamus Mallon was deputy First Minister and sat around the Executive table, he sat in the full knowledge that there were special advisers as part of the Executive that he was jointly and co-equally chairing who had been political prisoners. It did not seem to concern him. So, I ask people: what has changed? It is very difficult to find out what has changed.

I am sure that we can all be guilty of this. There are times when we perhaps hear something on the radio and we can rebut it because it suits us, or leave out a particular phrase or sentence. This morning, the proposer of the Bill referred to a Radio Ulster interview last week given by someone he called Mr Thompson. He said that he was wrong in his observations about Private Ian Thain, a former British soldier who was convicted of murder. However, the same person asked Mr Allister — or suggested, and there was no rebuttal — whether he campaigned for the early release of the two British soldiers who were convicted for killing Peter McBride. He then went on to ask him whether he campaigned for those same two British soldiers to be reinstated to the British Army, and there was no rebuttal. He has the opportunity here today to say whether that is an accurate reflection of his position. Did he campaign for the release of two British soldiers convicted of murder? There was no due process involved in their release. It was an intervention by the British Secretary of State, who decided to release them earlier, and she made no apology for doing so. There was no process, no life sentence review commission process, nor were there any terms on their release. They were reinstated into the British Army.

Mr Allister tells us that this is about all victims and that the Bill is for all victims. Did he campaign for the early release of those soldiers and their reinstatement into the British Army? That is why we contend forthrightly and, I hope, not in an insensitive way towards other people who are

concerned that this issue affects them, that Jim Allister has come at this on an anti-republican basis.

He stood in this Chamber today and said that he would have no objections if ex-prisoners were given jobs in other places. However, his record is the opposite of that. Quite recently in Derry a woman was appointed as a school vice-principal having gone through all the vetting and all the procedures on merit. Jim Allister called publicly for her to be sacked. Why did he do that? Quite simply, it was because she was a political ex-prisoner.

Sometimes, you have to remember what you say one day when you come into this Chamber and say something different, because there will be people here to remind you. *[Interruption.]* You can laugh from a sedentary position if you so wish.

**Mr Kennedy:** It would appear that Mr McCartney has come to the Chamber armed with many questions, many of which are rhetorical, but I will ask him to answer a question. With the benefit of hindsight, what is his opinion and that of Sinn Féin as to whether the appointment of Mary McArdle was a proper appointment?

**Mr McCartney:** It goes without saying that I believe that political ex-prisoners should be open to all terms of employment. My position on that goes without saying. There is no ambiguity; I have stated very clearly that I believe that former political prisoners are entitled to full employment. There should be no legal barriers to them being active citizens in the island of Ireland. That is my position.

I declare an interest as a former chair of Coiste, which Mike Nesbitt said today that he met. It would be hypocritical of me to say that, in one sense, I am for removing all legal impediments and then, in another breath, saying that, perhaps, I am not. On that thread, Mr Nesbitt made some very interesting observations last week and today, again on Radio Ulster, when he said that he would like to see the day when a person is not seen or considered as an ex-prisoner because of something that happened yesterday, but would be making a contribution for the future.

I agree with that. One of the first people to bring that to our attention was the first director of Coiste, a man called Mike Ritchie, who was not a former political prisoner. At the press conference for the launch of Coiste, a member of the media asked him how long would an ex-prisoner remain an ex-prisoner. He gave a forthright and foresighted answer, which was that as long as there is legislation in place that defines a person as an ex-prisoner, that is how long a person will be an ex-prisoner. Today we are, in law, defining someone as an ex-prisoner and, therefore, that person will always be classed as an ex-prisoner ad infinitum. That is why I oppose this Bill.

I hope that I am not doing that in a manner that is in any way insensitive to the needs of victims. Today, we heard people talking about that. On a number of occasions in the past week, there has been mention of a sense of a moral compass, as if, in some way, there is a place that you go to be given a moral compass that has the same reading for all of us on all issues. The world we live in is not like that, and I have said it in this House before.

I heard someone today talking about taking a go at the SDLP and, perhaps, taking a go at us for campaigning for

the release of Marian Price. I have made the point here before; how many unionists in the past — in my opinion, quite rightly — campaigned for the release of the UDR four? They believed that the UDR four's convictions were unjust. To me, standing in silence when someone is convicted in unjust circumstances is worse. When people sometimes do something that they believe is right, you cannot have that moral compass that says that you are wrong in that circumstance, but in a different circumstance, I can be right.

That is why I issued the challenge today to the proposer of the Bill. He has not rebutted it.

He campaigned for the early release of two British soldiers and for their reinstatement into the British Army.

**6.00 pm**

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

**Mr McCartney:** No, I am not giving way.

**Mr Allister:** In order to challenge.

**Mr McCartney:** No. I gave you the chance, and you did not take it.

At the core of the issue is discrimination. I made that point during Further Consideration Stage. People have tried to dress this up by saying that it affects only a small number of people, as if in some way it is acceptable to discriminate against a small number of people. I do not agree. If you lay the basis for discrimination on any group of people, all you are doing is opening the door to make it easier for other people to use that argument and say, "If you did it for those people, why can you not do it now?"

That also gives rise to a question, which I pose in particular to the SDLP: what is the purpose of the Assembly? What is one of the key functions of the Assembly? One of the key functions is in our title "MLA": legislation. We are tasked to legislate. Most reasonable people would say to legislators that their job is to bring about good law, in the same way that they would say that if you feel that something is bad law, you should do all that you can to stop it from happening. Nobody, in the round, would disagree with that.

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

Numerous pieces of legislation have been brought to the Floor, people have spoken in favour of them, and people have spoken against them, tabled amendments and tried to mould the legislation. However, at the end of the process, we all want to be in a position in which we can say that it was part of a process of trying to make good law. That is why I have a particular issue with the SDLP.

The SDLP is on record as saying that the Bill is bad law. During Further Consideration Stage, Dominic Bradley said:

*"I hope that my arguments and our amendments prevail here today. As I said in my remarks earlier, we stand with the victims, and we stand with the proper process of law. If we cannot achieve that, the SDLP will oppose the Bill and ensure that the wrong process will not pass." — [Official Report, Bound Volume 85, p130, col 1].*

That is a good position, but if you say that, you have to act on it. If you say that something is bad law, people will

ask why. If you articulate why it is bad law and are then given the opportunity to prevent it from passing, people will quite rightly ask that if you had an opportunity to prevent it, why did you do nothing about it. There is silence from the SDLP, and it will not be forgiven for that. In the same debate, Alban Maginness made a similar point:

*"It is important that we make good law." — [Official Report, Bound Volume 85, p142, col 1].*

He then went on to explain why the Bill is not good law. By not opposing the Bill, in future debates, people will be able to look you in the eye and say, "Where do you stand on good law or bad law?" It will be difficult to know your position.

Allowing for what was said in the debate, because in the heat of debate, we sometimes say things that we might not otherwise have said, the following day, the SDLP press release read:

*"For the SDLP, the acid test for dealing with the issue of special advisers has always been the rights of victims enshrined in the right legislation. We cannot support this bill as it stands unamended."*

**Mr Mitchel McLaughlin:** Will the Member give way?

**Mr McCartney:** I will, surely.

**Mr Mitchel McLaughlin:** On that point, which you are setting out in such detail, will you confirm that the SDLP Whip approached us after Further Consideration Stage, because the party's amendments were not accepted, and told us formally that its Members would sign the petition of concern?

**Mr McCartney:** That is on record. In fairness, some SDLP Members confirmed that. The SDLP has not contradicted the view that the Bill would make bad law, and it should act accordingly. It is as straightforward as that. I did not hear Dominic Bradley refuting that view in any way. I see scratching about for excuses, and perhaps that is the tendency when you find yourself in a bad position or a position that you are not comfortable with: you strike out and come out with things such as Mary McArdle being sacked and having no appeal mechanism. It just rang a bit hollow.

At Further Consideration Stage two weeks ago, Alex Attwood talked about mass discrimination in prisoner release. There is no prisoner release in this Bill. However, this issue will not go away, because the issue of ex-prisoners will not go away. One of the reasons that the issue of ex-prisoners will not go away is because it is enshrined in the Good Friday Agreement. There is a very determined group of people who feel that the agreement offered them certain expectations that have not been delivered. Why would they go away? Why would you not want ex-prisoners to stand up and say, "The agreement said a, b, c and d. We want that delivered."?

Mike Nesbitt spoke about public inquiries and said that they are all state-based, but that does not stand up to scrutiny either. There was the Billy Wright inquiry. There was the Smithwick inquiry in Dublin, which was about killings that were carried out by the INLA and the IRA. He used the example, in England, of the Paddington —

**Mr Nesbitt:** *[Interruption.]*

**Mr McCartney:** You said that it is all about the state, but it is not all about the state. That is why you have to be very careful when you make absolute statements. You even talked about the inquiry into the Paddington rail crash as if that is the only type of public inquiry. There was a public inquiry into Harold Shipman, who was a doctor. Public inquiries can be used when they are the right thing to do to put society in a better place.

Mr Nesbitt talked about the idea that there is a shelf and all that it contains are state files. Mike, there were cells that were all filled with republicans. Very few cells were filled with state forces. Therefore —

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

**Mr McCartney:** Yes.

**Mr Attwood:** I was not going to ask Members to give way, but I did so to make this point. In Mr McLaughlin's contribution, he said that Sinn Féin:

*"will stand by the agreement in all circumstances".*

You can check Hansard to that effect. If you believe that this legislation is discriminatory against a small or large number of people, can you explain to the House why Sinn Féin undid the values of the agreement when it abandoned d'Hondt when it came to the appointment of a Justice Minister? If your contention is, to quote Mr McLaughlin, that you stand by the agreement "in all circumstances", can you explain to the House why you did not stand by the agreement in that circumstance and why, as a consequence, your party voted to discriminate against the electoral mandate of parties in the House? Can you explain that contradiction?

**Mr McCartney:** If you go back to Hansard, you will see that Mitchel McLaughlin talked about the core principles. I sit on the Assembly and Executive Review Committee. I suppose that you could say that nowhere in the Good Friday Agreement does it state that the Justice Department should be formed and brought back to the North. We articulated that that was in the best interests of the Good Friday Agreement and would strengthen it. At the time, we were told that we were living in cloud cuckoo land. That was either your quotation or Séamus Mallon's. Other people told us that it would not happen in political lifetimes. In the Assembly and Executive Review Committee, we are talking about the size of the Assembly and the number of Departments. What Mitchel McLaughlin talked about and what he meant was the core principles. The core principles of the Good Friday Agreement promoted equality. This is not about equality. It is about —

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

**Mr McCartney:** No, I will not give way.

**Mr Deputy Speaker:** Order. I remind all Members that they should relate all their comments back to the Bill. This is the Final Stage of the Civil Service (Special Advisers) Bill. We have shown considerable latitude, but I ask Members please to relate their comments to the Bill.

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

**Mr McCartney:** No, I will not give way. You will have your opportunity to speak, and I am sure that you will make the points that you have to make.

**Mr Attwood:** I will give way to everybody.

**Mr McCartney:** OK, good man. You are an absolute gentleman.

A point was made about legal opinion. We have sought legal opinion. A senior counsel told us that, in his opinion, there is a possibility that the Bill breaches the European charter. As all good lawyers will say — I think that Alban Maginness will appreciate this as well — that it is their opinion. However, the ultimate test of all this will always be in the courts. Therefore I have absolutely no doubt that, at some time in the future, this will be subject to someone saying —

**Mr A Maginness:** Will the Member give way?

**Mr McCartney:** I will give way on this point.

**Mr A Maginness:** You understand that the SDLP did not bring amendments capriciously, for the fun of it or to be perverse. But we did bring amendments in relation to the retrospective aspect of the Bill. We brought those amendments to this House. What did you do, Mr McCartney, in relation to those amendments? You, along with your colleagues, voted against them. You have quoted us as saying that we want to make good law. We stated in this House, on a number of occasions, that we want to make good law —

**Mr Deputy Speaker:** Could all remarks be made through the Chair, please?

**Mr A Maginness:** Yes, I am finishing my remarks now. I want to deal with the point that the Member raised. Making good law means bringing amendments. If you had assisted us to pass those amendments, there would be no problems in relation to the retrospective aspect of the Bill.

**Mr McCartney:** In very straightforward terms, and as was said during the course of the debate when Daithí McKay addressed it earlier today, we made a decision. We made a decision then, and you can confirm or deny this, because we were told after Committee Stage that this would fall; that through a petition of concern it would be blown out of the water. All those things were said. What we were saying, at the previous stage, before it came this far, was that that was the end. At its core, this is about discrimination. It is not about trying to dress it up with amendments to pretend that, somehow, if it is not retrospective, it would be just. For us, and this is the core principle, we believe that political ex-prisoners should not be debarred from taking up those positions. Nothing could be plainer. It is good that Alban Maginness, even as late as now, is saying that this is bad law. I think, as a legislator —

**Mr A Maginness:** You could have made it better.

**Mr McCartney:** Are there degrees of bad? What is bad, what is badder and what is baddest? If it is bad law, it is bad law. Your amendments were all defeated. You put up the challenge to Jim Allister asking him to change his mind. I could make the observation that he slapped you down; he did not even give you a bit of respite or cover to try to pretend that somehow you had made some big advance. He said no. The reason he said no is that he wanted to ensure that Paul Kavanagh was put out. *[Interruption.]*

**Mr Deputy Speaker:** Order. I ask that all remarks be made through the Chair. The only one who should be speaking in the Chamber is he who has the floor.

**Mr McCartney:** And perhaps “she” an odd time as well, Mr Deputy Speaker.

The reason we opposed the Bill at the previous stage was, as we articulated, that there was going to be no room for ambiguity. If it is bad law, it should be defeated. Even today, I make the plea that even at this late stage the SDLP should do the right thing; whatever it considers the right thing to be. In my opinion, I do not think that anybody thinks that the right thing in these circumstances is to abstain. This sort of talk of the lesser evil is not the way that we should be talking about law. It is either good law or bad law. If it is bad law, you should act accordingly. If you think it is good law, as some Members here do, act accordingly. However, I do not think that you can afford to sit on the fence.

This type of motion has been in the flow. Mike Nesbitt is right; the working group and individual ex-prisoner groups have met a number of organisations promoting the welcome language, as was said today, of trying to assist people to get employment etc. In Newry and Mourne, on Sean Rogers's council, a motion was passed to say that:

*“This Council continues to adhere to its policy for recruiting people with ... conflict related convictions.”*

It goes on to endorse the statement that the Good Friday Agreement commits us all to assisting former political prisoners to play a full part in building a new society based on employment, to ensure that all former political prisoners are allowed to compete for employment on exactly the same terms as every other citizen. That is what the SDLP members voted for. It is a sentiment that I agree with. The tone, direction and fundamentals of the Bill contradict that.

In my opinion, if you tell the public that you are going to do something, you should deliver. I am saying today, as Mitchel McLaughlin said, that abstaining on this only leaves you looking — I hate using the term — as if the headlights are too strong for you.

#### 6.15 pm

**Dr McDonnell:** I am glad to be able to speak for a few moments. I will be as brief as I can because I want other colleagues to have the opportunity to speak as well. At the outset, I congratulate those who have been constructive and positive in a difficult discussion. I have been deeply touched by all the advice, guidance and concern for the SDLP and all its issues and concerns. However, I will leave that for the moment and come to the Bill.

For the SDLP, this Bill and this debate has always been about victims. That is all victims: victims of the IRA and its associates; victims of loyalist murder squads; and victims of state murder squads and state forces operating in some sort of official capacity. It is not about discrimination against ex-prisoners, despite the significant scaremongering, clouding and fogging that has happened. The fog and nonsense that emanated for some two hours from my colleague on the right and the contradictions that were contained in that would have been amusing had it not been such a serious issue.

It is not about a hierarchy of victims, as Sinn Féin has been trying to spin in its despair. The SDLP's position on victims has always been consistent and clear. For us, there is no hierarchy of victims. All victims are entitled to justice and to equitable and fair treatment regardless of circumstances. Membership of a political party or employment by a political party does not increase their

entitlement or preference, but, equally, that employment does not entitle them to priority over another victim. We support the official, inclusive legal definition of victims, and we have opposed any challenge to change that definition and to exclude or prioritise any group. I am sorry that that is not the case with others, because many of the political groups in this House pick and choose. They claim to be in favour of all victims, but some victims are more important than others.

The Victims and Survivors (Northern Ireland) Order 2006 defined a victim as:

*“(a) someone who is or has been physically or psychologically injured as a result of or in consequence of a conflict-related incident;*

*(b) someone who provides a substantial amount of care on a regular basis for an individual mentioned in paragraph (a); or*

*(c) someone who has been bereaved as a result of or in consequence of a conflict-related incident.”*

The SDLP has accepted and supports that definition and believes that it should be the basis of dealing honestly with all victims. Within that definition, there can be no distinction.

**Mr Mitchel McLaughlin:** Will the Member give way?

**Dr McDonnell:** All victims must be dealt with honestly on the basis of their need for support, whether for medical or other services. Yes, I will give way.

**Mr Mitchel McLaughlin:** Thank you very much for giving way. While you are setting out that position, could you explain how you apply the pecking order to that?

**Dr McDonnell:** I presume, Mr McLaughlin, that you are referring to some of your agents yesterday spinning confusion. They did quite a bit of it. This is part of the Sinn Féin effort to deflect from the issue. If you want to get down into the bones of the issue, we will get down into the bones of the issue. I am quite capable of getting down and dirty with them. I will spell it out for Mr McLaughlin, who seems to be a bit of a slow learner sometimes. I spell it out like this: a Sinn Féin employee or one of its elite has no priority over any other victim, and a perpetrator has no priority over any other victim because he is a perpetrator. Is that simple? Is that clear?

**Mr Mitchel McLaughlin:** You said that the pecking order —

**Dr McDonnell:** I am saying that he gets no pecking order, right? If you want pecking order —

**Mr Deputy Speaker:** Order. All remarks must come through the Chair, please.

**Dr McDonnell:** Mr Deputy Speaker, I know what I said, and I know what I meant. I will have a class for slow learners at some stage, if they need that. Some of those who were perpetrators in the conflict are victims.

**Mr Mitchel McLaughlin:** On a point of order, Mr Deputy Speaker. Is it appropriate for a Member to deliberately mislead the House, given that he made statements on public television 24 hours ago?

**Mr Deputy Speaker:** That does not sound like a point of order to me.

**Dr McDonnell:** Some of those who were perpetrators in the conflict are victims, and, as with all victims, their needs must be met, but there is a moral issue to this as well. Let me be clear: there is no moral equivalence between the perpetrator who guns down or blows up an innocent mother, father, son, daughter, brother or sister or indeed any other victim. There is no moral equivalence. Reflecting on where we came from on this and why this blew up, people such as Mary McArdle may be victims of the conflict. Indeed, we could all claim, in some way or another, to be a victim of the conflict, but these people have had choices and have had the opportunity to move on with their lives and careers. Mary Travers had no choice. She had no choice when she was ruthlessly and brutally gunned down coming out of Mass. I pose the question: what was her crime? What crime did she commit?

We have heard much about the truth and about truth and reconciliation. It is not entirely a secret who shot Mary Travers or who shot her father and left him for dead or who tried to shoot her mother. Some of the people who know that should start telling the truth, but this is a truth that Sinn Féin so vehemently continues to deny. They may deceive themselves, but they are deceiving nobody else. Mary Travers was a victim. Her father, Tom Travers, was a victim, and her mother, Joan Travers, was a victim who had a gun put to her head, and three attempts were made to shoot her. It misfired. Her sister, Ann, was a victim and remains a victim, as are the rest of the family.

Earlier, Raymond McCartney quite rightly asked what has changed from the earlier days. In debating and discussing this Bill, it is important to keep in mind exactly how we arrived here, and that was a very worthwhile question. I will go back through it. During the Irish Republic's presidential election, it was put to Martin McGuinness by Ann Travers that his party, Sinn Féin, should do something for victims. The Sinn Féin cynical response to that was to, within a few weeks, appoint someone who had been convicted of Mary Travers's murder as a special adviser. To people such as Ann Travers and a lot of other victims, that looked like a reward. In that context, what message did that send to all those victims and survivors? The message that I think that it sent was that, for Sinn Féin, the issue is not about a hierarchy of victims but rewarding the hierarchy of Provo perpetrators and the needs of its elite. We are not talking here about the whole swathe of 30,000 prisoners that was mentioned earlier. We are talking about an elite and its rewards for services rendered. In Sinn Féin's books, the rule is that that elite should take priority over all the victims. I cannot agree with that, and I will not.

Sinn Féin takes the same hierarchical approach to the past. It talks about truth and accountability. Earlier, we heard calls for a truth commission, but we have not seen anybody coming forward to tell the truth. We could do with one or two volunteers who might tell us the truth. Over the past few weeks, we have had various shows of hands on dealing with the past. It is chilling and clear.

It is all about the politics of exclusion: one set of rules for them and one for the rest of us. Sinn Féin aggressively says that their demands and needs come first, and the need of everyone else comes last.

Two weeks ago, Gerry Kelly described a prosecution for murder as vindictive and unnecessary. In a word, Sinn Féin was telling us that prosecutions for past crimes were to be excluded and that their chosen elite was above the law

that the rest of us have to obey. Then, some few days ago, Mr McLaughlin told us that the process of reconciliation could be separated from the truth. He was saying that IRA accountability for the past was to be excluded, the truth did not matter and we could have reconciliation built on froth and dishonesty. Today, when Sinn Féin spins a story about one special adviser and the one job that might be lost, they are saying that Sinn Féin's needs come first and those of others can be ignored or excluded. Again — this point was made earlier — if Sinn Féin was really opposed to the SpAd losing his job, why, in the name of God, did they vote against the appropriate amendment that would have made that impossible?

Over the last few weeks, there has been a rolling out of a deliberate and calculated aggressive strategy with all the callousness that Sinn Féin can muster. What that says to all of us is that, for Sinn Féin, there is no prosecution, no truth, no accountability for the past and that their individual needs take precedence over those of everyone else. That is the opposite to a comprehensive and ethical approach to the past, the need for which has been brought again into sharp focus as a result of the Bill. The Sinn Féin approach is based on double standards, exclusion and self serving to protect those in its own ranks who have quite a bit to account for.

In its approach to the Bill, Sinn Féin can complain and throw abuse and insults and try to intimidate, but it backed Jim Allister repeatedly in voting down SDLP amendments. In their approach to the process of truth and the potential for prosecution, Sinn Féin members have exposed themselves. They have clearly an "Ourselves Alone" attitude and are trying keenly to relive and revive the politics of exclusion: there is them and then there is the rest of us. If we work that approach out to its logical conclusion, God knows where it will end up. The exclusion of truth and prosecution for the past actions of the IRA or any other paramilitary organisation or, indeed, official military organisation results in the exclusion of truth and the potential for prosecution for the actions of the loyalists and state agencies as well.

It does not take us to go back to far, just a couple of years, to recall when Sinn Féin worked very hard to create an on-the-runs Bill. They tried to do the dirty deal with the British whereby they would give a bye ball — a free pardon — to all the security force and loyalist crimes, a clean bill of health in exchange for letting off a few of their guys. The politics of exclusion, Sinn Féin style, are "One law for us and a law for everyone else". It serves only their own interests and the interests of the loyalists and state agencies, who equally wish to suppress any truth or exposure of the past. We in the SDLP will not —

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

**Dr McDonnell:** I will, Raymond.

**Mr McCartney:** Thank you for giving way. In your presentation, you said that I asked, "How did things change?". You said that, during the presidential campaign, Martin McGuinness was asked what he would do for victims and then, subsequently, Mary McArdle was appointed special adviser. Mary McArdle was appointed a special adviser prior to the presidential campaign.

**Dr McDonnell:** Thank you very much for that. I stand corrected in my sequencing of events. Whatever the detail of the timing was, there is a deep sense of grievance felt

by victims over the appointment of Mary McArdle. It is as simple as that.

We must deal with the past in a comprehensive and honest way, and that is the deeper truth behind the Bill. I have no difficulty in saying that it is a flawed Bill. However, it has put a sharper focus on victims and victims' issues than ever before, and it is the duty of all of us here who claim to support victims to keep up that focus until there is a solution. For 15 years, victims have been, at worst, forgotten and, at best, manipulated. To my mind, the Eames/Bradley proposals were the most significant approach that we have seen over the years in dealing with the past. They were sidetracked on a single financial issue, not on their main substance. It is time to examine them again. It is time to commit to a sustained, honest and open approach to victims that is honourable and worthy of alleviating their continued distress.

### 6.30 pm

**Mr Cree:** It is nice to be on my feet. I have written it down that I will begin by saying that I am pleased to see the legislation at Final Stage today, but it has been a long day, and it looks as if it will be a longer evening.

I am a member of the Finance Committee, and there were times when it looked more likely that the Bill would fail. I am pleased that that has not happened. It must be remembered that the Bill applies to any person convicted of a serious offence, not just to terrorists. Legislation from an individual Member is not an easy task, and many of my party colleagues will testify to that as they undertake work on a number of private Members' Bills.

This has been high-profile legislation, probably because it came as a direct response to the highly contentious appointment of Mary McArdle as special adviser to the Sinn Féin Culture, Arts and Leisure Minister. As a result, the media focus has been intense at times, and the actions of all political parties have been subject to scrutiny, not least the SDLP, which seems to have had a number of internal discussions on the matter. I am pleased that it has decided not to sign a petition of concern, but its final position remains to be seen. I hope that it will consider not abstaining. I am encouraged by the attitude of the Alliance Party.

I take this opportunity to pay tribute to Ann Travers, who has shown the utmost dignity throughout the process. Her evidence to the Finance Committee was inspiring, and she has been a powerful voice for innocent victims. Unfortunately, when one raises one's head above the parapet, it takes courage to stand up against unrepentant criminals. Miss Travers did that without fear or favour. She can rest assured that her actions have contributed immensely over the past months, and she has served the memory of her family as well as anyone possibly could. Her views have forced politicians to sit up and listen, and that is to be commended.

I will move back to the legislation. I welcome the fact that the threefold test whereby someone with a serious criminal conviction can become a special adviser stands as was originally intended. Some sought to change that clause and weaken the legislation, but it was important that it remained strong. I am satisfied that it is entirely reasonable for anyone with a serious criminal conviction to have to show contrition for what they did and to assist

the police in their investigations should they want to be a special adviser. It was an opportunity for those who shout loudest for truth commissions to deal with the past to show that they could be trusted to participate in such a process. Unfortunately, they have failed.

The Attorney General also made quite an important intervention recently, and it should be recorded in the House what he actually said. John Larkin clearly stated that he does not have concerns over the competence of the Bill. He said:

*"I am content that the Bill in its present form would be within the legislative competence of the Assembly".*

That was said after the concerns that he raised at the Finance Committee and is therefore his final position. As a result, Sinn Féin has no authority to say that the Bill is not competent, and it can no longer use that as an argument for opposition.

As I said, I welcome the fact that the SDLP has made a decision not to sign the petition of concern. Bríd Rodgers of the SDLP recently stated — I paraphrase — "We have reached the stage where everything has to be put to the test of acceptability to Sinn Féin. I believe this time that we should give priority to victims". I fully support that sentiment. Although the position of Sinn Féin was predictable throughout the passage of the Bill, the SDLP and the Alliance Party have too often sided with those who have serious criminal convictions as opposed to innocent victims. Today, we will see their final position, but I challenge both parties to think carefully about being on the wrong side of this argument. They have the opportunity to go through the Lobby in support of innocent victims such as Ann Travers, or they can side with Sinn Féin to protect the elevation of unrepentant murderers to unelected positions at the heart of government. That is their choice, but the Ulster Unionist Party is clear in our support for innocent victims.

**Mr Weir:** I rise relatively late in the day to speak in the debate, although not quite at 2.30 am, which Raymond McCartney was suggesting is probably the ideal time to listen to me. I do not know whether he has difficulty getting to sleep at that time, but it might spur his endeavours in that regard. As it is relatively late in the debate, many of the points have been covered, so I do not intend to speak for a great length of time, and we are now at Final Stage. Although numerous members of the Finance and Personnel Committee at times look for escape tunnels, I, as a member of that Committee and as the Chief Whip who helps make appointments to Committees, have no one to blame but myself in connection with this matter. I have been involved in and spoken at all points in the Bill's progress.

A number of points bear reiterating at Final Stage. First, the Bill is welcome, as it helps to normalise society. In the absence of the Finance Minister, I will point out that a lot of the groundwork that he put in place will cover a lot of what is in the Bill. We are now in a position where there are effectively requirements for any new special adviser to undergo a form of vetting. I understand that that has operated fairly successfully. However, as I indicated at Second Stage — we have since looked at potential amendments and examinations — simply because something useful is already in place does not mean that there cannot be legislation to improve on that.

This legislation takes a further step forward on that. Principally — this has been the subject of controversy — the Bill operates not simply for those who will be future appointments but will cover those currently in place. There has been very specific controversy in connection with the fact that the Bill would affect a particular individual.

There is one person to whom we need to give credit, and I am sure that even the sponsor of the Bill will accept this: the courage of Ann Travers is something that many in the House will applaud. It is difficult to see how the Bill would have potentially become law without her intervention. As a Member of the Assembly since its inception in 1998, I have sat on various Committees and heard a range of people make presentations to Committees. Those presentations have been of varying quality throughout that period. Some were excellent, and some were less so. As regards the personal power of testimony from an individual giving evidence to a Committee, I cannot think of anything that parallels the dignified and strong testimony given by Ann Travers. Her personal and family circumstances have been a large driver for the Bill. Indeed, at Further Consideration Stage, Mr Allister and I raised this question: if Mary McArdle were still in post and there was the public involvement of Ann Travers, would the SDLP be taking the position that it did? There was a certain level of obfuscation of the answer; it was simply deemed hypothetical. In the past few weeks, we have seen the turnaround in the position of the SDLP. There is no doubt that the intervention of Ann Travers played a pivotal role in that.

To be fair to the SDLP, it was not really a U-turn because it is close to being back to where it started. Maybe they have moved to a more neutral position. It is a bit like what was said of Frank Maguire in the vote of no confidence of 1979: they are here to abstain in person. That, at least, is a welcome development compared with the situation of a few weeks ago, when it appeared that the legislation would be brought down by a petition of concern. Although, in many ways, I am critical of the SDLP's position on the Bill, I sincerely hope — I suspect it will not happen — that there will be some late Damascene conversion and its Members will come alongside us in the Lobby tonight. I suspect that the more likely scenario is that they will go through our Lobby and the opposition Lobby to abstain in person.

I would like the SDLP to go further, but at least there has been a shift in opinion from probably signing a petition of concern to movement towards at least allowing the legislation to pass. That is to be welcomed. It was a pity that it took the intervention of Ann Travers to bring that about. It seems that the intervention of two of the éminences grises of the SDLP — Séamus Mallon and Bríd Rodgers, whom I can be a lot more complimentary about now that they have retired from front-line politics — also made a very positive contribution.

Much has been said about the Bill, particularly by the party opposite. To be fair, while I strongly disagree with its position, it has at least been fairly consistent throughout the process. I listened to the Chair of the Committee for Finance and Personnel during his almost two hours of remarks. He did not exactly entertain the Chamber, but he certainly kept things going and has been, at least, consistent. Sinn Féin has been consistently wrong, but consistent at least. A couple of things need to be stated about this legislation. It is not a general attack on

prisoners or ex-prisoners, and I refute the spurious notion of ex-combatants and ex-political prisoners. To my mind, people are either convicted criminals or they are not. That applies on two grounds. First, it deals with a very specific category of people and appointments. This is not a blanket ban on employment. Indeed, that was one of the points raised when we sought legal advice on the Bill. It concerns a small number of very specific posts within the Northern Ireland Government. It has to be said that they are very highly paid posts. Some people have asked what, ultimately, is the distinction between Ministers and SpAds. Although, on all sides, I am sure, we may resent various Ministers, they are elected by the people; SpAds are appointees to very senior Civil Service posts. That distinction needs to be drawn.

Mention has been made of the harsh implications for particular individuals. Yet, as other Members have said, when faced with the high level of public embarrassment about the position of Mary McArdle — when it became too hot a potato for Sinn Féin to handle — they simply reshuffled the pack, found another post for her, and moved somebody else into her place. I have no doubt that, if the Bill goes through tonight and is found to be robust by the courts, the implications for a special adviser in post at present are not that he will be thrown onto the scrapheap but that another position within Sinn Féin will be found for him. Arguably, that may be more shame on Sinn Féin, but it will not impact detrimentally on any individual in that sense.

#### 6.45 pm

In public life, we have a right to have a certain level of expectation. Much has been made about the Bill trying to drag us back into the past in some way. If anything, the Bill helps to normalise the situation. I challenge any Member to contradict this: I cannot think of any other jurisdiction within these islands or across Europe in which a Minister would employ someone with the serious criminal conviction of murder. If it was found that a special adviser to David Cameron or someone in the Irish Government — Enda Kenny's special adviser — or the Scottish Government — a special adviser for Alex Salmond — had been involved in that, politically, that person would simply be regarded as unacceptable and would not be in their position. So, in many ways, this legislation brings us into line with other parts of the United Kingdom and onto a footing similar to that not only in the Republic of Ireland but pretty much anywhere that you can think of in the Western democratic world.

It is also the case that, whereas some have tried to point this purely at those with convictions arising from the Troubles, the Bill covers all convictions. It covers someone who has a serious criminal conviction that deals with murder and covers what used to be referred to as ordinary decent criminals or ODCs. Such persons will be equally affected.

As has been indicated, we have put in place in the legislation — given the level of scrutiny, it may not be to everyone's satisfaction — the determination of eligibility, and, looking at that in clause 3, I think that reasonable steps have been put in place there for that. It is not a blanket ban. There is an opportunity for appeal against the review panel's determination. An appeal mechanism is put in place. Indeed, this will cover all the situations.

As I said, ultimately, I commend the Bill. I commend the work that Sammy Wilson has done at DFP in bringing us to this stage. I commend the sponsor of the Bill on bringing it forward. It is good legislation that helps to normalise society. From day one, I have had no doubt — I am sure that it has been raised by Members opposite — that ultimately this will be tested in the courts. That was fairly obvious from day one. The courts will have to come to a determination. However, I believe that it is good legislation that helps to normalise our society and puts us on a level playing field with other jurisdictions. Therefore, at Third Reading, I commend the Bill to the House.

**Mr A Maginness:** I say, at the outset, that our role here as legislators is to scrutinise legislation. That is certainly the task that the SDLP took on board in relation to this Bill. We did scrutinise the legislation. We stated that we would support the Bill at the Second Stage, which we did, and would table amendments at the Consideration Stage, which we did. Further to that, we tabled additional amendments at the Further Consideration Stage. We did not do that out of perversity or contrariness or because we were capricious; we did it because we believed that our role was to bring about the formation of good law and good legislation. Our amendments were designed specifically to address what we saw as the weaknesses in the Bill at the various stages. However, we saw the Bill as being very important — very important for victims, very important for people such as Ann Travers and her family and very important for those who supported her, people such as Catherine McCartney, whose brother was murdered by the Provisional IRA in 2005.

So, it was important for those people, and it was important for us to support them.

I know that people did not like our amendments. They opposed our amendments, they criticised them, and so forth, and that is fair enough. That is your prerogative if you wish to do that, but the amendments were brought in good faith. They were brought about to improve the legislation. In particular, we brought amendments to deal with the retrospectivity that we believed was contained in clause 2. It is ironic that those who have shouted loudly today about the retrospective aspect of the Bill failed as a group and as individual Members of this Assembly to support our amendments, which would have removed any sense of retrospectivity from the Bill. Not one of them gave an explanation today.

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

**Mr A Maginness:** Let me continue. Not one of them gave an explanation today, including the gentleman who now wishes to intervene. Not one of them gave an explanation about why they did not support our legitimate amendment on retrospection. I will give way to the Member.

**Mr McKay:** I thank the Member for giving way and for describing me as a gentleman. I think that is a first. The fact of the matter is that, if the SDLP amendments had passed, the Bill would still have been discriminatory. It would still have been retrospective in respect of any future applicants for the post of special adviser who held a record from the 1970s or 1980s. In that sense, it would still have been retrospective, and it would still have implemented discrimination. That is why we could not support that.

**Mr A Maginness:** I think that the Member is talking nonsense. It is as simple as that. The amendments put



forward were quite straight. They would not have allowed any form of retrospection. That is as clear as daylight. The Member should look at those amendments again, perhaps refresh his mind and then come to that very obvious and logical conclusion. The fact is that, for political reasons, Sinn Féin wanted to represent themselves as victims. They wanted to represent themselves as martyrs, and they wanted to represent themselves as being people subject to discrimination as they saw it. They did not —

**Mr Mitchel McLaughlin:** Will the Member give way?

**Mr A Maginness:** No, I have taken the point from your colleague. It was a nonsensical point anyway, and I do not know why I allowed him in. He had an opportunity earlier to explain himself. He did not explain himself on that occasion, and he has not explained himself now.

The point that I make is this: for political reasons, that party, which glories in being a victim, wanted to act the victim. The last thing that it wanted was our amendments on retrospection to be passed because then it could not claim to be victims.

**Mr Mitchel McLaughlin:** Will the Member give way now?

**Mr A Maginness:** No. You know very little about victims. Your approach to Jean McConville typifies your attitude to victims.

**Mr Deputy Speaker:** Could all remarks be made through the Chair, please?

**Mr A Maginness:** You cannot even admit that she was the victim of a murder, so I will not take any lessons from you in victimhood.

**Mr Mitchel McLaughlin:** Will you give way?

**Mr A Maginness:** I will not give way, and I have made it plain that I will not give way. You can smile all you like, but you have to bear the burden of that.

**Mr Deputy Speaker:** Order. I ask all Members to continue the debate in good temper. Members have been relatively well behaved so far, but all remarks come through the Chair, please.

**Mr A Maginness:** As I was saying, Sinn Féin deliberately refused to support the SDLP amendments on retrospection. They did that for a political purpose because it was part of their propaganda; they want to be the victim. They want to play the victim. The worst that could have happened was that the House supported the SDLP amendments on retrospection. That was the last thing that they wanted.

Perversely — almost as perverse as Mitchel McLaughlin's view of Jean McConville and her death — they went out of their way not to support the SDLP amendments. That was for a political purpose. That should be noted by everybody inside and outside the House.

The Attorney General's letter was a useful commentary on clause 2. He pointed out in his letter that amendments were made to the Bill, particularly in relation to a system or mechanism of appeal. That was prompted by the probing and thorough interrogation of the legislation by my colleague Mr Bradley in Committee, and supported by the SDLP in Committee and on the Floor of the House that it was right and proper to have an appeals mechanism. The Attorney General referred to that.

He expressed himself satisfied that the legislation was competent as far as article 7 of the European Convention on Human Rights was concerned. However, and I have discussed this with other lawyers, I am still worried about the retrospection aspect of clause 2. I still worry that it could be challenged, not, perhaps, under article 7, but under the principles of natural justice.

I am not saying to the House definitively but I believe that there is a danger therein, and that the present clause 2 will not fully satisfy the scrutiny of a court under judicial review. That is a personal view and is shared by others in my party. However, we still fear and believe that that provision in the Bill is not competent. I have no doubt that that will be tested in time. The courts will then be in a position to determine that issue. However, we put our best foot forward. We put our arguments strongly to the House and they were based on reasoned argument and reasonable amendments.

We brought forward amendments in relation to clause 3. We believed that they were to be preferred. We believe in an appeals mechanism but not one that has a predetermined mechanism within it. Any appeal should have a reasonable chance of success. The Bill creates a situation where the chance of success under the present criteria is significantly reduced.

#### 7.00 pm

Under this legislation, there is, of course, a chance of success, but is it a reasonable chance of success? There is a suspicion in my mind that clause 3 creates a predetermined outcome to an appeal. In my view, that is wrong.

I move now to contrition. We went through that matter at Further Consideration Stage. We believe that our amendment in relation to that aspect of clause 3 was to be preferred, because it was a better test of a person's change of heart. It would actually be more demanding and more prescriptive, and we believe that it would be a better test in relation to any applicant. It would, in fact, make better law, but it was rejected by the House, by all parties except the Alliance Party and the SDLP.

In a recent press statement in which the deputy First Minister was commenting on the SDLP's rejection of a petition of concern, he said that it was shameful that the SDLP had not supported a petition of concern. I have to say that it was shameful that the deputy First Minister, Martin McGuinness, permitted the appointment of Mary McArdle in the first place. That was shameful; that was particularly shameful, because the deputy First Minister knew, during the currency of the presidential campaign, that Mary Travers's murder was a live issue. It was an issue raised by Ann Travers on a phone-in on Raidió Éireann to the deputy First Minister, as he was a candidate in the presidential election. Happily, the electorate in the South put that particular ambition to bed. He was aware of the fact that this was a very big issue; he was not in ignorance of the issue; he was not in ignorance of the fact that the issue was a very important one for Ann Travers and the Travers family. Yet, some weeks after the presidential campaign, he appointed Mary McArdle, or permitted her appointment.

**Some Members:** You are wrong.

**Mr A Maginness:** Let me say this: the deputy First Minister was very much aware of the issue of Mary McArdle, and the deputy First Minister was aware of the intensity and passion of feeling surrounding the issue.

In any event, why was she appointed? She was appointed deliberately by Sinn Féin in order to legitimise its violent campaign. It was saying to victims and to the community at large, "We can appoint anyone we like, because there is no difference between someone with or without criminal convictions. It is irrelevant, as they were combatants." It was an attempt to rewrite history and to prove that its campaign was a legitimate struggle for a political cause.

However, that struggle that they talk about had no mandate from the people of Ireland, North or South. That campaign of violence was politically and morally wrong. It was wrong then and it is wrong now. We cannot rewrite history. It was morally and politically wrong. It was counterproductive because it divided the people of Ireland, North and South, even further and set back the cause of Irish unity and the unity of the Irish people. That is what that campaign did. Not only did it destroy life and property and cause misery to thousands of people, but it was counterproductive politically. It was undemocratic, unwarranted and unnecessary.

They thought that victims of violence such as Ann Travers could be overlooked or ignored. They thought that, if there were a reaction to Mary McArdle's appointment, it would be minor, would blow over in a few days, and their legitimacy as a political/armed movement would be demonstrated. They did not reckon with the tenacity and the public impact of Ann Travers and other victims, not least Catherine McCartney, whose brother, as I mentioned, was murdered by the Provisional IRA in Belfast in 2005. That case is still shrouded in deceit, lies and cover-up. The story that is written by Catherine McCartney in 'Walls of Silence' should be studied by everyone in the House as a testament of the tenacity and courage of victims of armed violence. It is also a testament to the betrayal of the McCartney family by Sinn Féin.

The Bill is not just about the victim Mary Travers, but about all victims. The Good Friday Agreement emphasises the need to acknowledge victims and attend to their needs. Victims should be the concern of us all. The selfish economic interest of one political party should not be made an obstacle to helping victims. It should not be an obstacle to achieving justice for victims.

We will support the worthy aim, as our party leader has said, of helping victims of the Troubles and acknowledging their hurt and suffering. It is sad that the House could not unite on this issue. I say sincerely and genuinely that we have tried valiantly to amend the Bill and make it legislatively better and, indeed, watertight. We wanted, through our reasoned and reasonable amendments, to make good law. However, our best efforts were rejected. As democrats, we have to accept that. We had hoped for a better ending. It was not to be.

**Lord Morrow:** Will the Member give way?

**Mr A Maginness:** I will.

**Lord Morrow:** I have listened intently to what Mr Maginness has said. To all intents and purposes, it is an excellent speech with good content. However, will he and his party reconsider their position this evening? They plan, I understand, to abstain. As I said earlier, that is

second best in this situation. Can he not see the danger that his party is still sending out a message, which is not understood out there in the community, that there is a degree of ambiguity towards the issue? He talks about the past. He tells us that he is committed to moving things forward. We hear that. However, actions really do speak louder than words.

**Mr A Maginness:** I will just say that we have taken a consistent position on political violence of all types throughout the 40 years of our existence as a political party. We continue to hold to that position. We have always been democrats; we have always believed in the rule of law and parliamentary democracy. We will continue to do that. In the exercising of our duties as legislators, we have come to a sound conclusion based on the deficiencies that we see in the Bill and the political arguments that have been put forward by my colleagues and me today. Our position will be to abstain on the Bill. We believe it to be an honourable position, and we believe that it is one that people outside will understand.

**Mr M McGuinness:** Go raibh maith agat, a LeasCheann Comhairle. Thank you, Mr Deputy Speaker, for the opportunity to make what, I hope, will be a short-winded contribution to the debate rather than some of the rather long-winded ones that we witnessed earlier. I include my colleague Daithí McKay, along with many others, in that remark.

About two weeks ago, I attended an event in Queen's University to honour the memory of Harri Holkeri, a Finnish diplomat who came here and made his own particular contribution, with Senator George Mitchell and others, to the success of a peace process that is seen as one of the most successful peace processes in the world today. The lecture at Queen's University was given by the former Finnish President Martti Ahtisaari. The introduction to Martti's lecture was given by the Finnish ambassador to London. In the course of his contribution to the introduction, he spoke about the number of meetings that he had engaged in with people here in the North of Ireland since he became ambassador. He said that the most powerful meeting that he attended was a meeting of loyalist and republican ex-prisoners. He said that it had a very profound effect on him in recognising the contribution that ex-prisoners have made to what is seen in the international community as a very successful peace process.

Prior to the Good Friday negotiations, I was given the responsibility by my party of being the Sinn Féin chief negotiator. Around me was gathered a very experienced team of ex-prisoners. It was also a very experienced team of negotiators. They were absolutely wholeheartedly in favour of the peace process and inclusive negotiations and wholeheartedly willing to accept the outcome of those negotiations. So people should not underestimate the contribution made by former political prisoners. The contribution that they have made has been absolutely immense. It should never be underestimated.

Earlier, I heard Members talk about people being given privileged positions because of their contribution to the struggle or conflict. Nobody in Sinn Féin is given a trophy on the basis of where they were in the past. Anybody who was given an important position in the Administration was given it because they were an intelligent person and had an important contribution to make. I agree with the SDLP:

the Bill is a bad Bill. It discriminates, and it runs totally contrary to the spirit of the Good Friday Agreement. I listened to a member of the SDLP from Newry and Armagh on the 'Stormont Today' programme.

I believe that it was on the basis that, at that stage, over two weeks ago, the SDLP had taken a decision that it would support a petition of concern and the Bill being brought down.

#### 7.15 pm

So what changed? Clearly what changed — we should deal with the nub of the matter — was the contribution of two former SDLP Ministers, one of whom was a former Deputy First Minister, and the other was a former Agriculture Minister. I was part of that Administration. I was the Minister of Education when both those Ministers were in office. My adviser in the Department of Education was a man called Aidan McAteer, who was a nephew of a former leader of the Nationalist Party, Eddie McAteer, and a son of Hugh McAteer. Aidan McAteer was an ex-prisoner who made a very important contribution in the Department of Education. Séamus Mallon and Bríd Rodgers knew that.

Bairbre de Brún, as the Minister of Health, was my colleague in the same Administration, and Leo Green from Lurgan was her adviser. Leo Green had been sentenced to life imprisonment. He played a very important role in advising Bairbre, as Minister, on important health issues. Séamus Mallon knew that. Bríd Rodgers knew that. There are people sitting to my left who were in the Assembly at that time, and they also knew that. Did they, at any stage, attempt to bring legislation before the House to debar the people whom I have mentioned as advisers? No, that did not happen.

The institutions collapsed on three occasions during that period, and they were not resurrected until Sinn Féin and the DUP managed to find a way forward to put institutions in place in 2007. What happened in 2007? We restored the institutions. Caitríona Ruane was the Minister of Education, and Jackie McMullan was her adviser. Who was Jackie McMullan? He was an ex-prisoner. He had been sentenced to life in prison. Not only did the SDLP know that but every party in the House knew it. Was any attempt made to bring legislation debarring ex-prisoners before the House? No.

To the credit of all the parties, they understood that people who were former prisoners had played a vital role in securing a peace process. Some of them might not have liked the fact that some of those people found themselves advising in the Civil Service and in government, but they were prepared to live with that because they took a decision that it was furthering, not damaging, the peace process.

Paul Kavanagh fits into the same category. Paul Kavanagh is a friend of mine, and I am very proud of that. Paul Kavanagh is an ex-prisoner. Paul Kavanagh has put his heart and soul into the peace process, has enormous credibility in the city from which I come and is widely admired in the community and voluntary sector for his work in the Brandywell and Bogside areas. He now finds himself in the centre of this maelstrom around the issue of advisers. Let everybody in the House remember that he was not the first adviser to be an ex-prisoner. It goes back 14 years. There are people sitting in the House who are pontificating about this issue and who know that.

So what changed? I will tell you what changed. The TUV got a Member elected at the previous Assembly election. As I tweeted last week when I got back from China, we have the ludicrous situation whereby one anti-agreement unionist has been able to pick the SDLP up by the tail and swing it all around.

Members from the SDLP have talked a lot today about victims and the importance of victims. I love the way that they do that. You almost get the impression that all victims have bestowed on the SDLP the right to speak for them. I believe that nothing could be further from the truth. The Bill divides victims. What the SDLP is doing in supporting the Bill is further dividing victims, and I think that it will learn that in the days, weeks and months that lie ahead. Of that there can be absolutely no doubt.

The types of interviews that we have heard in the past 48 hours, with people telling us that there is a hierarchy of victims, are so hurtful to those people who are wondering just what the SDLP's position is on victims. We then heard the total inability of the deputy leader of the SDLP to support her party leader during 'The Nolan Show' this morning. We can clearly see that the SDLP has been like a headless chicken on this issue over the past while.

Therefore, what essentially am I saying? What I am saying very clearly is that Paul Kavanagh was not the first ex-prisoner to be an adviser in a Sinn Féin Department. It goes back 14 years and included people who were sentenced to life imprisonment. All the parties in the Assembly lived with that until we had the arrival of someone who has shown the ability to lift not just the SDLP by the tail and swing it all around but every other party in the House. Thank you.

**Mr Attwood:** There was an event in this Building within the past two weeks that, in one way, I cling to in all the issues around dealing with the past. It was an event that was sponsored by Trevor Lunn and Trevor Lunn alone, and I asked him to confirm that. It was not sponsored by any other party, but by Trevor Lunn from the Alliance Party. That event was on behalf of the families of the Ballymurphy massacre. Whatever the issues may be around this debate, the Bill, and how we handle the past and manage the pain of the past, as one who holds culpability for the position that the SDLP got itself into, I cling to what Trevor Lunn and all the MLAs from different parties who attended did that day. Why? Because the dignity and resilience of those families is beginning to prevail as they gather around themselves representatives not just of nationalism and republicanism but from one or other party.

I make that point deliberately, because I find it curious as we enter into a process that was initiated by the First Minister and the deputy First Minister about how to deal more fully with the issues of the past. I will come back to that. In his entire contribution over the last 10 minutes, the vice-president of Sinn Féin never once referred to that process. He hardly spoke at all about the needs of victims, and spent all his time — Hansard will confirm it — looking at the SDLP. In that speech, in that commentary and in those mannerisms, much was said about what Sinn Féin really thinks much of this debate is about. I will come back to that later.

We have some doubts about the process that has been initiated by the First and deputy First Minister, but we will fully commit ourselves to that. However, we have to say

that there are issues too big for the parties alone to deal with alone. For them to be dealt with in a comprehensive and ethical way, issues of the past and some other issues need the wisdom and collective authority of all parties and both Governments, and I hope that is what will happen.

Very little has been said in the debate about the DUP. Mr McGuinness barely touched upon his relationship with the First Minister and the fact that those two parties have the leading role in government. However, one of the reasons that I am concerned about the process that is about to be commenced is because of what the DUP brings to that process in dealing with the past, in respect of which the Bill is one small aspect. The DUP's political manifesto says that its members:

*"Support the right to justice for bereaved victims of terrorism".*

That is all that it says. It does not refer in any shape or form to supporting the right to justice for bereaved victims of terrorism and the activities of elements in state organisations who imposed violence, inflicted death and destruction and who, in my view, also carried out acts of terror against people in this part of the world. Consequently, when we are looking at this Bill, when we are looking to deal with the past, and when we are about to engage on a process of dealing with the past, for that process to mature into something that it should be, the DUP and other parties must shift ground, just as, in my view, others have begun to shift ground in respect of the Ballymurphy massacre. For that reason, I was mildly encouraged by the contribution to the debate of David McIlveen. He engaged with a definition of what a victim might be, and tried to work through in his head what that might mean in terms of outcomes around the process.

I want to deal with some of the comments made by Sinn Féin during the debate. Mitchel McLaughlin told us that Sinn Féin had gone out and sold the agreement. The words that he used were that it had gone all out to sell the agreement. I do not think that the record confirms that to have been the case. The difficulties experienced in the early years of the Good Friday Agreement and during the first mandate of the Assembly and the repeated periods of suspension, to which a number of parties in the Chamber contributed, do not say to me that Sinn Féin went all out to sell the Good Friday Agreement. He then said that he had "no hesitation about standing over" Sinn Féin's record.

In my view, there was a very disturbing moment in the debate, when Raymond McCartney said that the issue of inclusion was, essentially, not a principle but a tactic. Where have we heard that before? In terms of the principle of abstention from Dáil Éireann. He said that Sinn Féin upheld the principle of inclusion, and then indicated that that did not mean defending the practice of d'Hondt. That is what you said, Mr McCartney.

**7.30 pm**

**Mr McCartney:** That is a lie.

**Mr Attwood:** That is not a lie. When I stood up and asked you why you were not holding to the principle of d'Hondt when it came to the practice of inclusion in this Chamber and the appointment of the Justice Minister, you said that you supported the value of inclusion but you did not support the principle of d'Hondt.

**Mr McCartney:** That is a lie.

**Mr Attwood:** If that is a lie —

**Mr Deputy Speaker:** Could all remarks come through the Chair? Mr Attwood, you have the Floor.

**Mr Attwood:** If that is not correct, why, when we were having discussions in 2007 about the appointment of a Justice Minister, did you not stand by the principle of inclusion expressed through d'Hondt when it came to membership of the Executive? Why did you not? I will take an intervention from you. Why did you not accept the democratic — *[Interruption.]*

**Mr Deputy Speaker:** Again, could all remarks come through the Chair, please? Members, can we have good temper and moderation in everything that is said?

**Mr Attwood:** I will take that on board, Mr Deputy Speaker. The point I am making is that those who claimed that they stand by the agreement have — you can see when you interrogate the evidence — done little at times to stand by the agreement. It was not just on the issue of the appointment of the Justice Minister, when the principle of inclusion was mangled and the democratic will of the people of Ireland was usurped. It was not just in respect of the principle of d'Hondt and inclusion when it came to the Justice Minister. It was also in respect of the obligations that fell to parties regarding the policing challenge following the publication and implementation of the Patten report. It was not simply that. If Sinn Féin was so honourable when it came to the Good Friday Agreement, why is it that, in the years since restoration, it has allowed another party, its primary partner in government, to hollow out the Good Friday Agreement left right and centre, with little sense of complaint?

I will now deal with the issue of discrimination. A number of Members made comments about discrimination and whether the Bill is evidence of discrimination. I refer to my previous comments during the previous debate. Why? Because, whatever about the impact of this Bill on a tiny number of people, let the lie be nailed that this is a process of discrimination against a large number of people. What is the evidence of that? The victims of the past 40 or 45 years of violence have not been released from the burden that they have had to endure because of the consequences of paramilitary terror and state violence. Victims of violence do not have the volume of money and attention that is visited upon prisoner groups led by prisoner elites that we see in so many of the communities of the nationalist and republican people in this part of the world.

More than that, Sinn Féin goes down the road of trying to revise the story of terror over the past 20, 30 and 40 years in this part of the world while denying to victims and survivors the truth and accountability that they all yearn for. So, when it comes to the issue of discrimination, it is quite clear in my view that, when you look at the evidence of the past 10 and 20 years since the peace and political process began to mature, you can see that the evidence of discrimination against those who come from a prisoner background is clearly rebutted in fact, in law and in practice. Any claim otherwise, in my view, simply does not stand up.

Sinn Féin has asked — Martin McGuinness put this in his usual way — what has changed when it comes to

the SDLP approach to the Bill. Let me explain what has changed. Since the debate on the amendments at Further Consideration Stage, Sinn Féin, as Mr McGuinness outlined earlier, has, in an aggressive way, deployed its political argument and strength on issues around the past. On Tuesday, after Further Consideration Stage, Mr McLaughlin, on behalf of Sinn Féin, made the following observations to 'The Detail' investigative website.

He said:

*"a process of reconciliation in Northern Ireland could be moved forward by separating it from the search for the truth about what happened during the Troubles."*

He went on to say:

*"As long as they remain a binary process, then one can't go forward without the other ... There are too many things that we could do that aren't being addressed."*

So, in the wake of the SpAd Bill and on behalf of Sinn Féin in the run-up to a process that is meant to deal comprehensively with the issues of the past, Mr McLaughlin has now sent out the message that Sinn Féin's approach is to separate the process of truth and accountability from that of reconciliation.

How that can be done? You cannot have a process of reconciliation if its central tenet is not a process of truth and accountability: otherwise, you do not have a process of reconciliation; you have a process that deals only with the symptoms of division and does not deal with some of the fundamentals of division, the most fundamental of all being the issue of truth and accountability.

What changed after the debate on the Bill's Further Consideration Stage? The following day, Sinn Féin sent out a message to people in this part of the world that it would give them its version of reconciliation but would not give them their need for truth and accountability. Then, Sinn Féin compounded the issue. On the following day, a man was charged with serious offences in London, the consequence of which led Mr Kelly, on behalf of Sinn Féin, to say that the individual was a long-time supporter of the peace process and that the decision to charge him was vindictive, unnecessary and unhelpful. What changed since the debate on the Bill's Further Consideration Stage? Sinn Féin, in a brutal and aggressive way, said to victims and survivors, whether they were from the loyalist community, the nationalist community, the republican community, the RUC, the UDR or anyone else, that if anyone is identified as being possibly guilty of serious offences in the past, their prosecution would be vindictive, unnecessary and unhelpful.

What message does that send out to the victims and survivors who look for truth and accountability when, whatever their background, whatever their pain or wherever they come from, they are told by Sinn Féin that to charge someone is vindictive, unnecessary and unhelpful?

If things have changed since the debate on the Bill's Further Consideration Stage, one of the things that has changed is that Sinn Féin has set out its preconditions for a conversation to deal with the past. Those preconditions are to deny truth and accountability on the one hand and to refuse the potential for prosecutions on the other. That is not truth and accountability; that is suppression of truth

and accountability, and with that will come suppression of reconciliation, which is at the heart of the future of this island.

In my view, as people know, the best Government in these islands is that led by the Scottish National Party. In that, I may be making a comment against myself as a member of the Government here in Northern Ireland. In its 2011 Programme for Government, the Scottish National Party talks about shaping the future of Scotland, saying that it should move forward at all times with humility. That is the perspective that I and the SDLP have tried to bring to this issue.

In his contribution to the debate, Mr McGuinness said that victims would let us know how disgruntled and unhappy they are with what the SDLP has been doing in the run-up to this debate. I think that things are somewhat different. The reason for that is because I think that people have looked to the SDLP, more than any other party, to defend the needs of victims and survivors

Mr McGuinness says that victims, who are split on this issue, are not going to be sympathetic to the position taken by the SDLP. Why, then, did the SDLP receive representation from across the victims and survivors community and from people who held different views on the Bill, asking us to stand in solidarity with them? That is what happened. Numerous people contacted us, including an organisation that said:

*"The SDLP has a good track record and a credible voice on this issue, more than any other party."*

The same correspondent said:

*"Many victims are looking to you for continued support and leadership that represents all victims."*

It also said:

*"Only the SDLP can credibly achieve this and speak for all victims and challenge all actors to the conflict."*

That correspondence did not come from loyalist groupings or state organisations. Those are the words of a major organisation that, in the past, primarily represented victims of state violence, although it does not do so exclusively now. So, contrary to what Mr McGuinness might say, the SDLP was the one party that came to the issue with integrity. Rather than taking simple views or taking sides, the SDLP looked at the Bill and at the wider issue. The SDLP looked at a rights-based approach and a victims-based approach and, in that journey, tried to reconcile both. If the SDLP ended up having to look more closely at its position, it was because we came at this issue from a position of integrity and looked at it, as the Scottish Government would advise us to do, with some humility. In that moment, the SDLP worked out how it was going to handle this Bill on the Floor tonight.

Mr McGuinness is not right when he says that the victims and survivors community will look on the SDLP in the way that he claimed. Quite the contrary: the victims and survivors community has looked to the SDLP to act with authority, credibility and integrity, as the quotations I gave demonstrate.

I want to say one thing to Mr Allister. He is the sponsor of the Bill and he has navigated his way through a very difficult process, and he quite rightly acknowledged

the work of Assembly staff in that regard. As I said in a meeting with one victim, which took place over the past couple of weeks, this is the small picture; not the big picture. The big picture has to be the needs of victims and a comprehensive and ethical process for dealing with the past. There is also a small picture, and Mr Allister has to acknowledge this: he brings to this debate an insight that many of us who have worked through the peace and political process over many decades find difficult to accept. I am not going to labour the point, but whatever Mr Allister's contribution may have been in the character and quality of this Bill, the character and quality of other contributions that he makes to the debate around politics and government in the North sit uneasily with many of us. I refer to his comments last August in respect of decisions taken by the Parades Commission on a parade in Rasharkin. I will not repeat his words, because they do not bear repeating. However, they were destabilising, unhelpful and aggressive towards members of the Parades Commission. I similarly refer to his various contributions and speeches at flag protests over the past number of months, where he fed people's worst fears. Although he has been very firm about the use of violence, he should not indulge people's worst fears when it comes to the nature of politics and government in the North.

**Mr Deputy Speaker:** Can we come back to the Bill, please?

**Mr Attwood:** I will not say any more than that.

The SDLP will abstain in the vote tonight. We will do so because we try to bring integrity to the issue and try to stand by the needs of victims. This is a matter on which there has clearly been conflict and tension but, in our view, which is a settled one, what we are doing is the best way to manage the debate.

#### 7.45 pm

However, it does not preclude or reduce all our responsibility in the process that is about to commence through the First Minister and the deputy First Minister or in any other processes to reach, over the next six months, a comprehensive and ethical process for dealing with the truth of the past and all the issues of the past. If we fail that test, this debate will not have carried the significance that it could have in being a catalyst to galvanise public and political opinion to deal with the past in a proper manner.

**Mr Agnew:** At the outset, I would like to outline the fact that the Green Party has consistently stood opposed to any form of violence in this society to achieve political aims. In that regard, we extend our sympathies to all victims of the violence that was all too commonplace in Northern Ireland in our past and that, unfortunately, continues in isolated instances even today. It is in that context that I speak in this debate and outline the Green Party's position on the Bill.

The Green Party sees the Bill as a missed opportunity. Having been involved in the Second Stage debate, I find it interesting to hear parties' positions and how those have changed throughout the stages of the Bill. My party's view has been consistent. We have major concerns about how special advisers are appointed. At Second Stage, I made the point that special advisers should be appointed on merit and that there should be greater scrutiny and transparency as regards how special advisers are appointed.

Interestingly, although there was some disagreement on whether those with serious criminal convictions should be appointed to special adviser positions, there was almost unanimity in opposition to the idea that special advisers should be properly interviewed and that the merit principle, which applies in other appointments to ensure fairness, should be applied. That is something that I feel should happen given the importance of these positions, given the high level nature of the work, and given, as was said continually at Second Stage, that special advisers sit with the same privileges and many of the same responsibilities as senior civil servants, who we would never think of appointing without such proper scrutiny, openness and fairness.

There is a perception that special adviser posts are, if you will pardon the term, jobs for the boys. That has been at the heart of some of what we have debated today and throughout the other stages of the Bill. While the vetting procedures are one aspect of tackling that, for me, including the merit principle in the appointment of special advisers, would be the other key part.

**Mr Deputy Speaker:** There are a number of conversations going on in the Chamber. I ask Members to have regard for the Member who is speaking.

**Mr Agnew:** Thank you, Mr Deputy Speaker. It is certainly off-putting when you have to speak above a murmur.

I very much believe that that is an opportunity missed. I welcome the elements of the Bill that bring the vetting procedures more into line with the appointment of senior civil servants. That is the benchmark of normalising these positions. However, to some extent, the Bill goes beyond those vetting procedures, and that concerns me.

There has been a lot of discussion in the debate about the definition of victims. My personal view is that it should be a broad definition. Many of us are indirect victims of our conflict, although I appreciate that there are those who have been impacted much more directly. I also take the view that there should be a wide definition of perpetrators, which is why I made the point about jobs for the boys. There have been many actors in the conflict in Northern Ireland. Reference has been made to the IRA's role. Reference has been made to the role of the security forces. There has been no reference to the role of all those, including people and parties in the Chamber, who continually promoted sectarianism, bigotry, division and hatred throughout our Troubles and then washed their hands of the atrocities that were committed and washed their hands when people took those words, that hatred, that bigotry and that sectarianism and used them as justification to commit acts of violence. Those people then stepped back and said that they did not commit the violence. However, we have to remember that many people gave power and weight to those who did commit violence by perpetrating sectarianism, bigotry and division in our society. Whether it is Sinn Féin or any other party giving jobs for the boys, the girls or for the party faithful, we are right to question whether those appointments are based on merit or on a privilege that has been bestowed on the party faithful.

The Green Party is opposed to the Bill. As I said previously, although we see elements of merit in it, it very much appears to my party and me that it is using our past to legislate for our future. It takes us back to old

arguments, and we have seen that today. I cannot support the Bill for the key reason that it takes away the principle of rehabilitation. Many have claimed to speak on behalf of victims today; I will not pretend to do that. I do not believe that victims are a homogenous group or that victims speak with one voice. There are many victims in our society with many opinions. I speak only of my best interpretation of how to serve victims. For me, the best way to do that is to reduce offending and reoffending and, ultimately, reduce the number of victims and prevent future victims. How do we best do that? I believe that rehabilitation has to be at the core of our justice system, and I see the Bill as seeking to impose an extra penalty on a certain category of ex-offender. That does not serve our society well. We have to ask whether ex-offenders who are released from prison, having committed whatever crime, are more or less likely to reoffend if they are in paid employment. I do not think that seeking to limit or restrict employment for ex-offenders serves our society well because I believe that people who come out of prison and have been rehabilitated and reintegrated into society are more likely to make a positive contribution than if we simply seek to exclude, marginalise and continually punish them for the crime that they committed.

As a society, we have come to that conclusion with our employment law. When a crime is of material relevance to the job that somebody with a conviction is applying for, it can be taken into consideration. However, when that crime is not materially relevant, it is not because, as a society, we have come to the conclusion that we are better off if we reintegrate former prisoners into society than if we seek to marginalise them. Through the Bill, we are trying to create a special category of employment and a special category of ex-offender outside that. Mr McKay referenced my quote during Second Stage when I said that I see this as an attempt to put the shackles of the past on our feet as we journey towards the future.

I will come to the point about the petition of concern. Mr McLaughlin referred to that. Although the Green Party opposes the Bill, we are not signing the petition of concern. I stand over that decision, and I will give my reasons for it. As I said, I am not opposed to every element of the Bill. At Second Stage, I said that I wanted to see special advisers appointed in ways that are more similar to arrangements for senior civil servants. Aspects of the Bill put the code of conduct on a statutory footing and make the vetting procedures equal to those that apply to senior civil servants, and I support those elements. I have chosen not to put a block on it, and I think, to some extent, that doing so would be a slap in the face to the victims who support the Bill. I disagree with them, and I say that clearly, but to block it would be a slap in the face. I will oppose it. The democratic will of the House appears to be for the Bill to go through, and I will respect that democratic decision.

Sinn Féin has presented an argument almost akin to George W Bush's argument that you are either with us or with the terrorists, although it is not quite the same, because Sinn Féin might not put it like that. For Sinn Féin, it is all or nothing or black or white. The argument is that, if I do not support Sinn Féin's petition of concern, my opposition to the Bill is somehow disingenuous. I will be interested to see whether Sinn Féin is consistent on that, because it has not been consistent on that position in the past. It is not so long ago that the House passed the Criminal Justice Bill, which Sinn Féin and the SDLP

opposed. They made their arguments for doing so, and, at various stages, I raised concerns about that Bill. Sinn Féin did not seek a petition of concern for that Bill; it certainly did not ask me. Given that both it and the SDLP opposed it, they could have tabled a petition of concern. To suggest that every time we disagree with a motion or a piece of legislation in the House we should seek a petition of concern is a disingenuous position. This was an attempt by Sinn Féin to push my party and the SDLP into ensuring that it gets its way. I will not be pushed in that manner.

*(Mr Speaker in the Chair)*

I can only speculate about why Sinn Féin did not support the SDLP amendments, which, in my opinion, would have made the Bill better. There are two possibilities. One is that, ultimately, it wanted a bad Bill, so that, when we got to this stage, it would have stronger leverage to seek a petition of concern. Perhaps, as Mr Alban Maginness suggested, it wanted to appear as victims: victims of Jim Allister's Bill; victims of the SDLP; and even victims of the Green Party.

**Mrs D Kelly:** I thank the Member for giving way. I am sure that he will agree that no one does victimhood better than Sinn Féin. Is it not the case that claiming the status of victimhood is used quite often to justify the violence of the past?

**Mr Agnew:** I thank the Member for her intervention. Like her party, my party has consistently argued that, even where there was discrimination in our past, that did not justify violence as a response.

I do not like to speak about other parties in my speeches. I try to avoid that and stick to my party's position in promoting my party's message rather than concerning myself with the views of other parties. References were made to my party's position, however, and I felt that I needed to defend it robustly.

In conclusion, I am opposed to the Bill, as I have been consistently from Second Stage. While others' positions changed, the Green Party's position has remained consistent. We do not believe that the Bill has been sufficiently amended to garner our support. Our position is consistent with Green Party principles, particularly the principle of supporting rehabilitation for ex-offenders. Indeed, that is a position that my party has held consistently.

**8.00 pm**

**Mr Allister:** The first contribution that I have to make may be the only one that will have unanimous support: it is to the effect that I am going to be brief. *[Laughter.]* The issues have been well ventilated. I have had many opportunities to speak on the Bill, and I do not think that there are too many areas of grey in people's understanding of where I stand on it.

Very often, if you listen right through a debate and then think back over it, there is a particular moment that strikes you as the seminal moment. We had that today. I recall that, just after lunchtime when I spoke, I said that the primary thrust and purpose of the Bill was to guarantee that never again would a family such as the Travers family be subjected to the retraumatisation that they were subjected to by the scandalous appointment of Mary McArdle. During the debate, Danny Kennedy intervened on Raymond McCartney and asked him this critical question:

did he still support the appointment of Mary McArdle? The confirmatory answer to that question is the very reason why we need the Bill. It is clear that the mindset and attitude is this: yes, we would do it again. Well, the purpose of this Bill is to make sure that you will never do it again. That is the reason why the Bill is before the House.

Before I leave the subject of Mr McCartney, with some great fervour he challenged me on what role I had had and what stance I had taken on the soldiers convicted in respect of the killing of Peter McBride. When I tried to intervene and answer the challenge, I was denied the opportunity, so I will answer it now. My understanding is that those convicted in respect of Peter McBride served six years and were released in 2000 and the controversy raged in 2000. I have to tell Mr McCartney that I was not in politics in 2000, so I do not think that I had any contribution to make to that issue whatsoever. So maybe there is good reason why he did not want me to answer the challenge.

I come to some of the contributions to the debate. The deputy First Minister regaled us with the fact that for 14 years they had appointed cronies in terrorism to these posts. He rhymed off all the names as a badge of honour in respect of Sinn Féin's approach to that matter. He told us that they had all been appointed as ex-prisoners, confirming, of course, to many of us that what we know of this whole exercise — the McArdle and Kavanagh appointments and all those appointments — were indeed the rewarding of terrorism and of active service in the IRA. The pride that they take in it, of course, confirms a point I made earlier: even yet, they refuse to recognise that any of that involved criminality at all.

Mr McGuinness told us that Mr Kavanagh was not the first ex-prisoner appointed as a special adviser. True, but he will be the last if the Bill goes through. That will be comfort to victims who have had their rights and voices trampled on and ignored and have been put through the mill again and again for the self-gratification of Sinn Féin to promote those whom they were rewarding in that respect. Therefore, I say to the House that the Bill is about making sure that we put the brakes on the rewarding of violence. That is not a backward step; that is a forward step. That is not a vindictive step; that is a just step. The Bill is to make sure that that happens.

I will comment on the utter disingenuousness of the Sinn Féin position in the House on the Bill and the capricious attitude that it took to the SDLP amendments just two weeks ago tonight. About this time two weeks ago, we were voting on a series of amendments at Further Consideration Stage. Amendment No 2 came from the SDLP, and it was to exempt sitting SpAds from the ambit of the Bill to deal with what it described as the retrospectivity of the Bill, something about which Sinn Féin today complained very loudly, because, as a consequence of it, the multiple murderer Mr Kavanagh will lose his job. It complained and was most exercised about it, but, two weeks ago tonight, it voted against the SDLP amendment. What was that about? It was about the attempt of Sinn Féin ever to wallow in victimhood and ever to want to be the downtrodden victim. So, rather than help the SDLP, in its terms, to improve the Bill, it trooped through the Lobbies to vote against the very thing that it complained most loudly about today. The disingenuousness and capriciousness of the Sinn Féin position are quite staggering.

I said it this morning, and I say it again: the Bill is an opportunity for the House to set its moral compass in a way that respects and deals with victims' issues, not in an all-pervasive way — the Bill can deal only with its own subject matter — but in a way that shows respect to victims and says that they matter and their views matter and puts it into statute that their views must be taken into account when critical decisions pertaining to them are being made. Therefore, the Bill is an opportunity to take a significant step in support of victims rather than victim makers. Heretofore, the tide has been about promoting, protecting and guarding the prisoner elite who were the victim makers. The Bill is about stemming that tide and saying to honest, decent people who are the victims of the victim makers that the House has heard, the House has listened and the House will act in defence of victims. That is why I recommend Ann's law to the House tonight.

*Question put.*

*The Assembly divided:*

*Ayes 56; Noes 28.*

**AYES**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, 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 Ayes: Mr Allister and Mr McNarry*

**NOES**

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

*Tellers for the Noes: Mr McKay and Mr Sheehan*

*Question accordingly agreed to.*

*Resolved:*

*That the Civil Service (Special Advisers) Bill [NIA 12/11-15] do now pass.*

*Adjourned at 8.23 pm.*



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# Northern Ireland Assembly

Tuesday 4 June 2013

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr P Ramsey:** On a point of order, Mr Speaker. Given the serious heat in the Chamber today, would you be minded to relax the guidance on wearing jackets?

**Mr Speaker:** Yes. If Members are feeling the heat of the moment and they want to take their jackets off, that is OK.

## Speaker's Business

**Mr Speaker:** Before we move to the next item of business, I wish to notify the House that I will not be in the Chair for Assembly sittings next week or the following week. However, I will deal with any necessary business during that time.

## Ministerial Statement

### Employment, Learning and Skills: Gender Issues

#### Dr Farry (The Minister for Employment and Learning):

I am grateful for this opportunity to make a statement on a number of gender issues that relate to the responsibilities of my Department. It may be a somewhat unusual statement in that I am not making a major announcement. Instead, I wish to draw particular attention to a cross-cutting theme that I believe should be of concern to us all, and to set out some of the actions that are being taken and could be taken to address those issues.

I am sure that we all share a deep commitment to equality of opportunity. There is a clear moral and ethical human framework for enabling everyone to develop to their full potential and apply their skills. That should not require any elaboration. However, there is also a very strong economic rationale for that. We need an economy that operates as efficiently as possible. Virtually everything that we do in my Department is directed towards improving efficiency, whether that be the promotion of higher level skills across the economy; the drive for a greater presence in science, technology, engineering and mathematics (STEM) subjects; developing a critical mass in world-class research; better matching of employers and employees through the review of apprenticeships; examining labour mobility; and increasing the level of economic participation in the economy, to name just a few.

We need to address skill shortages and mismatches and to align, as best we can, job requirements and opportunities with the attributes of our people. That entails facilitating equality of opportunity and focusing on merit. The area that I wish to focus upon in the statement is gender participation in the economy as a whole and in a number of key sectors.

Our population is, broadly speaking, evenly split between men and women. However, life experience can be very different, and that difference begins to emerge from a very early age. On leaving school, females tend to be better qualified than males, and they are more likely to progress to higher education.

For some years, females have demonstrated higher GCSE attainment levels. In the most recent data, published last month, 68% of females achieved at least five GCSEs at grades A\* to C, including English and maths, compared with only 56% of males. That is also true at A level, with 64% of females leaving school in 2012 with two or more A levels, compared with only 47% of males. After leaving school in 2012, 83% of females progressed to further or higher education, compared with 71% of males. Boys leave school earlier, with 62% of 16-year-old school leavers being male.

The outcomes for both genders are more balanced in the further education (FE) sector. Overall, participation in that sector is around even, although there is some evidence at the margins that females study for slightly higher-level qualifications than males. However, attainment and retention rates are very similar for both genders. That is also true for essential skills outcomes. Broadly speaking, participation and attainment levels are similar. Although female participation rates in the Training for Success

programme are lower, which reflects the fact that more females remain in education, outcomes for the males and females participating are similar.

Where there is a difference, however, is in the subjects that males and females study and on which they engage in training. Some 25% of male participants in FE study science and mathematics, engineering and manufacturing technologies or information and communication technology (ICT), compared with only 13% of females. In 2013, 98% of participants on programmed apprenticeships in economically important sectors were male. Whereas female and male participation rates in employer-based apprenticeships are about the same and attainment rates are also similar, less than 9% of participants in apprenticeships in science, technology, engineering and mathematics related areas are female. However, those figures have improved in recent years.

That pattern is also apparent in higher education. I already indicated that proportionately more females than males participate in higher education. There is, in fact, quite a significant gender difference. Over the past decade, female enrolments account for around 60% of the total. The under-representation of males, particularly Protestant males from areas of deprivation, is a particular theme in Access to Success, our widening participation strategy. Completion rates are also different. Although those have improved significantly for both genders over the past five years, the figures show that around 5% of females fail to continue in higher education after the previous year. The figure for males is 7%.

There are also very significant differences in the subjects selected for study. Despite a participation ratio of 60:40 in favour of females generally, females account for less than 30% of those graduating in STEM subjects, excluding medicine and health. Over 70% of students in computer science and over 75% of those studying engineering and technology are male. Female participation is skewed towards social studies, languages, education, subjects allied to medicine and agriculture, and related subjects.

What does all that tell us about participation and attainment in our education system? What lessons can we learn for future policy development? Clearly, more detailed research is required around some of those issues, but I suggest that there are already some clear pointers for the future.

The first very important issue is that although our school system, as measured by post-16 participation and retention rates and educational outcomes, seems to provide better outcomes for females, our FE sector and training and apprenticeship programmes provide more equal participation, retention and attainment rates. However, within these overall headline figures, we need to be conscious of differentials between subject areas. As we look to the future of our economy, this could potentially become particularly significant.

The second point is that we need to encourage much higher participation rates in STEM areas, across the board generally and for women in particular. We must challenge the perceptions and stereotypes around jobs and careers in STEM-related areas. We need to change the culture where a good job goes beyond the traditional choices of a teacher, doctor or entry into the professions to one

that fully acknowledges the importance of STEM-related qualifications to future employment prospects.

In the labour market, there are also important differences in the life experience of men and women. With higher levels of qualifications on leaving education, it might be expected that this would mean a higher level of participation in the workforce. However, for women aged between 16 and 64, the economic activity rate is 66%, compared with 79% for men. Over one third of women aged between 16 and 64 are economically inactive, compared with one fifth of men, with 35% of working-age inactive women unavailable for work due to family or home commitments. Over the past five years, despite the economic downturn, the activity rate for women has increased by 2.6%, although there was a 0.7% drop in 2011-12. The figures for males over the same period show a 0.2% increase overall, with a decrease of 0.4% in 2011-12.

Although trends in economic activity rates are moving in the right direction, there is still much to be done if we are to match the rates elsewhere. Clearly, there are very good reasons for people who, for personal choice or family reasons, are not in a position to enter the labour market. However, a significant number of men and women who are economically inactive would prefer to be at work, but barriers are making entry into the labour market difficult for them. These barriers may range from poor health and family commitments to a lack of skills, confidence or childcare. The key point is that the profile of barriers will be different for men and women. We will address these issues in the Executive's forthcoming economic inactivity strategy. The strategy will need to be sensitive to the gender issues underlying the general problem. The Steps to Work programme offers assistance back into the labour market for those who are actively seeking work. I am glad to be able to report that men and women who participate in the programme have an equal chance of finding sustainable employment. Therefore, there is no success differential in gender outcomes for the programme.

Turning to employment, there is a general impression that the work experience of men and women is different and that many more women are engaged in part-time rather than full-time work. That is borne out by labour market statistics, which show that 71% of working-age males are in employment, compared with 63% of females. That difference has narrowed over the past five years; indeed, of those in employment, 40% of women compared with 10% of men work part time, and 80% of part-time employees here are women. This, however, seems to be largely a matter of choice. Some 72% of female employees who work part time say that they do not want a full-time job. Most discouragingly, there has been a widening of the gender pay gap for employees in Northern Ireland despite higher public sector wages on average. Overall, female median hourly earnings are only some 90% of male earnings.

Another important distinction relates to self-employment. Although women account for around half of all employees, only 20% of those who are self-employed are female. Private start-ups are an important driver for economic improvement, and the female level of entrepreneurial activity is only 4%, compared with over 10% for men.

In many respects, the work experience of men and women here broadly reflects that of the labour market in Great Britain, so we can conclude that, for those in work, the

participation experience of men and women here is not out of step with elsewhere, but we should not be complacent. If we look at the occupational distribution of men and women in employment, we see some important differences that have implications for the future.

In 2011, 46% of women were working in education, health, social work and public administration, compared with 18% of men; only 3% of women were in skilled trades, compared with 24% of men; and 5% were in manufacturing, compared with 14% of men. Proportionally more women — a fifth — work in professions, compared with only 14% of men. So, we see an occupational profile of women largely focused on the public and service sectors. That has contributed to a cushioning effect for employed women in the recent downturn. The employment rate for women in the last five years to 2012 has actually increased by 0.9%, whereas the rate for men fell by 4.5%.

#### 10.45 am

What of the future? The Executive are making considerable efforts to rebuild and rebalance our economy. A number of priority growth sectors have been identified in the economic strategy, including telecommunications, ICT, life and health sciences, agrifood, advanced materials and advanced engineering. Future growth in jobs will be concentrated in and around those areas.

Similarly, my Department has identified a number of economic sectors on which employment and skills provision will be concentrated. They include business services, specifically ICT; financial services; retail and hospitality in support of tourism; advanced engineering; agrifood; creative industries; advanced manufacturing and materials. It is likely that, given the educational choices being made, most of those growth sectors will be heavily populated by male employees. For example, males currently outnumber females in the manufacturing sector by a ratio of 4:1.

Another example of the imbalance can be seen in the ICT sector. My Department has recently piloted a number of initiatives in that area. The public private ICT apprenticeship scheme has seen 32 self-selecting ICT apprentices employed in a variety of companies in software and infrastructure roles, with only three of those apprentices being female. South West College is also piloting a higher level apprenticeship in ICT, and only two of the 12 participants are female.

Overall, jobs in STEM-related industries currently account for 11% of total employment, with the ratio of males to females being 3:1. By contrast, the areas in which women are over-represented or more equally represented are set to grow less strongly in the future, raising implications for future job opportunities. Raising that aspect of relative gender participation is not simply about equity. There is a very real challenge in enabling this region to reach its full economic potential.

We are increasingly competing for investment based on the quality and skills of our people. There are incredible opportunities for regions such as Northern Ireland. If we could begin to replicate the level of participation of women as for men in certain priority sectors, such as ICT, we could capture even more inward investment and have a positive impact on the growth of indigenous companies that are also facing challenges in recruitment. As we seek

to rebalance the economy, with a strong innovation- and export-led private sector, we need to ensure that we are maximising the opportunities for everyone in the highly skilled jobs of the future while not undermining our own prospects for growth through not encouraging sufficient participation from both genders.

Despite greater participation rates in higher education and equal participation in further education and training, the statistics suggest that the skills sets of women in employment may not be being fully recognised by employers. Although around 77% of females who graduate find work within six months compared with around 70% of males, a slightly higher proportion of males than females — 69% compared with 65% — report finding a graduate-type job. Despite better educational outcomes, some 22% of female employees are in administrative or secretarial roles, compared with 7% of men. As a whole, some 5% of female employees are managers, compared with 10% of men. Women account for only around one third of all managers and senior officials; for example, in the Northern Ireland Civil Service, less than a third of the Senior Civil Service is female.

I remain concerned that, for whatever reason, women may not be fulfilling their potential, including reaching the boardroom. The Chief Executives' Forum states that, of its 129 members, 39 are women; that is less than one third. In public life, less than one quarter of local government councillors are women. The Assembly has only 20 female elected Members out of a total membership of 108. Although the picture in public appointments has been improving, with 34% of public appointments occupied by women compared with 15% 30 years ago, the situation is not as encouraging at the chair level, where only 18% are women. One challenge is how to encourage more women to apply for public appointments, where their success rates are high.

Indeed, although only 26% of applicants were female, 51% were successful compared with 38% of male applicants.

The primary purpose of this statement is to raise awareness of particular features of our labour market and to better understand the potential consequences that may flow from those features. I am eager to hear the comments of Members, the wider business community and civil society.

Throughout life, we see differences in the experiences of men and women. Sometimes that is through choice — rightly so — but sometimes it is because of other factors that may impact differently on the opportunities that are presented to men and women. This morning, I have provided an overview of some of the more important gender issues that we face in Northern Ireland.

We cannot leave things as they stand, and we must not be complacent. There is a real risk of unfulfilled potential if these matters are not adequately addressed. That would not be good for individuals or our economy, nor would it be good for the social development of Northern Ireland.

However, that is not to say that we are doing nothing. The Office of the First Minister and deputy First Minister (OFMDFM), in line with its gender equality remit, leads the cross-departmental gender equality strategy. The strategy has been in place since 2006 and an action plan since 2008. OFMDFM is in the process of completing an interim review of the strategy and its action plan, and it is expected

that a revised strategy and action plan will be in place by autumn 2013. OFMDFM is also drafting the Northern Ireland childcare strategy to address childcare as a barrier for women returners.

Alongside the Department of Enterprise, Trade and Investment (DETI), my Department is drafting an economic inactivity strategy to increase our overall level of labour market participation. My Department also has initiatives to address some of the challenges that I outlined and some of the opportunities that are to be seized. We are working to increase the skills levels of our population in relation to the STEM agenda. Indeed, increasing female participation in STEM areas is a vital component of the STEM strategy. Proactive careers advice is essential for everyone, and gender issues will be a major aspect of the forthcoming review of our careers strategy. Gender aspects are one of the key themes in the terms of reference for my major review of apprenticeships and youth training. We are also developing strategies to widen participation in higher education, particularly for young males in working-class areas, and to improve retention.

We should not pretend that these actions alone will address imbalances, but they can make a significant difference. Moreover, it is important to recognise that this is an issue not only for government but for wider society. We need to confront, address and change attitudes and cultures.

**Mr Buchanan (The Deputy Chairperson of the Committee for Employment and Learning):** I thank the Minister for his statement to the House. He said that the STEM ratio between males and females is 3:1. Will he advise the House how successful his efforts have been in encouraging higher participation rates for women in STEM areas, and what are his plans for the future?

The Minister also referred to the barriers that women face with childcare and OFMDFM's work to seek to address that. Will he advise the House what policies the Department for Learning and Employment (DEL) can implement that will help to remove those barriers?

**Dr Farry:** I thank the Vice-Chair of the Committee for his comments. There are two aspects to the STEM issue: first, at a general level, we need to increase the number of people who study STEM subjects and then go into careers in STEM-related areas; and, secondly, there is a particular challenge in encouraging more women to engage in those areas. In some respects, my central message today is that we need to look to where future growth will be in our economy and ensure that we give equal opportunities to everyone to participate in those areas. Moreover, if we are to capture our economic potential fully, we need to mobilise as many people as possible to work in those areas. So, there is a double or treble challenge in advancing that.

As the Member knows, an interdepartmental STEM strategy is in place, and my Department is a key player in that. We look to the business community in particular to drive that strategy forward and to encourage different levels of participation and improve what we have. The STEM business subgroup and the Equality Commission are organising an event for the end of June to take forward and highlight some of the issues that I raised today.

As the Member knows, the childcare strategy is OFMDFM's responsibility, and it is making good progress.

I am happy for my Department to engage with that. My officials and advisers have had a number of discussions around what more we can do to assist. At this stage, our primary responsibility is to address the workforce development angle, to make sure that we have a skilled workforce that can engage and assist with a childcare strategy.

**Ms McGahan:** I thank the Minister for his statement and for raising these issues, some of which are extremely serious, such as a widening of the gender pay gap and the fact that more women than men are working part-time. My question is somewhat similar to that of the Member who spoke previously. STEM subjects are fundamental to our economy's recovery. Given that only 30% of females graduate in those subjects, will the Minister tell us what steps he is taking to address gender stereotyping in STEM subjects, which tend to be male dominated?

**Dr Farry:** I thank the Member for her comments. She is right to highlight the central importance of STEM subjects to the growth and recovery of our economy. It is important that we seek to challenge particular stereotypes. That is a job for government, and I particularly highlight the forthcoming review of the careers strategy. I am sure that your colleague the Minister of Education, who jointly holds that strategy with me, will share our aspirations to improve participation rates in STEM subjects.

There is also a wider societal issue, and that is where we in the Assembly can highlight the issues and, where we have responsibilities, take a lead. It is also important that we use this platform to try to challenge, and urge others to challenge, the stereotypes that are built up around a number of different careers. It is important that we allow all to develop to their full potential and take these opportunities. To see certain things as traditionally or currently being the preserve of males is wrong, and we have to confront that.

**Mr P Ramsey:** It is significant that the Minister has commissioned such a detailed report. Does he accept that, historically and traditionally, the vast majority of females in our community were and are forced into home and caring responsibilities? What collaboration has taken place with the Health Department or the Social Development Department to identify females carrying out serious responsibilities at home so that they can be reskilled to become economically active?

**Dr Farry:** I thank the Member for his comment. My first response is that this has to be about facilitating choice and options for women rather than our going out with a message that every woman has to work. We must respect that every woman will want to make a decision on whether to work that is right for her and her family. However, where we have evidence that a lack of support or opportunity is holding women back from fulfilling their potential, we have a duty to intervene and to look at how we do so.

There are two issues to highlight. The first is underemployment, in the sense that we have well-qualified women performing at a lower level overall than their male equivalents in the workforce. Therefore, there is an issue with progression in the workplace that may sometimes be related to the level of support available for women.

The second is economic inactivity. Family commitments are a major barrier to women who are economically inactive participating in the labour market. We are working

on a cross-departmental economic inactivity strategy. The Department of Health, alongside the Department for Social Development (DSD), DETI, OFMDFM and my Department are key players in that. We are looking to see what policy areas we can advance to enable more women to participate. That issue is very much live and one that has already been identified as part of the baseline analysis that we brought to the House in April. We are working on that, and it is a key theme in our work.

**Mrs Overend:** I welcome the Minister's statement. In fact, it is quite timely. We must all play our part in encouraging more women into not only those growing sectors such as STEM but the world of politics.

Does the Minister feel that a high level of women on the boards or at management level in FE colleges and universities has an impact on helping to direct females into those particular career paths? Will he outline if that is being thought about and whether he is proposing any changes or improvements in that regard?

**11.00 am**

**Dr Farry:** I thank the Member for her comments. It is a timely statement to make. A lot of attention is being paid in other areas to participation issues, including this week. I know that there was an event on female suffrage yesterday evening in the Assembly. I also understand that today is the 100th anniversary of Emily Davison throwing herself in front of the King's horse at the Epsom Derby. The timing of my speech today is pretty coincidental, I stress, but it does put things into historical context to a certain extent.

The Member is right to highlight the importance of using role models to break through some of the stereotypes and begin the process of widening participation in a number of key areas. She is quite right to focus on boards, and she mentioned the FE sector in particular. As Ministers, we have to make appointments based on merit and judgements based on the skill sets required, but where we can make a difference is in ensuring that we make appointments from the widest possible pool of applicants. It is important that we do everything we can to encourage women to come forward for public appointments. Indeed, in the statement I highlighted that their success rate is actually better than that of male applicants. What is critical is the number who apply in the first place. In turn, that will create a snowball effect, whether it is other women seeking to find a public appointment or by setting an example to others to go and study particular courses at an FE college or higher education and then pursue careers in those areas.

**Ms Lo:** I really want to commend our Minister for bringing the statement to the House today. These concerns have been with the women's sector for many years. They are not new issues. We have a number of policies either being drafted or being reviewed at the moment and they are not really making a lot of difference. Can something more be done, such as legislation to support a better work/life balance for families and carers?

**Dr Farry:** I thank my colleague for her comments and question. First, what I am saying here today is not particularly new in many respects. What is new, perhaps, is that we are trying to tie it together and link it very clearly to the future needs of our economy. We are sending out a very clear message that, if Northern Ireland is to really

succeed and prosper as a region, we need to marshal all of the talents of our people — and I mean all of our people — and, in particular, ensure that we have a critical mass of people going into the high potential growth sectors in our economy.

An emerging theme is how we can address barriers and provide opportunity and support to people when making choices in the workplace. What we do, in legislation, can play a role in that regard. Later this week, I hope to announce the public consultation on shared parental leave for Northern Ireland, which will hopefully make a difference for young families and enable a wider range of choices to be made. We are also looking to see whether we can do more on flexible working for people of all genders.

It is also important that we stress at this stage that the notion of shared parental leave, or, more generally, flexible working, should not be seen as being a threat to the business community. If anything, the business community actually understands the real value of investing in staff, rewarding staff and, as far as practically possible, granting flexibility to workers. In turn, that increases productivity, creates a better atmosphere in the workplace and shows that everyone is appreciated and that their individual circumstances are acknowledged. Through that type of process, I think we will all stand to benefit, businesses included.

**Mr Ross:** I compliment the Minister on his choice of shirt and tie this morning. *[Laughter.]* There are two things in the statement that jump out: first, the under-representation of young Protestant males in training and, secondly, the number of women graduating in STEM subjects and participating in the STEM apprenticeships. Will the Minister reaffirm his belief that merit is the primary principle and that, although we should, of course, encourage those who are under-represented in certain areas of our economy and in training, we should resist any temptation to introduce quotas?

**Dr Farry:** I thank the Member for his comments. Maybe he has donned his yellow tie in order to seek a transfer at some stage. *[Laughter.]* I believe strongly in the merit principle. What I have put forward today should not be seen as a threat to that or a call to move away from it. We want to ensure that everyone is treated on merit, but, in order to get to that point, we need to have proper and equal opportunities for everyone to compete. We need to ensure that everyone is informed and has the confidence to take advantage of the various opportunities that are open to them. That said, there are others who hold the view that different types of interventions may be required in very particular and discrete areas. We have had discussions in particular around aspects of public life.

I still hold to the merit principle as the way forward, but I am not dogmatic about it. Those debates will need to continue over the coming months and years, and we will see where we go in the future. For now, in particular for our economy as a whole, we should operate on the basis of merit. If people fully consider all the options available to them, we will see balanced participation at all levels of our economy.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. Once again, the Minister has provided us with a lengthy and detailed statement, which is very welcome. I welcome the

increased focus on female participation in STEM subjects. Will he outline to the House what he is doing to improve the situation? What policy changes does he plan to make?

**Dr Farry:** I thank the Member for his comments. I promise that my next statement to the Assembly will be shorter than the previous two. This is an important cross-cutting issue, and there are many layers that I wanted to highlight to the House. In considering policy on the way forward, it is important to acknowledge that government has a role to play and that there are other things that we can do and should consider in the very near future. Government is, however, not solely responsible for changing this, and we are not the only player. We need the business community to provide even more leadership, and there are already some very strong voices in that community, speaking out on these issues. We also need a wider change of culture in civic society, particularly in careers and the way in which we sometimes socially steer people in particular directions without fully appreciating the range of choices that are available to them.

There are more immediate actions that we can take. We have already discussed the economic inactivity strategy, and gender issues will be a core aspect of that work. Next year, there will be a review of the careers strategy for Northern Ireland, and I know that the Committee for Employment and Learning has already done a lot of work on that. I am determined that gender issues will be a core component of the review of careers.

We have already included gender issues in the terms of reference for the review of apprenticeships and youth training. One of the things that really brought the issue home to me arose when we were reviewing adult apprenticeships and restoring some of the money that was otherwise going to be cut. We took a decision that we needed to focus adult apprenticeship funding around the core areas of our economy, but, when we ran through the numbers and analysed how that would affect the demographics, there was a very clear differential impact in favour of men and against women. In many respects, that opened my eyes to the fact that, in government, we need to be much more sensitive to the policy environment in which we work, and we need to ensure that we act in the wider interests of the economy.

**Mr Douglas:** I thank the Minister for his statement. He said:

*"In many respects, the work experience of men and women here broadly reflects that of the labour market in Great Britain".*

Is the experience of education and training also the same as in Great Britain? Has the Minister looked at other regions where there are under-representations and lack of participation? Has he looked at other regions to see whether there are models of good practice or good examples?

**Dr Farry:** I thank the Member for his questions. In some respects, what is happening in Northern Ireland is not that dissimilar to what is happening in Great Britain. In many respects, we are very similar, and some of those trends are apparent elsewhere in the Western World. That is not an excuse for us to say that everything is fine here; we cannot be complacent about these things. There is a challenge for us all to face up to those issues. If anything,

Northern Ireland has an opportunity to do things better, because we are a region that is playing catch-up and we have huge aspirations to grow our economy.

We need to be very alert to all of the levers at our disposal and all the challenges that we have to address to maximise efficiency in our economy. That gives us a double incentive to drive forward the agenda of better participation and addressing occupational segmentation.

There will be examples of best practice around the world. This is very much an early piece of work that we are doing and bringing to the Assembly. I am keen to learn from best practice elsewhere to see if there are lessons that we can apply. One of the things that we need to be conscious of in Northern Ireland and where we are perhaps proportionately worse than other regions is our very conservative social attitude around what happens with people who do well at school. People who are good at science are channelled, almost ruthlessly, by schools into medicine or allied health professions. Similarly, if somebody is good at humanities, they are very quickly steered towards law. It is important that we see ICT, engineering, working in the agrifood sector and working in the creative industries as the equivalent of professions. They are just as good, if not better. In many respects, they offer more lucrative careers, with a lot of international opportunities. They offer people better pay prospects in many respects and a better lifestyle, plus the ability to contribute to a growing dynamic economy in Northern Ireland.

**Mr Byrne:** I thank the Minister for his statement, given that it is the 100th anniversary of the suffragette movement. Why is he waiting for the gender equality strategy from the Office of the First Minister and deputy First Minister? Why be the hind tit Department? Why not lead and go for a 40% quota for non-departmental public bodies, the governors of colleges and other public companies, where there should be a lead from government to have a 40% target for females?

**Dr Farry:** I thank the Member for his question. I will pick up on the analogy of Emily Davison: this is not a race between Departments to get to the finish line on all of this. This is about co-ordinated action across government. The reason I made reference to the OFMDFM strategy was to illustrate that there is a cross-departmental framework in which a number of these policy areas can be taken forward. I am happy to take forward the issues that I have outlined and others that the Member and his colleagues may wish to illustrate, either in isolation from today or as part of a wider strategy. It is not an either/or choice.

The issue he raises about quotas reflects the opposite of the perspective that Alastair Ross took a few minutes ago on the issue. I said that I still believed that merit was the best way forward, although I am not dogmatic on the issue and I am open to hearing the counter-arguments around all of that. The key issue, particularly around boards and public appointments, is ensuring that we have a wide range of applicants coming forward. The success rate of women compared with that of men is better already in that regard. So, the key intervention has to be all of us encouraging more and more women to put themselves forward for public appointment.

**Mr Lyttle:** I also welcome the Minister's statement and the commitment that he has shown to gender equality

of opportunity in education and employment in Northern Ireland. How fit-for-purpose is the careers guidance system? How important is it for our schools to work with organisations such as Sentinus to improve the access to STEM inspiration?

**11.15 am**

**Dr Farry:** I thank the Member for his comments. The House will be aware that careers is a major cross-cutting theme, and, every time I have a discussion with a group of business leaders or others in civil society about the needs of our economy, the conversation invariably comes around to careers. Careers is, therefore, very much the building block on which our economy will be built, enabling people to make informed choices about their future. John O'Dowd and I are committed to a review of the careers strategy in 2014. That is fundamental. The Committee for Employment and Learning is finalising its inquiry into careers, and we look forward to its report and will certainly give full consideration to all the recommendations. It is important to understand that careers happens in two respects: we have careers teachers in schools, and we have the Careers Service, which is part of my Department and operates in schools and elsewhere in the community. Between those two levers, we have to ensure that we give our young people the best advice and show them the full range of options available to them. That information must be informed by accurate labour market information and opportunities. People can make their own choices, but those choices need to be informed choices, including on where the real job prospects will lie in the future of our economy.

**Mr Allister:** I confess to being somewhat unclear about the purpose of the statement. Yes, it provides some useful and interesting statistics, but, given that we have anti-discrimination laws and equal pay laws and given that life choices lie behind some of the statistics, such as more women in part-time work, what is the Minister anticipating to propose, bearing in mind that he is also somewhat hampered by the fact that equality is an OFMDFM proposition? What does he think he will come up with? In addressing male monopolies, has he reflected at all on the male monopoly in Alliance's holding of Executive posts? Could he maybe lead by example on that?

**Dr Farry:** I am not sure whether Anna is looking over my shoulder in that regard.

I think that I was very clear to the House that this is somewhat of an unusual statement in that we are not making a major announcement or suggesting a major change in policy today. However, it is important that the issues are highlighted. They all tie together, and, in some respects, the central message that I am trying to get across to Members and to the wider community is that Northern Ireland is, at the moment, looking to the future and has the potential for a major economic transformation. That transformation will be based on skills and the quality of our people. We have the potential to grow our local businesses and attract a lot more inward investment. However, in the areas in which we are likely to grow, participation is very heavily skewed towards males and away from females, and, while that may reflect a degree of choice for some, I do not believe that that is the case for the vast majority of people. I believe that it is because of the stereotypes that build up around careers, and, if we are

to really maximise our potential, we need to have as big a skills pipeline as possible coming through. That is why we need to highlight the issues.

There are things that my Department can do through the STEM strategy, the review of apprenticeships and the economic inactivity strategy that can make a difference in some respects to the overall pattern, but I am under no illusion that that requires effort across government, from the business community and from wider civil society. Nonetheless, we have to make a start, and we cannot simply say that it is too tall an order or that there is no problem here to begin with. We cannot afford to be complacent at all. We need an economy in Northern Ireland that works as efficiently as possible. While there may not be as many cases on sexual discrimination or equal pay today as there were several years ago, there is nonetheless a pay differential between men and women. That largely reflects the progression that happens in the workplace when men and women leave college or training. In particular, women leave higher education in greater numbers and with better qualifications, but that is not reflected in pay levels. Clearly, something else is going on in our economy that we need to grapple with. It is not only an economic issue but a moral and ethical issue around equality of opportunity.

## Executive Committee Business

### **Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013**

**Mr Attwood (The Minister of the Environment):** I beg to move

*That the draft Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 be approved.*

I have a sense of déjà vu in relation to this statement. I have been here before, and the Department got it wrong before. So, no ifs and no buts; I hold my hands up in that regard. Subsequently, I will explain how that arose.

The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 apply environmental controls to a range of industrial activities. They are enforced by the Northern Ireland Environment Agency and the district councils. They apply to a broad range of industrial activities from large power stations, incineration plants, chemical production, waste management, agriculture and right across to small dry-cleaners. These regulations transpose the industrial emissions directive and consolidate various pieces of legislation relating to pollution prevention and control made over the past 10 years. So, we are trying to capture in one place a lot of the industrial emissions requirements that were otherwise scattered across a number of pieces of legislation and, at the same time, take out of that which is governed by the regulations activities that are no longer ongoing.

The regulations revoke and re-enact the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2012, SR 2012/453, which were made only in December of last year. The Examiner of Statutory Rules, however, subsequently brought to the attention of my Department a procedural defect in their making. The 2012 regulations were made by the negative resolution procedure and should have been made by the draft affirmative procedure following a debate in the Assembly. It is my understanding that the fines that are now part of the regulations are increased from what they were and were increased as a consequence of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011. Under the relevant Environment (Northern Ireland) Order 2002, there was a requirement that, when there was a change in the penalty — in this case an increase in the fine — the draft affirmative procedure should have been deployed rather than the negative resolution procedure. In that tension between increasing the fines through the Clean Neighbourhoods Act and the requirements under the original 2002 order, this mistake arose. Advice was taken at the time. It appears that there was a breakdown in communication between the Department and those who were giving advice, and, consequently, the error arose in December.

I am taking this opportunity today to re-enact the regulations to avoid any doubts over the vires, to comply with the requirements of the original order and to gather in one place the requirements that I outlined in the earlier part of my statement. I ask the Assembly to approve the draft regulations.



**Ms Lo (The Chairperson of the Committee for the Environment):** The aim of the regulations is to achieve a high level of protection for the environment from the harmful effects of industrial activities. The directive is a recast of seven existing directives concerning integrated pollution prevention and control; large combustion plants; waste incineration; solvent emissions; and three concerning waste from the titanium dioxide industry. Members considered the full set of regulations at our meeting on 10 January 2013 and were content to approve them, subject to the report of the Examiner of Statutory Rules.

The Examiner of Statutory Rules was content with the drafting of the regulations but drew the Committee's attention to the fact that they had been introduced inappropriately and, in his eighth report to the Assembly, stated that, as the regulations:

*"contain provision ... increasing a penalty on summary conviction from a fine not exceeding £30,000 to a fine not exceeding £50,000, [that] in my view, has the effect of requiring them ... to be made under the draft affirmative procedure".*

To remedy the error, the Department revoked and re-enacted the regulations, subject to the draft affirmative procedure, which has led to today's motion.

I take this opportunity to thank the Department for taking the necessary steps to rectify the error highlighted by the Examiner of Statutory Rules. The Committee considered the draft statutory rule at its meeting on 3 May 2013, and members were content for me to recommend to the Assembly that it be affirmed.

**Mr Attwood:** As always, I thank the Committee for its assistance in the assessment of the regulations and the prehistory to today's motion. As the Member indicated, the regulations capture serious law that creates serious standards for compliance with EU directives. The regulations are a substantial body of law that puts substantial responsibilities on the Department, councils and those who are regulated. The Chair confirmed the reason why we are here, and I confirm it again: the increase in the penalty requires a process other than negative resolution. On the far side of all of this, this is one of our weapons and mechanisms to ensure that pollution prevention and control is properly addressed in this part of the world.

*Question put and agreed to.*

*Resolved:*

*That the draft Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 be approved.*

## Private Members' Business

### Northern Amateur Football League's Primacy Rule

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

**Mr Ó hOisín:** I beg to move

*That this Assembly calls on the Minister of Culture, Arts and Leisure to bring forward proposals on how the Northern Amateur Football League's primacy rule could be removed to promote greater sharing and integration of facilities for soccer.*

Go raibh maith agat, a Cheann Comhairle. Mar urlabhraí cultúir, ealaíon agus spóirt do mo pháirtí, tá mé breá sásta an rún agus an t-ábhar tábhachtach seo a thabhairt anseo inniu.

As culture spokesperson for my party, I am pleased to bring the motion to the House. It seeks to redress the anomaly that is the Northern Amateur Football League's (NAFL) 2.1 rule — the "primacy rule" as it is sometimes called. The purpose of removing this archaic rule is to create a level playing field for all clubs across the various leagues. It is my contention and that of many involved in soccer — football, if you like — and its development, particularly in Belfast but also elsewhere, that this is an impediment to the development of the sport and the advancement of teams in this and other leagues.

Without development, there is stagnation, and the full potential of sport in our society is not realised. We must encourage that development at every opportunity.

#### 11.30 am

This is all at a time when increased co-operation is taking place in all sports, in particular in soccer. There are numerous examples in practice, including that of Warrenpoint Town, which this season will play their games at Stangmore Park — home of Dungannon Swifts — and, in the past, Ards and Bangor. At an international level, AC Milan and Inter Milan share the San Siro, and Rome and Lazio share the Olympic Stadium. If we go back to the 1970s, we see that, before leaving the Irish League, Derry City played their home games at the Coleraine Showgrounds.

There are also many fine examples of intersport and intercommunity co-operation. I think of Erin's Own Gaelic Athletic Club (GAC) in Lavey in County Derry and the Termoneeny Community Association, which is from what was originally prominently a unionist tradition. They have delivered a state-of-the-art sporting facility that will admirably serve their respective communities together for many years to come. I think also of the new 3G facility in my borough of Limavady. Some opposed it at the start, but all are now agreed that it is a great facility that is used throughout the year. If ever there was a truism for this, it is "Build it and they will come".

In the Northern Amateur Football League, there is the question of ownership and control. Of the 14 teams that were in the league's premier division, just under half the

grounds are owned by the local council, while four are described as being owned by a governing body or club. Two grounds are privately owned, one of which was constructed with public funds, and another club plays its games at a local school. One is in "public ownership", with a process in place for a transfer to new ownership arrangements supported by the Department for Social Development (DSD). How, therefore, might one assume that rule 2.1 would negatively impact on publicly owned facilities, and how might that be challenged by concerned parties such as ratepayers? What impact might the primacy rule have on equality issues between the various leagues?

The fact is that many of the new sporting developments are for integrated multisports provision and have encouraged all the stakeholders to engage in greater sharing and, indeed, to play or support sport that they might not traditionally have followed. That has very much been championed by the Minister and by the delivery of Sport Matters by Sport NI along with the Department of Education. Indeed, in the current comprehensive spending review (CSR) period, the Department of Culture, Arts and Leisure (DCAL) has identified over £10 million for its community capital programme. Central to all of that is the statutory duty under section 75 for all to share facilities. It is that aspect of the effect of the primacy rule that should be a concern to all. Last November in the House, the Minister, in reply to a question from me, confirmed her desire to see the removal of rule 2.1, as that might enhance the opportunities for the greater sharing of facilities, which is very important, particularly in urban areas, where land is at a premium, and maximise the use of the land available by as many as possible clubs and sports.

The NAFL could remove the primacy rule at the sweep of a pen. In every other division, it is not an issue. I will refer to Newington and Crusaders at this point. Newington was the catalyst for the motion and the debate. The work that Newington and Crusaders have carried out in the interests of sport and community relations, particularly in north Belfast, is a legend. That will continue to be the case. In the incoming season, Newington will not be affected by the vagaries of the primacy rule, as they were fortunate enough to be promoted to the professional league. Other clubs, such as Crumlin Star and University of Ulster at Jordanstown (UJJ), which currently ground share, are left wondering what would happen to them if they were successful enough to achieve promotion. There is a significant cost to clubs in a very difficult economic environment, costs that otherwise could be used for the development of the sport and the promotion of the games in communities and areas that suffer some of the highest levels of deprivation across the North.

In another jurisdiction, there was a famous case in which London Welsh Rugby Football Club challenged a promotion denial on the grounds of primacy, as they share their ground with Oxford United Football Club. The learned friends who arbitrated on the matter declared that the primacy rule infringed all EU and UK competition rules and was, therefore, null and void. That, surely, is a principle set as a precedent and should have been more closely examined.

The time has come to drop rule 2.1 — the primacy rule — which does nothing to serve the interests of the development of soccer in the North. The future is in

co-operation and co-ordination to maximise the use of much-needed facilities in grounds. No longer should large, underused facilities that are a significant cost to the public purse and that, even when in use, rarely, if ever, operate at full capacity lie empty for the vast majority of the time. We now need to look at sporting developments in an integrated and strategic manner that will cater for more than one code, one club, one community or, indeed, one sport. The removal of the primacy rule is central to that, and it should go immediately.

The Northern Amateur Football League recently unveiled plans to set up a new elite section that will supersede the current premier section. That new section will sidestep the primacy rule. The amateur league must be given every assistance to be rid of this outdated rule. In the interests of sport, I hope that all here can support the motion.

**Miss M McIlveen:** I oppose the motion for a number of reasons. First and probably most important is the fact that the Assembly should not interfere in what is, essentially, a private contract between parties, namely the Northern Amateur Football League and its members. Many of the league's members joined knowing that the primacy rule applied, and they have the right to request that the primacy rule be amended or set aside. However, on a number of occasions in recent history, the league's members have voted to retain the principle. Members are also free to leave the league and join one of the other amateur leagues that operate in the area. It is in this context that I believe that the Assembly and the Minister should not get involved in the rules of a private organisation and its members.

An arbitration panel considered the Irish Football Association's (IFA) decision to uphold the validity of the NAFL's primacy rule regarding Newington YC's use of Seaview as the venue for its home fixtures in September 2012 and issued its judgement in October 2012, which was a mere eight months ago. That panel accepted that the rules of a league operate as a contract between its members, that parties to a contract are free to contract as they see fit and that such contracts are binding. The panel found that there were no grounds for the striking down of that contract.

My second reason for opposing the motion is that it appears to presume that the primacy rule should be removed and that it is somehow a block to shared facilities. The overwhelming majority of the league's members clearly believe that there are justifications for the rule's retention. The first is the better management of the fixture list, and the second is to encourage clubs to improve their grounds and thereby bring all facilities up to a high standard. The fact that other amateur leagues do not have such a rule is totally irrelevant. The arbitration panel also determined that the continued use of the rule was rational and justifiable.

It is not for us to judge the rights and merits of the primacy rule or its justifications. However, I would like to illustrate its effectiveness as regards the fixture list. It should be noted, of course, that members of the league are allowed to ground share with other members of the league. Problems arise when clubs ground share with those belonging to another league. For instance, one club in the NAFL sought to ground share with a team in the Irish League B division. That was fine until the team in the B division, which owned its ground, had to redo its fixture list just days before the start of the season. Obviously,

that had a knock-on effect on the NFL's fixture list and each of the members scheduled to play that NFL club. The people involved in the league have other jobs and are not involved in the organisations for payment. There is no full-time staff, only volunteers. I can only imagine the difficulties that having a settled fixture list thrown into turmoil can cause. That happened in one instance, but think of the consequences if that were to happen to five, 10 or 20 clubs that ground share with clubs outside the NFL.

Thirdly, it is a bit rich of Sinn Féin to involve itself in the rules of a sporting association. If I can be indulged to take part in the party opposite's favourite game of "whataboutery", what about the grounds, the club names and the competitions overseen by the GAA that are named after those who terrorised people in this country? Those names betray sympathies that result in the exclusion of the unionist community. What are the justifiable reasons for that? When is Sinn Féin going to call on its Minister to do something about that? Addressing such matters would be a much more progressive step, in keeping with her good relations duties, than interfering in something that aids in the day-to-day management of a sporting association.

I ask that the Assembly vote against the motion, which does not simply ask that the Assembly give an opinion but tasks the Minister to step into a private contractual arrangement. It requests that the Minister interfere in something in which she has no right to interfere, and it asks that the Minister try to overrule the stated will of the vast majority of the members. In December 2010, NFL members voted 57 to 17 in favour of retaining the rule. In June 2012, members voted 31 to 9, rejecting any change to the primacy rule. I see no good reason why we should seek to overturn that stated and restated position.

**Mrs McKeivitt:** I support the motion or, more precisely, the sentiments expressed in it about the greater sharing and integration of facilities for soccer. We are in an austere financial period, and the sharing and integration of sporting facilities is absolutely critical to the survival of some clubs and provides great encouragement for others to provide new facilities. My concern is that we, as an elected body, may involve ourselves in or attempt to legislate on the management and workings of a sporting body. Approaches to and dealings with a sporting authority need to be conducted in a very diplomatic fashion and with decorum.

We often hear that politics and sport do not mix, and they do not. However, in order to move things forward, we need to have faith in the Minister's ability to bring forward proposals while keeping that in mind. There are clubs in the soccer fraternity that experience severe restrictions due to the primacy rule, which they consider outdated and unreasonable. Most of us who have followed the arguments made by Newington Youth Football Club, for example, in its appeals to the rule have great sympathy for their plight. A sensitive, common-sense solution should be found.

I take the opportunity to comment on the success of Warrenpoint Town FC, which, just three weeks ago, gained promotion to the IFA Premiership. The club is to be congratulated for its dedication and hard work on and off the field in bringing that small club to the top flight of NI soccer. The club also experienced difficulties because its grounds do not meet the IFA Premiership criteria. It has agreed ground sharing with Dungannon Swifts, which should also be commended. Warrenpoint will start its

Premiership career by playing all its games away from home. However, the good news is that, as usual, the club did not rest on its laurels and immediately set out an action plan to bring its ground up to standard. I can tell the House that, within a short period, with the help of Newry and Mourne District Council, it agreed a development plan to ensure that the ground meets the criteria. I know that the club looks forward to welcoming the top teams to Warrenpoint before Christmas. Warrenpoint Town is an example to other clubs that hard work and dedication will bring success.

**11.45 am**

**Mr McGimpsey:** I will begin by saying that I am somewhat ambivalent as far as the motion is concerned. Many years ago, when I was the Minister of Culture, Arts and Leisure, I brought forward a soccer strategy. That was about promoting the game, recognising the importance of football in the Province and recognising that it was an interface sport that brought communities together. It was about community development, inclusion and promoting football and sporting activity among our young people. I brought forward a strategy that brought the entire soccer constituency together. They devised a strategy, they came forward, and I provided investment to go with it. That had a beneficial effect in a number of areas, particularly in the development of youth soccer.

One of the things that I recognised at the beginning was that this was without my competence. I did not have competence to say to the IFA, the Irish Football League or anybody else what they must or should do. It was done through discussion entirely within the football family, and that is the way to approach issues such as this. In the same way, at that time, the GAA was wrestling with dropping a rule of its own on playing foreign games. Again, whilst I had competence as the Minister for sport, I stayed well out of that. I recognised that that was not an issue for me directly as the Minister acting through the Department. That was a matter for the relevant authorities and the GAA, and they brought forward a rule change that everyone welcomed at the time.

We have here two issues: we have the issue of ground sharing. The development of the relationship between, for example, Newington and Crusaders, which promises jobs, investment and genuine working together in a relationship within the communities — that, as I understand it, requires that rule change. That is a case that Crusaders and Newington are well able to make. The football authorities are also well able to listen to that case and have the competency to make that change. I would be very loath to see us as politicians walk into the middle of a sporting organisation such as the IFA, which is the fourth oldest football organisation in the world and has a proud history and heritage.

**Mr A Maginness:** I hear what the Member says. There is a certain wisdom in what the Member says: there should not be direct political interference in the governance, as it were, of the amateur league. However, the point has to be made that we, as politicians, cannot just sit on the sidelines, to use a sporting analogy, and allow a rule that is not particularly helpful to integration and sharing to be maintained. How do we encourage a change in the rule?

**Mr Speaker:** Interventions should be short.

**Mr A Maginness:** Sorry?

**Mr Speaker:** I am just saying to the Member that interventions should be short.

**Mr A Maginness:** I am sorry, Mr Speaker.

**Mr Speaker:** They should certainly not be statements.

**Mr A Maginness:** Mr Speaker, I am grateful for your indulgence, but — [*Laughter.*] You get the point I am making, I think.

**Mr Speaker:** The Member has an added minute.

**Mr McGimpsey:** Thank you, Mr Speaker, and I presume I get five minutes for that. Many years in the City Hall taught me that, when Alban intervened, it was never a short intervention. I hear what he says and, if that is the desired effect, politicians have a role, but remember this: politics and sport do not mix. That is the key rule. Also, executive authority, as far as politicians are concerned, particularly does not mix. My experience working with football authorities and the football family through a soccer strategy was that the football family was very sensitive to any suggestions that I as the Minister was directing them in any particular way. That is why I believe that this motion is asking the Minister to bring forward proposals that are not within the Minister's competence. This is not like museums and galleries in Northern Ireland funded by the Department. This is not like the Arts Council, which is there to deliver on the policy of the Minister, the Department and the Assembly. This is an entirely independent organisation that has existed for something like 150 years and is one of the oldest such organisations in the world. As I said, the IFA is the fourth oldest and the Irish Football League is the third oldest in the world, and they have managed to run their game for all that time.

Without help from the Minister, the Department or the Assembly, football is working with Crusaders and Newington to bring forward proposals that will look at investment and promote jobs and a new stadium. That is all positive, and we should be here to support that. So, if you ask what politicians should do, the answer is that we are here to support them. We are not here to tell them what to do; we are not here to direct them; we are not here to attempt, effectively, to take over their responsibility. I can assure you that what would happen with football, as would have happened with Gaelic, if I had tried to get involved in that —

**Mr Speaker:** The Member should bring his remarks to a close.

**Mr McGimpsey:** They would have told me to mind my own business. So, as far as the motion is concerned, the sentiment around greater sharing and integration of facilities is the way forward, bearing in mind the challenges to the game. However, the first part calls on the Minister —

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

**Mr McGimpsey:** That is not within the competence of the House or the Minister.

**Mr Lyttle:** I declare an interest as I have been a registered amateur football player, with varying levels of success, for about the past 17 years, and a member of the IFA Football for All advisory panel.

The Alliance Party has been consistent in declaring its support for the benefits of sharing and collaboration for people, including sportspeople, of course, in Northern Ireland. Although the wording of the motion is not ideal, I believe, with clarification from the Minister, that this is not about political interference. It is possible for the Assembly to support the motion today and to send out a message about our willingness to work with rather than dictate to the football community in Northern Ireland to ensure that the provision of what is the most popular sport in the world is as excellent and as integrated as possible.

I take this opportunity to recognise the fantastic work and the important place of amateur football clubs in our local community. Many of those clubs are celebrating 75 to 100 years in existence and are made up of men and women who have dedicated their life to our community and to the game. They are often the only source of social capital and physical activity for many men, women and children across Northern Ireland, and many clubs collaborate with other clubs and other sports at local and regional authority level to directly and indirectly deliver important governmental targets.

I fully support amateur football. My sole motivation is to see all clubs supported in working as collaboratively as possible in order to be part of the successful development of the sport in Northern Ireland. It is, of course, essential, as been mentioned, to recognise and respect the fact that the Northern Amateur Football League is a membership organisation that has previously voted by way of a significant majority to retain the primacy rule that requires amateur football clubs in the Northern Amateur Football League premier division to have sole control of their football ground. I have, therefore, met Northern Amateur Football League officials in an effort to better understand the principles behind that rule. It is clear to me that the primacy rule was devised with good intent to ensure that Northern Amateur Football League premier division fixtures carried an adequate level of prestige or priority and did not clash with other fixtures and to promote the highest standard of amateur facilities possible. So, it is important to recognise the significant and voluntary investment made by many amateur football clubs over many years to manage fixtures and deliver facilities in a way that meets those standards.

It is also important to note that an arbitration panel was unable to rule that the existing rule was irrational, but it also acknowledged reservations regarding its rigid nature. It is also worth noting that the governing body of football in Northern Ireland — the IFA — has set out a facilities strategy that encourages ground sharing, even between clubs of differing status. I believe that it is in the best interests of any organisation to be willing to collaborate and adapt and, in this case, while we respect the membership organisation's status, the Northern Amateur Football League should explore whether the high standards and original aims of the primacy rule can be achieved in a more flexible manner that permits the sharing of facilities.

I hope that, if the proposers of the motion and the Minister for sport can make clear their commitment to engaging in respectful dialogue with affected parties on the issue, it will be possible for the amateur league and the Department for sport to create a platform for the exchange of ideas and to help ensure the development of football for men,

women and children who are dedicated to the sport across Northern Ireland. I also hope that political parties will make clear their support for sharing amongst all sports in Northern Ireland and, indeed, other aspects of life in Northern Ireland. I have heard mention of sharing and integration today. Hopefully, we will hear more of that in relation to education, for example.

Unfortunately, other political parties, in my opinion, have missed significant opportunities to show leadership in the development of shared sports facilities, so I do not think we should underestimate the challenge that it will be for them to reassure people of their sincerity in their commitment to this approach. In that context, I give my assurances that the Alliance Party will respect the decision-making authority of organisations but will continue to clearly and consistently support shared facilities in Northern Ireland, as we believe that is in the best interests of everyone in the community. I would be grateful to hear whether any proposals —

**Mr Speaker:** The Member should bring his remarks to a close.

**Mr Lyttle:** — will include additional resources to help deliver the aims of fixture management and a high standard of facilities in a shared framework.

**Mr Hilditch:** I oppose the motion. As a matter of fact, when I learned from a colleague that the motion had been accepted by the Business Committee it was with some disbelief, now bordering somewhat on embarrassment, that this devolved institution, given all the major issues that we face day to day, can find the time to meddle and interfere in the running of a regional amateur football league, which is the fourth tier of Irish League football.

At the outset, I should declare an interest of a non-pecuniary nature as sponsor of two member clubs of the Northern Amateur Football League, namely Barn United and Kilroot Rec. I also state that I am not opposed in principle to the idea of ground sharing. I am sure that there are many incidences at home and around the world, some of which have been alluded to this morning, where such arrangements are acceptable for various reasons. However, I also believe in the acceptance of the rules of a governing body, more so when that body is made up of the member clubs, as in the case of the Northern Amateur Football League.

I had experience of a negative example of ground sharing when my club was sharing a venue in north Belfast in a higher league while our pitch was being resurfaced. On that occasion, the club had to forfeit home advantage, subsequently lost the points and, of utmost importance, lost the revenue stream from a high-profile game. That was down to political interference.

I return to today's issue and the attempt by some to remove rule 2.1 from the rules of the Northern Amateur Football League. The rule was introduced in the 1991-92 season, when the league put itself to the forefront of change in the local game. It had the foresight to look to the future while others were standing still. Indeed, in many instances, the Northern Amateur Football League led and others followed. The league, many of its clubs supported by local government and other partners, set about improving the facilities and the state of the local amateur game. With its vision at that time, it is apparent that it has

left us an ever-evolving legacy and a portfolio of grounds in a state that the amateur game can be proud of.

The clubs of the Northern Amateur Football League are, in many cases, the backbone of the small communities that they come from in County Down, County Antrim and the greater Belfast area. Therein lies the problem that faces the House today. The Northern Amateur Football League is a member organisation, and the vast majority of members do not wish to change or remove rule 2.1. The evidence is clear: there was an opportunity given for the matter to be decided, first, at an extraordinary general meeting (EGM); a second attempt was made at an annual general meeting (AGM); and, thirdly, it went before a tribunal of legal standing that clearly endorsed the position of the Northern Amateur Football League. That is very clear.

Rule 2.1 is a very practical rule in the governance of the league. I am not sure how many Members would be aware of some of the Northern Amateur Football League sides that have been extremely successful in the latter stages of knockout cups, such as the Clarence Cup, the Border Regiment Cup, the Steel & Sons Cup, the Intermediate Cup and the Irish Cup. Together with its league programme, realising perhaps 40 or 50 games a season, that is an administrator's nightmare. That is why rule 2.1 is crucial: it is necessary that clubs have total control to take a home game on any day of the season as directed by the league. That is not possible with the removal of rule 2.1. Given our climate, the season would be in danger of extending into the following one.

A word used widely in football circles of all degrees in today's world is "respect". It is used to teach our younger players to respect themselves, respect their opponents, respect officials and respect referees as decision-makers. The Assembly would do well to use that theme today and respect the administrators, who work tirelessly on a voluntary basis to carry out the wishes of the majority of the 94 clubs in the Northern Amateur Football League.

Finally, there is an issue in relation to FIFA. It is a case not of "if FIFA gets its hands on the report of today's meeting of the Assembly" but of "when". Political interference is frowned upon by FIFA, and there is a possibility of sanctions. We only have to look back at some issues in Greece, not so long ago, where FIFA threatened to implement sanctions.

As a House, we need to be very careful about where we take the debate today.

#### 12.00 noon

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Ar dtús, ba mhaith liom a rá go bhfuil muid ag caint faoin rún seo inniu agus faoin riail a bhaineann le cad é atá taobh istigh den NAFL. I am pleased to speak to the motion about the NAFL rule.

I listened to Members' comments, and I understand where they are coming from. However, there is a principle here that deals with inclusivity, integration and reconciliation. We need to grapple with those aspects of life as we go towards the future. That is where the focus needs to be. Sílim féin go bhfuil sé an-tábhachtach go gcuirimid an fócas ansin.

Newington Football Club fell foul of the primacy rule. The club has been successful over many years and has a proud history in north Belfast. Although it has been in existence for 20 years, it has never had its own football ground to which it can totally lay claim because of its geography and location, so it has been a victim of the primacy rule. It had a relationship with Crusaders, and until recently was able to use its grounds. That arrangement came to an end, and in spite of appeals, the club is no longer able to take advantage of that relationship.

It is worth mentioning the work that the club has done in terms of community development, engagement and looking to the future. There has been a history of sectarianism in north Belfast, and they have had a seriously negative experience of the conflict. Everybody knows about that. Instead of making the club the victim of a rule, we should have applauded its efforts and made it a prime example of where other clubs need to be as they move towards the future. The club is still involved in the Peace III initiative, and it is good that 1,500 young people will benefit from that. *Caithfimid díriú ar na buntáistí a bhaineann leis sin agus a bheas le feiceáil thar spórt amháin.* We need to look at the benefits that will be achieved because of the club's efforts, which go beyond sport alone.

The rule states that any team that plays in the first division has to have total control over its grounds and facilities. It has to be approved by the intermediate committee and meet other standards as set out by the league. "Total control" means that the club has first call on its pitch and access to it on any day of the season. I make the case that the rule is out of date. It does not have relevance in the world today for the reasons that I have stated. It does not make sense that pitches are lying unused and other teams have to travel long distances to play games. *Sílím nach bhfuil ciall leis sin.*

We need to think about young people and the message that we send out. We need to encourage them to take part in sporting activity. We need to applaud them for being involved in positivity when we sometimes tend to see the effects of young people's engagement in negative activity. We also need to applaud and encourage involvement in healthy activity and, as I said, activity that focuses on reconciliation and integration. If there are impediments that make that difficult, we need to look at what we can do about it. We need to look at it in the genuine spirit of greater sharing and integration of soccer facilities.

This issue is important to DCAL. Sport Matters lays out the requirement to provide multisports facilities and services that are available to and shared by many clubs. That is the essence of what we need to focus on. It is also a section 75 duty to share facilities. These days, we encourage schools to share facilities, and they are now actually required to do so. We need to bear in mind that everybody needs to look in one direction.

**Mr Speaker:** The Member must bring her remarks to a close.

**Ms McCorley:** OK. In an ideal world, all clubs would have their own pitch, but it is not an ideal world. In that context, *caithfimid daoine a spreagadh gach rud a roinnt le chéile.*

**Mr McDevitt:** I am happy to support the motion. I endorse what colleagues said about the need to continue to encourage greater sharing and participation in all sport in

Northern Ireland. The issue of sport being as much about participation as it is about competition has often been debated in the House, but I think that we are still failing to address it properly. It is a debate not just about facilities or, indeed, sporting clubs but about the way in which we treat sport in our schools and the amount of time dedicated to physical education in a school week. All of that points us in a direction that suggests that we as a region really do not seem to value the contribution that greater participation by many in sporting activities of any form can make to the health and well-being of our society.

I will now deal with the specifics of the motion. I was drawn to correspondence that the SDLP received from Mr Bernard Thompson, the secretary of Newington Football Club. In the letter, Mr Thompson states that the primacy rule made perfect sense when it was brought in. He says that it was brought in to encourage clubs to invest in their facilities. Indeed, his opinion is that it had a very positive effect in the early years because clubs did just that. However, today, he describes the rule as having conspired against itself, a bit like many rules, by acting as an impediment to the development of the sport of soccer and the development of facilities, in particular, I suppose, his facilities.

Interestingly, Mr Thompson talks in his letter about the partnership that Newington now has with Crusaders and even goes on to point out:

*"Our partnership with Crusaders FC was much greater than simply sharing a pitch together. Our clubs through a joint social enterprise called Seaview Enterprises, are currently and very successfully running a sporting education initiative at Seaview through Peace III funding with three staff employed full time. Over 2000 people have participated in programmes through Seaview Enterprises since October 2012. The initiative is setting a benchmark to all clubs in N. Ireland on how they can bring our society and communities to a new level of collaboration while embracing 'Shared Space'."*

I think — I hope — that this is the point of the motion: to ask us to think a little bit outside the box. Colleagues referred to missed opportunities in the past decade, and the SDLP still regrets the House's failure to support the concept of a shared stadium at the Maze site.

**Mr Humphrey:** I am grateful to the Member for giving way. He may be aware that Distillery, which is the club that I supported as a boy, was forced from its ground in north Belfast and had to travel around the city like nomads for a long time before it eventually moved to Lisburn. Distillery had to ground-share with Crusaders, Brantwood and, indeed, other clubs. The clubs did that among themselves and reached mutual agreement across the piece. There was no political interference in football's governing body. This is the concern that we have: political interference in sport is simply not acceptable.

**Mr Speaker:** The Member has an added minute.

**Mr McDevitt:** Thank you very much.

I echo Mr Humphrey's assertion that political interference in sport is simply unacceptable — it absolutely is. I think that what the motion seeks to do — the proposer will be much better able to articulate this than me — is identify the issue and call on the Minister to see whether there are ways in which her office can contribute to a solution.

I note that the DUP signed a letter about the primacy rule with the other parties on Belfast City Council. I understand that the letter was to do with the Crusaders/Newington case when that was working its way through the system. Therefore, I suppose that what I am asking is why the party was willing to take a very pragmatic view on Belfast City Council and sign an all-party letter at that time but is apparently taking a very different position in the Assembly today. There is something very powerful about a place such as ours sending out a signal to all those really important organisations, sporting and others, to encourage them to invest in much greater collaborative working.

When I played soccer very badly, nowhere near as well as Mr Lyttle, although his fitness levels are not what they should be, we were so dependent on the weather. It was in an era before 1G pitches, never mind 2G or 3G pitches. When you play today, you see the opportunity to benefit from what are pretty expensive things to build and maintain. I would love to live in a city in which every kid has direct access to proper all-weather facilities. I would like our kids who are into soccer or any other club game to be able to play for clubs that they have pride in, but not necessarily to feel that their club needs to have a place that belongs to it and it alone. They should get to play on the best pitch possible, and those with real talent should be able to maximise and build their talent because they are playing in the best place possible.

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

**Mr McDevitt:** Perhaps the DUP could come back to the question around whether it has one policy here and a different one in City Hall.

**Mr Speaker:** The Member's time is up. I call Alban Maginness, and Mr Maginness will probably tell us that he is playing football as well.

**Mr A Maginness:** Thank you very much, Mr Speaker.

All politics is local: Tip O'Neill said that. I had the honour of meeting Tip O'Neill many years ago, and he reinforced that message to me. North Belfast is now the capital of soccer in Northern Ireland, what with the success of Cliftonville, Crusaders, Newington and Crumlin Star, which has been outstanding in its successes. Crumlin Star won the league title, the Border Cup and the prestigious Clarence Cup.

However, the problem, as exemplified by my colleagues, is that we have a rule that was brought in, originally, for very good reasons — and it did some very good work for the development of clubs in encouraging them to develop their grounds and so forth — but the unintended consequence is that it prevents sharing. We want to encourage as much sharing as possible. In particular, we want to join that with the agreed approach of the Assembly and this Executive; a shared future. However, this rule is unfortunately acting as an impediment and is preventing that from happening. We want to try to encourage the NAFL to change its mind.

The motion does not state that the Minister has to bring in a policy that will force the NAFL to change its mind. It states that the Minister should “bring forward proposals”. I heard Mr McGimpsey, who was Minister for sport and is well acquainted with football and the needs of football. I respect his views as he speaks with authority on this matter, and I respect the caution that he has given to the Assembly not to interfere directly in the internal affairs and governance of the NAFL, but the motion does not do that.

The point is that it is up to us, as interested spectators, to ask the NAFL to look at this rule and see whether it can be changed for the better of football.

Newington made its points with great strength. The case was rejected in arbitration because that body said that there was nothing unlawful about it; everything was legal and watertight as far as the law was concerned. However, in my view, and in reading the arbitration ruling, it did not go into the actual merits of the case. That is the problem. I am not criticising the decision, because it was made on the legalities, but it did not go into the merits of the case.

We are suggesting through the motion — if I can be so bold as to reflect the views of other colleagues — that the northern league really needs to look at the rule again and find ways and means of amending it so that we can genuinely be much more flexible and encourage the greater sharing of facilities.

**12.15 pm**

**Mr Humphrey:** I am grateful to the Member for giving way. When his party met the Irish Football Association and had conversations with it about this issue, what advice did it give? Will he address the warning that my colleague from East Antrim gave about political interference? He cited Greece as an example. Sanctions could potentially be taken against the Irish Football Association in Northern Ireland if we progress this.

**Mr A Maginness:** I hear the point that you are making about political interference. That point was very well made by Mr McGimpsey. Your colleague made a similar point. I think that everybody is conscious of that. However, this is not a diktat to the league; it is simply an attempt to try to get greater thinking —

**Mr Humphrey:** In here?

**Mr A Maginness:** Well, this is a political body.

**Mr Humphrey:** Correct.

**Mr Speaker:** Order. Let us not have debate across the Chamber. The Member has the Floor.

**Mr A Maginness:** We are expressing a political opinion on an issue of public importance. In my view and the view of colleagues, it affects the future development of the sport at an amateur level. It also affects the wider issue of a shared future. It is important that we get that message across. We are not saying, “Thou shalt change your mind.” We are saying, “Look at this again.” If the Minister can come up with proposals that encourage — not force — a change of mind, that will be work well done.

I go back to my original point: all politics is local. All the north Belfast clubs have done really well. I emphasise that point as a mere representative for North Belfast and an ancient fan of Cliftonville, at a time —

**Mr Speaker:** The Member's time has gone.

**Mr A Maginness:** Just bear with me, Mr Speaker. There was a time when Cliftonville was amateur and never won a game. The best that I could hope for was a draw on a Saturday afternoon.

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Ba mhaith liom buíochas a thabhairt daoibh as an rún, agus creidim go raibh díospóireacht agus plé

mhaith againn. I thank the Members who proposed the motion. It has been a good debate. There is obviously a lot of concern, so let me clarify this straightaway: I do not believe for one minute that the motion is about me exerting any political interference on any governing body. If it were, my answer would be that I am not prepared to do that. Do I believe that the primacy rule is fit for purpose? I absolutely do not. The tone of the debate has been particularly focused on sharing and integration, not just on the pitch but the work that the clubs are doing off the pitch. We need to invest in facilities to promote that.

The example of Newington and Crusaders has been cited. There are others. In my constituency, there is Crumlin Star, and there will be more. Given the outworkings of the review of public administration (RPA), clubs that have primacy on local government properties will lose that. It is about us looking at the rule to see what we can do. It is not even about DCAL looking at the rule. It is about me trying to encourage the IFA and the amateur football league to look at the rule to see what they can do to promote better sharing and integration. At the minute, the primacy rule is not fit for purpose; it is actually excluding groups. To be totally frank about it —

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

**Ms Ní Chuilín:** I will, surely.

**Mr Humphrey:** I am grateful. Has she, as the Minister responsible for football in Northern Ireland, raised the issue directly with the Irish Football Association?

**Ms Ní Chuilín:** I have, on several occasions, and officials have met the amateur football league. I have consistently raised the issue and will consistently do so. Even within the framework and the context of looking at facilities management beyond 2015, this issue looms large.

With respect, my fear when I heard the comments of Chair of the Committee at the start of the debate — although I am not sure that she was speaking as the Chair of Committee — and the tone from your side of the Benches was that this was going to become a sectarian argument. That is not what it should be about. Had that been the case, you would not have signed that letter in Belfast City Council.

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

**Ms Ní Chuilín:** I will give way once again, but I am not having a debate across the Floor, OK? This is the last time.

**Mr Humphrey:** To clarify, my colleague the Chair of the Committee was not speaking as the Chair of the Committee. In Belfast City Council, my party has no difficulties with ground-sharing issues at all. As you will be aware, Minister, we have consistently supported Belfast City Council working in collaboration with your Department and the Irish Football Association on the development of Windsor Park as the national stadium —

**Mr Speaker:** Interventions should be short.

**Mr Humphrey:** Yes, but I would just make this point. If you have had a series of meetings with the Irish Football Association, why are we having this debate?

**Ms Ní Chuilín:** This is about the ongoing development of facilities. The amateur football league has been very clear — and Michael McGimpsey and other Members have raised this — that it is their rule. I do not propose to ask it

to remove that rule or to dictate to it. I have no right to do that, and I would not do it anyway. I would not interfere with the governing body in that respect. However, with my responsibility for investment in sports and recreational facilities, I am saying that we need to look towards sharing and integration, and the rule as it is constituted does not do that.

At some stage or other, we need to come together to try to work out the best way forward. Those discussions will continue and will be open-ended until we all get to a place where we are content. We may not be reasonably happy or jumping up and down about it, but we need to be content.

At the end of the day, there are genuine concerns among some clubs that are currently affected by this and others that could potentially be affected as a result of RPA. I think that we need to look at that. Why? Not one Member in the House has said a bad word about the work of the amateur football league. Not one. I think that we all recognise and support the work of the amateur football league, and Michelle McIlveen pointed out that it does that work in a voluntary capacity. We need to support the league. We do not need to butt heads or put people under pressure; that is not what it is about. Unsurprisingly, not one Member said anything bad about clubs or soccer, or even went into the names of cups or shields — except one, and that was in relation to GAA. Everybody recognises the work that goes on.

Conall McDevitt is right: it is not just about sport and competition, but physical activity and participation. I have seen that in my constituency in North Belfast, and I know that it is not exclusive to North Belfast. When vulnerable children and young people who live in vulnerable areas are involved in sport and physical activity, nine times out of 10 that sport has more potential to keep them alive than health and social care. Soccer particularly has done an excellent job around the interfaces in North Belfast. That goes without saying.

What do we need to do? We need to make it easier for people to get involved. I know that everybody understands that. However, if you search deep within your hearts, you will realise that this rule needs to be looked at afresh, particularly if we are moving towards fit-for-purpose facilities for the 21st century.

I welcome Michael's assertion that politics and sport should be kept separate. I will remember that the next time he raises Sandy Row Boxing Club, because I believe that that issue has been overtly political. We should be trying to find a solution and a resolution to the difficulties that we have in communities and in society. As political leaders, we should try to give people the space, the flexibility and, indeed, the resources to overcome those issues. I am relentlessly optimistic when it comes to sport. I see the results of what it does in communities.

The motion has been on the list of no-day-named motions and the Order Paper, and everyone in the House realises that they could have tabled amendments to it. Perhaps the wording could have been different, but I believe that the spirit and intention of the motion is that we need to have a look. At the minute, we are being exclusive and excluding.

That is not what any of us signed up for. So, in my view, that is what this is about. I do not understand why people cannot support it, given everything that has just been said. I can understand how people picked up on it and might



have knee-jerked, but now you have heard what we had to say.

David, I have to say that, any Member other than you, I would not have been shocked or surprised at. I am not about interfering in the amateur leagues.

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

**Ms Ní Chuilín:** Very briefly.

**Mr Hilditch:** Minister, the proposition before us, no matter how it is dressed up, uses the word “removed”.

**Ms Ní Chuilín:** And you could have removed the word “removed”, David, had you had the will to do so. You did not. Now, given what we have just said, let us not hide behind a word. We are talking about one word here; let us not hide behind it, and do not worry about FIFA. I am not worried about FIFA, in the sense that I am not going in to try to dictate to the amateur league what it needs to do. I am saying that I want to invest a lot of public money, particularly in soccer, and we all need to meet certain conditions. Sharing and integration are right at the top of the list. So, it is up to the amateur league to make sure that all its rules are in keeping with sharing and integration.

This is about sharing and integration. It is about providing a better overall opportunity for people within soccer, but, for me, it is about ending exclusion and exclusivity. That is what we need to look at. It is not one bit fair on those clubs, which, at the minute, are from the Catholic/nationalist background, but that will not be the case in the future. We need to dispel the perception out there that there is a whiff about this, and I think that we have done that today. However, we all need to make sure that we look at this rule in the context of better provision for the future. So, it will be your constituency next, then someone else's, and so on —

**Mr Humphrey:** Mine is the same as yours.

**Ms Ní Chuilín:** — because RPA will result in some clubs losing their primacy.

I am not giving way again, William. You could have put your name down to speak. I understand that you have a lot to say, and you have been very positive and it was enlightening. Actually, it was very entertaining to watch your face turn red when Michelle flicked her head round to have a look to see why you signed that letter. I understand why you did it, and I support you doing it because I did it myself.

**Mr Humphrey:** I have explained it.

**Ms Ní Chuilín:** Yes, you have explained it, but it still does not explain to me your position in opposing the motion.

In short, I am glad that the motion is here and that the debate has happened. I will continue to have discussions with the Irish amateur football league, local government and officials to see how we will look at the future provision of facilities for soccer. I am disappointed that people were not brave enough to change the motion so that it became something that the whole House could have signed up to. I just question why that is the case, but thank the Members for bringing the motion forward.

**Mr G Kelly:** Go raibh maith agat, a Cheann Comhairle. Beidh mé ag labhairt i bhfabhar an rúin. You will not be surprised that I will speak in favour of the motion.

I think that, in the main, it has been a good debate. What disappoints me a wee bit, and maybe we can get through this, is that it divided along nationalist and unionist lines. I do not think that that was necessary. I know that David Hilditch said that the use of the word “removed” is what triggered his opposition to the motion. However, if that is what it is, the Alliance Party, through Chris Lyttle, I think, said that he wanted to engage in “respectful dialogue”. In the main, I think that we have done that. I think that things have been agreed here. Nobody has argued against the presence of the NAFL and the fact that it makes its own decisions. The fact is that people want to share facilities and there is support across the board for doing so.

There is an issue around rule 2.1, which requires teams to have total control of their ground and facilities. People have said, and I agree with them, that it was brought in just over 20 years ago — I think it was said to have been in 1991 or 1992 — for a very good purpose. I do not think that anybody disputes any of that.

The question that has been put in front of us is this: have we reached the point where that rule is no longer of value to the enhancement of soccer and, indeed, beyond soccer? I will be unavoidably parochial: soccer has been used in north Belfast as a very positive method of bringing people together, particularly young people. The type of co-operation that there has been between clubs, which was described earlier, is a perfect example of that, especially in sharing those.

#### 12.30 pm

North Belfast has been used as an example in terms of what effect the practice has. I think that that is the important thing. It has already been said about Newington YC and Crumlin Star, but let us just deal with that for a moment. The combination of Crusaders and Newington YC moved into Seaview Enterprises, which is a social enterprise, quite recently, after a long amount of work over some years. That is a sporting initiative that affects something between 1,500 and 2,000 people, mostly young people. It is an education process and a shared space process — embracing all of that in a situation that was not easy for them or for others. The fact that it has happened now is that three spaces are now left in the premier division. Crumlin Star is another perfect example of a club that did brilliantly in a very disadvantaged area, as was outlined by Alban Maginness. It won division 1A, won the Clarence Cup and retained the Border Cup. It is one of only three clubs in the history of the NAFL that has managed to win the domestic treble. That is the type of standard of football that we are talking about coming from working class areas.

Indeed, this issue probably has more effect and does more damage in urban areas than in rural areas. The Minister has made it very clear, and let me make it very clear, that the intent of this was not political interference. The intent is to try to move the whole process forward in a conversation and to try to come to some sort of accommodation that will help people across all of those lines.

Just recently — in the last week, I think — Newington has moved into the professional arena and has to take on the extra financial pressure and everything that goes with that. In opening up those three gaps, I think that at least two of those teams that would normally go into the top 16 will not be able to do it because of that rule. That is what

we are talking about: people who have done everything right and have won everything cannot get into that. What happened to Newington was that it had to travel a round trip of some 60 or 70 miles in trying to get that primacy thing. The relationship between Cliftonville and Crumlin Star is a brilliant relationship, but it does not allow them to use Cliftonville for the primacy purpose. That means that, instead of being able to walk down to their fixtures, they will now have to travel some 50 or 60 miles to them.

There is an issue of inequality. I would argue that it is more to do with working class areas that need it most. It has been said time and time again. Indeed, the Ministry of Culture, Arts and Leisure, under both Michael McGimpsey and Carál Ní Chuilín, was also involved in support for the prevention of suicide strategy. It is something that is really important to people, not just in terms of their roles in football but in all other aspects of young people and deprived areas.

The senior clubs clearly want to share. No one has disagreed with sharing. If you go through this debate, you will find that there was a lot of agreement right across the board on all aspects of this except that one issue. So, can we have a conversation that allows sharing to increase so that people do not have to go through the whole expense of having to travel a long distance? It is worth saying that this is the only league that uses the process of primacy. I am up to argue that the primacy rule should be removed for those reasons. I absolutely understand that it is a discussion that the NAFL will have, but let me emphasise that I do not think that it is political interference if a Minister brings forward proposals or has a discussion that puts all the facts on the table and asks if there is something we can do about it because of what we see as difficulties, which is the reason we brought the motion forward.

At a time when we are using 3G pitches — some Members talked about that — we are in a different era. There are financial constraints: how much money are some clubs earning from their fixtures? We need to look at that.

I want to come to some sort of conclusion about what I think has been agreed. No one argued against ground sharing. We have agreed that it is brilliant for cross-community sport and we have agreed that sport takes young people out of poverty. I do not want to exaggerate in any way, but it has been found that some of the outcomes from sport and other activities in which young people take part have had an impact on suicide prevention. That is important.

Sport has undoubtedly been a positive force for reconciliation. We have made it clear across the board that the motion is not about political intervention.

When it comes to the Minister having an opinion, we need to bear in mind that the RPA is coming our way. I think Cathal Ó hOisín said that over half the pitches are in public ownership: in other words, taxpayers' money is being used for that. If everyone had the same opportunity, we would not be having this discussion. Will the RPA affect that? The Minister pointed out that we are dealing with it now, to a great extent, in north Belfast and other places, but other constituencies will be affected as we go through the RPA process. So, let us try to have the conversation before the RPA comes in.

Members may ignore a call from me, but the intent of the motion is to have a conversation about an issue that

we believe is detrimental to the advancement of soccer and everything else that it involves, especially in heavily deprived areas.

I understand David Hilditch's point about the wording of the motion, but it is important that the clubs that are directly involved and other amateur clubs get a message from the Assembly that we want to have that conversation. I support the motion.

*Question put.*

*The Assembly divided:*

*Ayes 45; Noes 43.*

#### **AYES**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr McMullan and Mr Ó hOisín.*

#### **NOES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Anderson and Mr G Robinson.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mr B McCrea.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly calls on the Minister of Culture, Arts and Leisure to bring forward proposals on how the Northern Amateur Football League's primacy rule could be removed to promote greater sharing and integration of facilities for soccer.*

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

*The sitting was suspended at 12.51 pm.*

On resuming (Mr Deputy Speaker [Mr Dallat] in the Chair) —

2.00 pm

## Oral Answers to Questions

### Employment and Learning

#### Success Through Skills

1. **Ms Brown** asked the Minister for Employment and Learning for his assessment of the Success through Skills - Transforming Futures strategy. (AQO 4201/11-15)

**Dr Farry (The Minister for Employment and Learning):**

The skills strategy aims to equip people with the qualifications and skills that they need to achieve their full potential and which will support businesses to grow our economy.

The strategy has four strategic goals that highlight the fact that the skill levels of our workforce need to be substantially increased by 2020. There is also a particular focus on qualifications in science, technology, engineering and maths (STEM). That will help to fuel growth in our companies and attract further inward investment in key areas such as ICT (information and communication technology). Evidence shows that we are broadly on track to achieve that profile and are making an important contribution to the overall economic agenda.

The Department has a commitment within the current Programme for Government to upskill the working-age population by delivering over 200,000 qualifications. Good progress is being made towards the achievement of that target. Furthermore, in order to increase the number of people studying STEM subjects, I have committed an additional 1,200 undergraduate places in STEM-related subjects. I have also committed a further 300 PhD places, focused on areas of economic relevance, by 2015. Given the importance of management and leadership skills to improving productivity, I have provided 100% funding for companies that take up the Department's management and leadership programmes. I am also taking forward a review of apprenticeships and youth training, to ensure that they reflect the changing nature of the Northern Ireland economy, are highly regarded and offer progression pathways with equal parity to academic routes. Those examples highlight only a proportion of the work that I am undertaking to help ensure that we have a workforce equipped with the skills our economy needs.

**Ms Brown:** I thank the Minister for his answer thus far. Will he detail the initiatives that his Department has introduced, or plans to introduce, to upskill those already in work?

**Dr Farry:** We have an employer engagement plan, which sets out a whole range of activities through which we will engage with people already in work. That plan runs through to September of this year, and my officials and advisers are working on a revised plan that we hope to finalise in the coming weeks. The Member is right to highlight that issue. If you look ahead to the workforce of 2020, around 80% of that future workforce is already in the world of work. So, we have to ensure that those who do not have qualifications receive accreditation and that

those who are in work continue their own professional development and achieve further qualifications.

**Mr P Ramsey:** I thank the Minister for his response to this point. Given his comments that ICT and STEM subjects are the areas for major improvement, how can some of the further education colleges defend the position of reducing the numbers of staff who teach ICT and STEM skills?

**Dr Farry:** Individual decisions around the curriculum are matters for the colleges, but the direction of travel is very clear. It is worth highlighting that I regard the further education sector as a key partner in the delivery of our skills strategy. The colleges receive significant funding from the Department. We are reviewing the profile of that funding and we have an ongoing commitment to ensuring that we concentrate resources, where possible, in those activities that are of most relevance to the future needs of the economy and the people of Northern Ireland. We are not here simply to defend existing patterns of delivery. We need to constantly challenge ourselves and review the provision.

**Mr Kinahan:** I thank the Minister for his answer so far. Will he give us an overview of the increased proportions and numbers of those qualifying from Northern Ireland higher education institutions with graduate and postgraduate courses in STEM subjects?

**Dr Farry:** I am happy to write to the Member to give him the precise figures of our current profile in STEM subjects. Of all the targets that we have, that is probably the greatest challenge. We have a range of targets for the numbers of people in the workforce with level 2, 3 and 4 qualifications, alongside a target for STEM subjects. We are looking to have an achievement figure in the region of 25% to 30% of employees having STEM qualifications by 2020, and we are talking about a baseline of 18% at present, so there is a way to go. This morning, I highlighted the issue of ensuring that we are attracting people into STEM subjects from all sections of the community and, in particular, more women into that field.

#### Youth Employment

2. **Mr Ross** asked the Minister for Employment and Learning for an update on his actions to create youth employment. (AQO 4202/11-15)

**Dr Farry:** My Department helps to create employment by preparing the labour force for work. I can provide a progress report on the implementation of the youth employment scheme and the First Start initiative, which were designed to assist the young unemployed. Since the launch of the youth employment scheme last year, my Department has been working closely with employers to secure work placements and job opportunities for young people. I am pleased with the significant uptake by employers in creating opportunities and their genuine commitment. Almost 1,800 agreements have been signed for the different elements of the youth employment scheme, and 2,382 opportunities have been secured. To date, 944 young people have participated in the scheme, with 376 having commenced since the beginning of April this year. Furthermore, of those 944 young people, so far, almost 290 have moved directly into jobs supported by the enhanced employer subsidy, and a further 51 young people have obtained employment after leaving other

elements of the scheme. That means that, to date, 37% of all participants have moved into full-time employment.

In addition to the youth employment scheme, I introduced First Start in November 2012 through the Steps to Work programme. Its aim is to assist young people, who have been unemployed for six months or more, to find and sustain employment. Funding was provided from the jobs and economy initiative to provide temporary employment for 1,700 young people by the end of the 2014-15 financial year. As of the middle of May, a total of 462 young people have started jobs under the First Start initiative.

Given that, to date, more than one in three young people find work through the youth employment scheme, I ask Members to encourage their young unemployed constituents to participate in the scheme. Even if employment is not the immediate outcome, the valuable experience gained will help participants to compete for jobs.

**Mr Ross:** I thank the Minister for his comprehensive answer. There is some good news there. The Minister has spoken in the House, and most recently last week in Committee, about the importance of apprenticeships. He has spoken about the enthusiasm there is amongst businesses to get involved in that. What measures will he introduce to ensure that that enthusiasm translates into a solid guarantee that businesses will offer young people the opportunity to take part in a work placement or apprenticeship?

**Dr Farry:** It is difficult to say that there are guarantees in this because we are dependent upon the goodwill of business. However, I believe that, through sound leadership from government and good leadership from the representative organisations of the business community, we can enthuse businesses to take on more apprentices. That is very much in their interests, alongside the interests of young people themselves. If a business does offer a person an apprenticeship, that business can be sure that it is training a person in the very immediate and direct needs of its business, rather than relying on the wider education system, which may be good at providing general skills but perhaps not the very direct skills that that company requires. A number of business leaders sit on the expert panel for the review. My officials and advisers have had a number of discussions with individual businesses and their representative organisations. We are coming across considerable enthusiasm for a different approach to training in Northern Ireland.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer, but the original question actually asked about what initiatives he had taken to create youth employment. He gave us a list of figures for people who had availed themselves of schemes. Of all the numbers he quoted, did any of those specifically result in a job being created, or was it just putting people into jobs that were already there?

**Dr Farry:** I thank the Member for his question. What we are doing through the youth employment scheme is additional and does not involve displacement. Critically, it is about ensuring that we are encouraging businesses to take a risk with a young person. At times, businesses, particularly maybe small businesses, may be unsure of the future and not want to take on the additional costs of an additional pair of hands. In turn, however, that additional pair of hands may improve productivity. The enhanced

employer subsidy will go a long way to helping to break that vicious circle.

To date, 290 people have availed themselves of that employer subsidy. They are now in jobs that were not previously in existence. A further 51 people have moved into unsupported employment on the back of the scheme. So, overall, we are talking about an initial figure of a 37% success rate, which does compare favourably with other employment support initiatives. It is still early days for the youth employment scheme. The bulk of the investment that the Executive have made available for the scheme is due to be drawn down during this financial year. I have been pleased by the speed at which progress has accelerated over the past number of months, and I hope to see that continue over the coming months.

**Mrs Cochrane:** Will the Minister give us a little more detail on the role that a new model of apprenticeships can play in reducing youth unemployment?

**Dr Farry:** I thank the Member for her question. The relevance of apprenticeships is that they should be a much more efficient means of addressing skills shortages and skills mismatches, because you are taking the very particular needs of employers and matching them with the training that is given to employees. Also, one of the objectives that we want to achieve in Northern Ireland is to move into the realm of higher-level apprenticeships. At present, we have a pilot in ICT, and we hope to develop that into a level 4 apprenticeship in engineering. There are also good initiatives in respect of some of the consultancy professions and pharmaceuticals. Some interesting developments are under way. However, I believe that we can have a much more radical step forward in the number of apprentices and the levels at which training is being provided and that we will provide a pathway that is just as good as the traditional academic route and will be very successful in finding people good, sustainable jobs and helping our economy to grow.

### Student Finance: Private Institutions

3. **Mr D Bradley** asked the Minister for Employment and Learning whether he will review how students who have been accepted to private third-level institutions are informed of their eligibility for student finance. (AQO 4203/11-15)

**Dr Farry:** Students who have been accepted into private higher education institutions can establish the support that they will be entitled to from the Student Finance Northern Ireland guidance booklet, 'A guide to financial support for full-time students in higher education 2013/14'. Furthermore, the Student Finance Northern Ireland guidance booklet, 'Notes for Student Finance Application', provides advice on completing the application form for student funding and the funding available at public and private higher education institutions. Hard copies of those guidance booklets are provided annually, in advance of the next academic year, to schools and further education colleges by the education and library boards. Links to those booklets are also available online via Northern Ireland Direct, Student Finance Northern Ireland and my Department's website.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Tá ceist agam le cur air faoi mhic léinn ar mhaithe

leo céim a dhéanamh in ollscoileanna thar lear agus an leibhéal maoinithe atá ar fáil acu. Will the Minister explain the financial support available to students who want to study for their primary degrees in overseas universities?

**Dr Farry:** I thank the Member for his question. Essentially, the decision to study at an overseas university is one for the students to make themselves and it is for them to avail themselves of support. The full degree that someone would be choosing is also an issue for them. However, within our system, we are seeking to encourage an international agenda. That, in part, relates to attracting more students from overseas to study at our local institutions, but it is also about giving our own students the opportunity to avail themselves of international programmes. A range of different initiatives is available. For example, we have Study USA and, more recently, Study China, which is of huge local interest and very topical. We also have a whole range of programmes under the European Union. A range of choices is out there for students, but my primary responsibility as Minister is to ensure that we are investing in students in our local system.

### Step Ahead 50+

4. **Mr Mitchel McLaughlin** asked the Minister for Employment and Learning for an update on the success of the Step Ahead 50+ scheme. (AQO 4204/11-15)

**Dr Farry:** The current economic climate and the increase in the unemployment register have made the move from benefits to finding and sustaining employment even more difficult for those who have no recent work history. That is especially true for those who are aged 50 or over.

In direct response to the economic downturn, and as part of the Executive's economy and jobs initiative, I have introduced a number of additional employment initiatives to assist those who find themselves out of work. That has been achieved through the Department's main adult return-to-work programme, Steps to Work. One of the initiatives is Step Ahead 50+. It is available throughout Northern Ireland to those aged 50 and over who have been out of work and in receipt of a working-age benefit or a combination of benefits for a minimum period of 12 months. It provides that group with the opportunity to avail themselves of a fixed-term job for up to 26 weeks in the community and voluntary sector. Participants are also encouraged to undertake training during their employment to gain additional valuable skills. Step Ahead 50+ will improve job outcomes for that group by providing the participants with an opportunity to experience a real job coupled with a recent employment history. That will enable them to compete more effectively for jobs in a very competitive labour market.

### 2.15 pm

By March 2015, Step Ahead 50+ will provide a total of 1,100 supported employment opportunities. Step Ahead 50+ was introduced in January, and in the short time that it has been available, it is proving to be very successful. To date, it has provided a total of 269 people with fixed-term employment, which is a most welcome and commendable achievement.

**Mr Mitchel McLaughlin:** I thank the Minister for that answer. It is a most interesting initiative. Does the Minister

have any schemes in mind for other age groups among our citizens?

**Dr Farry:** I thank the Member for his question. We have a general return-to-work programme through Steps to Work, which is additional to front line activities in jobs and benefits offices and job centres. As Members will know, we are finalising the design of the successor to Steps to Work — Steps 2 Success. Beyond that, we have some discrete interventions. We need to be conscious of two aspects of the profile of unemployed people in Northern Ireland. First, we have increasing numbers of people who are in long-term unemployment, which is anything over 12 months. Secondly, we have a serious concentration of unemployment among young people, which is why we have a range of schemes that is focused on the 18- to 24-year-old age bracket.

I will focus on the latter point. In Northern Ireland, about one third of those who are on the unemployed register falls within the 18- to 24-year-old age bracket, so essentially, out of the entire 40-year spectrum of people who may be unemployed, one third falls within a seven-year period. We have a greater concentration than most of our neighbouring regions. That reflects a desire by local businesses to hold on to more experienced talent and highlights the difficulty of young people competing. That is why there is such a focus on trying to give young people opportunities to gain work experience to break that vicious circle.

**Mr Cree:** Will the Minister detail the types of work that are available under the 26-week employment scheme? Has he had discussions with businesses and similar organisations with a view to teeing into that scheme?

**Dr Farry:** I thank the Member for his question. Step Ahead 50+ is focused on the community and voluntary sector. That sector appreciates the scheme very much, and it follows on from the previous initiatives that Members will be familiar with, such as the more general Step Ahead programme and the short-term Step Ahead 2012 initiative.

Engaging with business is absolutely critical to all our schemes. Through Steps to Work in particular, providers will engage with the business community for placements, and through the youth employment scheme, my staff are engaging directly with businesses. Businesses were closely involved in the design of the youth employment scheme, and we were impressed with the level of interest from the business community. Well in excess of 1,000 opportunities have been made available to young people through the business community in Northern Ireland, the community and voluntary sector, and the public sector.

**Mr Allister:** Without consultation, the First Minister and deputy First Minister announced a NEETs programme, which has to be paid for. In light of that development, will the Minister assure us that Steps to Work and other useful programmes that are run by the Department will not be starved of funding and that there is no threat to the funding of existing programmes?

**Dr Farry:** The Member is referring to the united youth programme that the First Minister and the deputy First Minister announced on 9 May. That is a multidimensional programme that, at its core, is about increasing contact between young people from different backgrounds. The programme highlights avenues for that contact, including sport, volunteering and placements.

Officials from my Department, the Office of the First Minister and deputy First Minister (OFMDFM) and others are in discussions about the design of the programme. I believe that its resources will be additional to the current provision. We have no plans to redirect resources from existing provision to the united youth programme.

It is important that we fit in any additional schemes around current provision and avoid the danger of displacement. I want to ensure that we are offering young people different pathways and proper progression and that, at each stage, we are offering them the opportunity to avail themselves of skills that will enable them to move on to other forms of training or into sustainable employment. We have a host of issues to discuss, but I assure the Member that those discussions are well under way.

**Mr Lyttle:** What services is the Minister's Department able to offer to those who find themselves unemployed through being made redundant unexpectedly?

**Dr Farry:** A redundancy advice service is available to assist people. When we are faced with a major redundancy, we have the option of going in and providing clinics. Members will be aware that we have done that on a number of occasions over the past 12 months.

Unfortunately, we still have a churn in the system, with jobs being lost. Equally, jobs are being created elsewhere in the economy. It is a necessity for us to give direct support to individuals who find themselves in that transition. The Careers Service is an all-age service that is there to guide people on the options available, including other training options, and to help them find other forms of employment.

## Higher Education EU Support Fund

5. **Dr McDonnell** asked the Minister for Employment and Learning for an update on the EU higher education support fund. (AQO 4205/11-15)

**Dr Farry:** In light of the critical role that our universities play in the drawdown of European research funding, my Department and the Department of Enterprise, Trade and Investment (DETI) established the higher education EU support fund. Its purpose is to assist our universities to develop and implement a more strategic approach to responding to EU calls for research and development proposals under the 7th framework programme (FP7) and Horizon 2020 programmes, and to enable them to help local companies' participation.

Specifically, the fund will support the employment of seven Northern Ireland Horizon 2020 contact points, who will provide specialist advice and assistance to academics and business across areas of economic relevance to Northern Ireland and of priority to the European Commission. Those will include areas such as energy, advanced materials and transport technologies, information and communication technologies, and connected health.

As part of the process, our universities submitted action plans, and those have been agreed. I am pleased to report that suitable, highly qualified and experienced candidates have been appointed to all seven posts. Four are in place, with the remainder to start in the coming months.

The investment and higher profile attached to that important area of activity is already making a difference. Queen's submitted 20 proposals in the first six months of

the support fund against an annual baseline for the whole of the last academic year of 26. It has also reported the involvement of a local small and medium-sized enterprise (SME), Devenish Nutrition Ltd, in an approved project, which is a particularly welcome development.

The University of Ulster has also made a promising start, securing a co-ordinating role in one approved project, its first as a co-ordinator in the FP7 programme.

**Dr McDonnell:** I thank the Minister for his answer. How much of that talent and skill resource in the universities will be available to the business sector outside?

**Dr Farry:** The resource in the universities is additional. My Department and DETI are providing £600,000 between us over the next three years. The rationale for that spending is that engaging with European research was additional to the duties of the academic staff. Frankly, it was not a major priority. The drawdown in Northern Ireland was disappointing, relative to neighbouring regions. We felt that there had to be a step change in the level of performance.

At present, given the profile of the Northern Ireland economy, the vast bulk of the drawdown of the FP7 resources is through our universities. In the short run, that may well consolidate even further, given the investment that we are making, but there is a very clear desire to increase the drawdown by businesses, including SMEs, in Northern Ireland. DETI leads the overall strategy for engaging with FP7 and Horizon 2020, and an action plan is in place. This EU support fund is one aspect of that, but there is a host of different interventions in place. Invest Northern Ireland is the de facto Northern Ireland contact point for SMEs.

I am also very keen to ensure that our universities will work in conjunction with SMEs on the proposals being developed. We do not want those being developed in a vacuum. What happens in research needs to be relevant to the needs of the local economy.

## Stranmillis University College

6. **Mr Beggs** asked the Minister for Employment and Learning to outline his plans to reclassify Stranmillis University College from its current status as a non-departmental public body. (AQO 4206/11-15)

**Dr Farry:** The decision to classify Stranmillis University College as a central government body was taken by the Office for National Statistics (ONS). The decision was made independently of my Department and, indeed, of the Northern Ireland Executive. To reverse the classification would require me to bring forward legislation to discontinue the college in its present form and create a new body independent of government. However, even with legislation, there is no firm guarantee that the ONS would reverse its decision.

As the second stage of the study of the teacher education infrastructure in Northern Ireland is about to commence, I believe that it would be best to consider any required legislation after that second stage has been completed.

As a result of the reclassification decision, the college is now within the budget boundary of my Department, which means that my Department must have sufficient budget cover to allow the college to use the resources available to it, including those generated by its own

activities. In addition, the college must comply with Northern Ireland public procurement policy and the full range of administrative controls that central government Departments exercise over their non-departmental public bodies (NDPBs). However, the college has been granted an exemption from the public pay remit that applies to Departments and their bodies. My officials are also exploring with DFP ways in which the requirements can be relaxed in the college's favour.

However, despite those administrative requirements and controls, the college is free to pursue its own strategies and objectives with regard to teacher training. The requirements of NDPB status can be managed and need not represent any form of barrier to the achievement of goals.

**Mr Beggs:** Designation as an NDPB has resulted in reduced financial flexibility for Stranmillis as regards end-year flexibility and borrowing, and has created an additional layer of bureaucracy in reporting. In his statement, the Minister indicated what he might be able to do. Can he tell us what he is going to do, so that future students are not disadvantaged by the bureaucratic system that is governing the college currently?

**Dr Farry:** First, I do not think that students are going to be disadvantaged by this in any shape or form: teacher training continues regardless. On the specific point of end-year flexibility, however, discussions between my Department and the Department of Finance and Personnel are at a very advantaged stage. I hope that those issues will come to a conclusion in the very near future.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for his answers up to now. What are the plans for St Mary's University College?

**Dr Farry:** As the Member probably knows, St Mary's College was classified as an NDPB at the same time as Stranmillis, but the governance arrangements for St Mary's are considerably different from those for Stranmillis in that St Mary's was created on a voluntary basis by the Catholic Church; it has never been under direct government control. We have been working with St Mary's to seek to appeal the ONS classification. The college has raised some additional queries, which are being addressed by officials, but it is important, and maybe this is an opportunity to stress this, that the decisions made by the ONS are not made purely on the basis of the nature of the governance arrangements. Even if we go through a whole series of hoops in redesigning legislation and governance, there are other aspects that they will look at, including the amount of public funding that goes to the colleges. Obviously, that is something that Members will be very sensitive about. This is a much wider issue than simply a matter of governance, but we are minded to continue assisting St Mary's in reversing the NDPB classification.

2.30 pm

## Environment

**Mr Deputy Speaker:** I should tell you that question 2 has been withdrawn.

## A5: Environmental Aspects

1. **Mrs Overend** asked the Minister of the Environment whether his Department highlighted any concerns to the Department for Regional Development about non-compliance with the habitats directive or any other environmental aspect regarding the construction of the proposed A5 road. (AQO 4216/11-15)

**Mr Attwood (The Minister of the Environment):** I thank the Member for her question. I can confirm that, at ministerial and Executive level, I very much continue to support the construction of the road in the shortest time possible. The answer to the question is that the competent authority in respect of habitats assessments for the proposed scheme is the Department for Regional Development (DRD). As a consequence, it fell to it to assess all the habitats impacts under the directive and other environmental requirements. The Northern Ireland Environment Agency (NIEA), as part of the Department of the Environment (DOE), was consulted, as were many other consultees. We gave advice, and we are satisfied with the advice that we gave. However, it fell to DRD to make the assessments on the far side of that advice, and, unfortunately, the courts decided that there were matters that should have been further interrogated by DRD. Those are what gave rise to the judicial review and its outcome.

**Mrs Overend:** I thank the Minister for his response. Will he confirm that NIEA's acceptance of the screening process was carried out during his predecessor's reign and that, consequently, the problems facing the project long predate the current Environment and Regional Development Ministers?

**Mr Attwood:** I can confirm that the relevant assessments, which were interrogated in judicial review hearings, predate this mandate and, therefore, predate my tenure and that of the Minister for Regional Development. It seems to me, however, that, when you look at Justice Stephens's judgement in the judicial review, you will see that subsequent information was conveyed to the court that gave rise to a doubt in the mind of the court in respect of what had been done previously.

**Mr McAleer:** Are the Minister and his Department taking part in the independent review of the handling of the matter?

**Mr Attwood:** If we are asked by DRD for any input into the matter, we will certainly co-operate. I would expect, given that this is a significant capital project and that a range of issues have arisen, that advice will be sought from the DOE. We will be forthcoming in that regard.

**Mr Allister:** Will the Minister be very clear with the House that, when the Environment Agency was consulted, it advised that the proposition was not in breach of or in conflict, in any way, with the habitats directive?

**Mr Attwood:** I thank the Member for his question. When the Environment Agency was consulted in this regard — this goes back quite a number of years — extensive information was conveyed to the competent authority — DRD — in respect of the proposal. That advice touched on water quality, air quality, geology, hydrogeology, protected habitat species and so on and so forth. It covered the full expanse of all considerations. What then transpired was that the competent authority — DRD — undertook what is known as a test of likely significance. That is the first

threshold of assessment that must be undertaken and measured against the habitats directive. The NIEA was satisfied that the advice that we gave on mitigation and on impact on habitats was correct, and the assessment was then made by DRD. As I understand it, a doubt arose during the court hearing itself in respect of other people's understanding of the advice that had been given or the test of likely significance that had been undertaken by DRD. That doubt arose post the advice and post the test of likely significance, and that was what allowed the judicial review to succeed.

**Mr Deputy Speaker:** As previously indicated, Question 2 has been withdrawn.

## Environmental Crime

3. **Mr A Maginness** asked the Minister of the Environment what action his Department and other agencies are taking to tackle environmental crime. (AQO 4218/11-15)

**Mr Attwood:** I thank the Member for his question. As I have indicated in recent statements to the House, the issue of environmental crime in all of its expressions — be it waste, fuel laundering or other examples across the range of crimes — is, generally, not fully acknowledged or grasped in the North. As I have indicated before, the scale of organised crime is as great now as it was in previous times. Potentially, organised crime has now drifted across to the issue of waste.

What have we been doing in the Department? We have put more resources into the environmental crime unit (ECU). They are the environmental front line police officers who deal with serious and commercial-scale environmental crime. The team has now been increased to over 30 officers. We are taking more and more criminal prosecutions on the environmental crime side, including requesting from the court proceeds of crime outcomes whereby assets are seized from those who are involved in environmental crime. At all times, we are trying, more and more, to create a partnership approach, so that, across all the agencies that have an interest in the matter, including the PSNI and those who are responsible for dealing with serious and organised crime, we get a grip on the greater and greater threat, as I see it, to the island of Ireland from environmental crime generally and waste crime in particular.

**Mr A Maginness:** I thank the Minister for his thorough answer. What action is being taken to tackle heritage-related crime?

**Mr Attwood:** As the Member will be aware, that issue was identified as becoming more critical around two years ago. As a consequence of that, there has been a series of heritage crime summits. The outcome of those summits has been that more urgent works notices have been served in the past 18 months than in the previous 38 years. A family of letters has been served upon those who have ownership or control of heritage assets, warning them to get their property into a fit shape. Consequently, action has been taken in more than half of those cases.

At the same time, we have been developing a greater co-operative relationship with the PSNI and other relevant agencies in order to ensure that, when it comes to the threat of heritage crime in Northern Ireland, we deploy best practice. There are national intelligence models that have been deployed in other jurisdictions that, if they

were deployed here — we are working through this at the moment with the PSNI, the Fire and Rescue Service (FRS) and other agencies — would be another useful intervention to deal with heritage crime.

**Mr Newton:** I agree with the Minister on environmental crime. Perhaps it is not as conspicuous or as much on the radar as it should be. Is the Minister concerned to read in the media that, when fuel laundering plants, which, obviously, create massive environmental problems in the area, are disturbed, those plants are up and running again shortly afterwards?

**Mr Attwood:** I do not think that anyone would differ with the concern expressed by the Member in that regard. Even in the past number of hours, I have had conversations around this with other people. It is now the moment when people in the Assembly, around the Executive table and, generally, on the island have to acknowledge that organised crime — I use those words advisedly — which is very well organised, has moved into areas in which, heretofore, it may not have had an interest. The most public expression of that is, clearly, fuel laundering, but there are other examples, such as waste. Given the profile of fuel laundering and other threats of environmental damage that might arise, this is the time when effort, resources, co-ordination and political will must be deployed to deal with the threat that that presents.

**Ms Lo:** Following on from the Minister's response just now, does he think that he has enough resources, in terms of number of staff, regulations and staff expertise, to deal with increasing environmental crime?

**Mr Attwood:** First, I have to make sure that the staff we have, be it on the crime side or the waste side, do all that they should do in monitoring and regulation. Secondly, the Member is right: we need to escalate the resources in the environmental crime unit, which is now nearly at the complement set out in the business plan following appointments over the past 18 months. We need to escalate that model because I do not believe that 30 or so environmental police officers in the ECU is an adequate number to deal with the threat. That is why, in the past week or two, I have had conversations with senior police officers to put firmly on their radar what is firmly on my radar; namely, the threat of organised crime in waste and fuel laundering. Given the resources that the police have at their disposal, including forensic accountants and investigators, I believe that they need to have the tightest working relationship with the ECU and other relevant agencies in order to have the maximum outcome in turning on and dealing with organised crime on the island of Ireland.

**Mr Elliott:** I welcome the fact that the Department has put more resources into its crime team. Given that there are more resources, can the Minister give us any detail on the numbers prosecuted for such crime, whether it is fuel laundering, scrap metal theft or, indeed, unregulated dealing in scrap metal?

**Mr Attwood:** I will touch on the last point first. There have been a lot of conversations recently about metal theft and illegal dealing in metals. Without naming any particular case, I think that the environmental crime unit will turn its attention to that area in the very near future and deal with a number of problems in that regard. I will provide full details to the Member in the fullness of time, but I can say now that the environmental crime unit is processing more



cases than at any time since its formation in 2008 and that, on the far side of those criminal cases in the criminal courts and the penalties that, we trust, will arise as a result, there may be further proceeds of crime actions. The scale of that is greater than ever, but, as I indicated, the scale of what we need to do is greater again.

### Wind Energy: Heritage Sites

4. **Mr McGlone** asked the Minister of the Environment whether wind energy projects will be permitted in locations adjacent to important, recognised heritage sites. (AQO 4219/11-15)

**Mr Attwood:** As the Member will know, I am a very strong supporter of renewable energy projects, including wind energy. Planning Policy Statement (PPS) 18, which deals with planning policy for renewables, is generally promotive. However, that cannot be at the expense of our heritage and cannot have a disproportionate impact on the character of our landscape. If you look at how that has been worked through for, for example, our only world heritage site up at the Causeway, you will see that a very protective and precautionary approach has been deployed to ensure that nothing or little happens to devalue such a recognised heritage site.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra chuimsiúigh sin. I thank the Minister for his comprehensive answer. Can he indicate when decisions are expected on the wind developments at Cloghinarney, County Antrim, and particularly Lough Patrick, County Derry, which is in my constituency? Will those decisions follow extensive consideration of all the evidence available on the applications?

**Mr Attwood:** Unlike many cases over the past 18 months, decisions have not come out in respect of wind turbines. The fact that there has not yet been a decision on the application for Lough Patrick demonstrates that the ecclesiastical and heritage impacts are being fully interrogated. The Member met me on 18 February, and the points about the ecclesiastical, heritage, economic and tourist opportunities that might arise were stressed. As a consequence of that meeting, the objectors provided further information in a report to the Department, and that is now being assessed.

I give the Member the reassurance that, given the scale of our Christian heritage, the issue of the ecclesiastical heritage at Lough Patrick will be a factor that will influence the outcome of the decision.

The application for a wind farm at Cloghinarney is also a very challenging one because it is not that far from Slemish and there is evidence of breeding pairs of curlew in and around that location. Curlew are a protected species under European legislation, and it is only on the far side of further assessment of the potential impact on the curlew that a decision will be made. However, I assure the Member that I have been interrogating the NIEA in order to ensure that, while appropriate protection of curlew according to European requirements is honoured, we do not have an over-precious approach when it comes to these decisions.

### 2.45 pm

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. What account does Planning Service take of potential displacement of tourists and tourism-related jobs in an area such as the wider Sperrins or, more locally, the Gortin glens when assessing an application for a wind farm? I am thinking of the potentially detrimental impact on visual amenity or even pleasantness of place.

**Mr Attwood:** As I indicated, all those issues — landscape character, visual amenity, the benefits and disbenefits economically and socially of a wind farm or wind turbine — are fully interrogated. It is very important that decisions are made about wind farms, wind turbines and anaerobic digesters, because it is very important that we try to attain self-sufficiency in electricity and to be a world leader in carbon reduction. However, any individual application will capture, interrogate and assess fully and exhaustively all the issues named by Members, including that raised by Mr McElduff.

When it comes to wind turbines, those who make applications, given that many applications come from landowners or farmers, need to work out the full costs and make some assessments about what the potential might be for national grid connection. In anticipation of an application, they need to interrogate fully and exhaustively the path that they are about to go down. I do not want to see a situation where farmers or landowners get approvals for wind turbines, more and more of which are being issued, only to discover that the likelihood of grid connection is limited or nil. Having spent money, you would like to see a proper outcome. A proper outcome should see grid connection. So, people — be it the agents, the advisers or the individual applicants — should make full assessments as they make their application, including an assessment of the potential for grid connection on the far side of approval.

**Mr Cree:** Will the Minister give his assessment of the protections set out in PPS 18 for people who live close to wind turbines? Does he recognise that a major complaint is the noise level of these units?

**Mr Attwood:** I will deal with the last point first. There continues to be a growing narrative, especially because of some of the international science, about what the impact might be of noise or flicker or other consequences of a wind turbine or wind farm. That why I have now referred to environmental health officers in Northern Ireland a report that was recently provided to me, in order for them to give further advice to the planning system on the issue of noise. The advice given to Planning Service on the issue of noise comes from the environmental health officers of the councils. As we embrace renewable opportunities more and more, we have to listen to and heed all the best science — if it is best science, as there is conflicting science at times on what the impact might be including the issue of noise.

My reassurance to the Member, be it on the issue of noise or the previous point that he raised, is that this is always work in progress. This will always be a situation where we will see what the latest noise advice might be, what the latest advice in respect of the protection of the curlew might be or what the latest advice is on the economic and social impact, negative and positive. It will always be a work in progress as we try to move forward and embrace

renewable technology as Ireland's single biggest economic opportunity.

### George Best Belfast City Airport

5. **Dr McDonnell** asked the Minister of the Environment for an update on the planning issues surrounding George Best Belfast City Airport. (AQO 4220/11-15)

**Mr Attwood:** I thank the Member for the question. There has been a history around the planning agreement entered into when Belfast City Airport received approvals in the past. Quite frankly, the situation was drifting. Consequently, about 18 months ago, I decided that this needed to be brought to a conclusion. At the time, I indicated that I wanted a planning inquiry, the purpose of which was to look at the ongoing issues with the planning agreement between the Department and the airport to get the whole thing settled. I had hoped that a planning inquiry would have been held and concluded by now and that advice about the outcome would have been given to the DOE. Because of technical and other reasons and because information is still awaited on the far side of an initial consultation from the airport authority, I do not anticipate a planning inquiry being held any earlier than later this year. On the far side of that, the DOE will have to make a decision about whether the existing planning agreement between the Department and the airport will be modified.

**Dr McDonnell:** I thank the Minister for his answer so far. Is he aware of any unauthorised car parking around Belfast International Airport? Will he provide an update on that?

**Mr Attwood:** There has been a historical issue with illegal car parking sites in and around Belfast International Airport. There are currently six such sites. In one case, there have been prosecutions and fines totalling £60,000, and I have directed my Department to continue enforcement action. Enforcement cases are ongoing in respect of three other sites. The person against whom the action is being taken in those three cases has appealed to the Planning Appeals Commission (PAC), and we await an outcome. In the fifth case, the PAC — wrongfully, in my view — gave approval for what I consider to be an illegal car parking site, and we are taking a judicial review to see whether we can overturn the outcome. In the sixth case, the car parking has stopped, further to enforcement action, but cars are still parked on the land. That matter is being looked at for enforcement purposes.

**Mr Dunne:** I thank the Minister for his answers to date. Does he recognise the importance of Belfast City Airport to our local businesses and economy, especially in the greater Belfast area?

**Mr Attwood:** I very much recognise it. I have had conversations with management at the airport. I acknowledge that Belfast City Airport, as a regional opportunity, has a major role as an economic driver in the city, but we must get a balance between the two airports. In the absence of an overall airport aviation strategy in Northern Ireland — that falls to other Ministers — we need to recognise that proper competition is good, but we need to sustain both airports.

I will give a reassurance about Belfast City Airport. Every two months, I get figures for the airport's extension log; namely, the number of flights that arrive outside the

proper time. Every two months, I share that information with Airport Watch. I am satisfied that, at the moment, the number of air traffic movements outside the permitted hours is justified and appropriate. I am also satisfied that the number of seats for sale — the airport has a cap of £2 million a year — is not being breached. In that way, the airport can develop, but it has to do so while being aware of the needs of the local community and within the constraints of a proper planning agreement.

**Mr Kinahan:** I thank the Minister for his answers, particularly his previous answer, in which he said that we must get the balance right. Does he think that he will find a final, lasting solution between the residents and the two airports that will make sure that we find something that works for everyone? We would have two airports that worked, and the residents would not suffer.

**Mr Attwood:** I do not want to move beyond my competence, but I think that the strategic answer is that we need an airport strategy. There are, in fact, three airports, and my colleague from Derry would not forgive me if I did not mention the wonderful airport at Eglinton. It seems to me that there is a need for an overall Northern Ireland airport strategy. I understand that the London Government are developing an airport strategy. On the far side of that, there should be one for more domestic reasons.

Yes, we need to ensure that our airports expand. Airports are engines for growth and economic opportunity, and business will look to have good connections to sustain and grow their business opportunities. There will be no argument about that. However, we are not going to have a situation in which there will be a free-for-all, nor one in which a planning agreement is in the image of what an airport authority wants. On the far side of a planning inquiry, we are going to have a planning agreement that is fit for purpose and respects the needs of local residents. It may be that the current planning agreement will be modified, but it may not be. I am prepared to hear the advice from a planning inquiry that will be rigorous, inclusive and will give everybody, including local residents, the opportunity to provide input.

### Vehicle Testing: Heavy Goods Vehicles

**Mr Nesbitt:** May I have permission for take-off for question 6, please?

6. **Mr Nesbitt** asked the Minister of the Environment for his assessment of the overall differential in fail rates across vehicle test centres, particularly in relation to heavy goods vehicles. (AQO 4221/11-15)

**Mr Attwood:** I thank the Member. Essentially, the answer is that there is not much of a differential between centres in overall pass and fail rates across the various vehicle categories. However, as indicated in the question, there is a differential between centres when it comes to heavy goods vehicles.

The issues are how we ensure consistency between centres and why there is variation in centres. The answer to the latter point is that the profile of those who may be submitting heavy goods vehicles for inspection at the various centres is different. If, for example, you have a centre where there are operators who have many vehicles and who might have in-house engineering and maintenance capacity, they might present vehicles for

inspection that are ready for inspection and will pass, whereas if you have a centre where there are small or part-time operators, there may be a practice whereby operators turn up with a vehicle that has not been prepared and goes through the test to see what is wrong with it. That is a very common practice for domestic vehicles, never mind heavy goods vehicles. Therein, for example, you can see a variation between centres, because the profile of those who seek assessment of their vehicles can be different.

At the same time, we need to improve performance. That is why more training has been deployed and why there has been more stakeholder engagement, especially in Enniskillen. That will ensure that people know what is expected of them and know how to prepare their vehicle. As a consequence, that will reduce the differential that might arise between test centres.

**Mr Nesbitt:** I thank the Minister. Does he have any information that allows him to compare our regime, particularly for heavy goods vehicles, with others in neighbouring regions?

**Mr Attwood:** I do. I have looked at the figures, and the curious thing is that, just as there are differential rates in our inspection centres, you will see the same pattern in Britain and Europe. Differential rates arise because of the location of centres, the profile of the client or customer base and other factors of that nature. Therefore, it appears that our experience is no different from elsewhere. The issue is whether we can, where appropriate, narrow the differential to have more consistency, mindful of the fact that there will be a differential for the reasons that I outlined earlier.

3.00 pm

## Private Members' Business

### Equal Pay Settlement: PSNI and NIO Staff

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

**Mr I McCrea:** I beg to move

*That this Assembly notes the judgement of His Honour Judge Babington in the recent equal pay case heard in the County Court; recognises the sense of unfairness felt by many civil servants who had worked in or were working in the PSNI or the Northern Ireland Office at the time of the equal pay settlement of 2009 but were not entitled to access that settlement; and calls upon the Minister of Justice to address the equal pay concerns of these civil servants as a matter of priority.*

I am glad to be able to move this motion today. It is an important one that, I hope, the House can unite around. I thank the Minister for attending the debate and look forward to hearing his response to it, in which I trust that he will be able to bring much needed clarity on a number of issues that have caused a lot of concern to staff in the Police Service of Northern Ireland (PSNI) and the Northern Ireland Office (NIO) who were affected by the equal pay settlement for Northern Ireland Civil Service (NICS) staff. From the outset, I say that this debate is not about apportioning blame, and I will do my best to stick to that throughout my speech. This is about trying to get a positive way forward in the best interests of everyone involved.

As Members will be aware, in 2009, around 4,500 equal pay claims were lodged with the industrial tribunal on behalf of NICS staff who worked at administrative assistant, administrative officer and executive officer II (EOII) grades and believed that they were treated differently from male comparators working at the same grades in the relevant Departments. On 1 February 2009, an agreement was reached by the Department of Finance and Personnel (DFP) and the Northern Ireland Public Service Alliance (NIPSA) on how the claims were to be resolved. Unfortunately, civil servants who worked for the PSNI or the NIO were excluded from that settlement. Members will also be aware of the decision by Judge Babington on 7 March to dismiss the equal pay claims of those civil servants.

On 14 May this year, during Question Time, I asked the Finance Minister to outline the impact of the court's decision. In response, Sammy Wilson stated that, after the court judgement, NIPSA indicated that it had not included PSNI staff when it took the tribunal case. He also said that the PSNI had been apportioning blame to his Department and that, to date, no formal case to show a legitimate claim had been made to DFP. In response to my supplementary question, the Minister made it clear that:

*"Responsibility for establishing that legitimate claim lies with the PSNI."*

He went on to confirm that there was such a business case to be presented and:

*“stands up, payment will be made”. — [Official Report, Bound Volume 85, p79, col 2].*

I believe that the Finance Minister's response sheds a new light on this case, which is why we are here to debate the matter.

Since raising the issue, I have received calls, e-mails and messages thanking me for asking the question and tabling the motion. In the run-up to the debate, I have spoken to colleagues who have also been contacted. Although I do not have time to mention them all, I want to mention my party colleague Arlene Foster, who has spoken to me on a number of occasions about people in her constituency who are affected by this. I know that, had she not been away on ministerial business, Arlene would have spoken in support of the motion. However, I have been assured and I know that Arlene is fully supportive of this issue and the Civil Service staff involved.

Over the past few weeks, I have received a number of interesting e-mails, none more interesting than a letter from NIO officials to staff who were moving to the Department of Justice (DOJ) after policing and justice powers were devolved. I want to focus on the second paragraph of that letter:

*“You are a Northern Ireland civil servant and your post is one which wholly or mainly deals with matters which are transferring to the Department of Justice. As a result, you will move with the post and you will become an employee of the Department of Justice on 12 April 2010. You will, of course, retain your Northern Ireland Civil Service status.”*

I will repeat that in case anyone missed it:

*“You will, of course, retain your Northern Ireland Civil Service status.”*

Need I say any more? It seems to me that those staff were and are civil servants and they should have been included alongside the PSNI staff in the negotiations.

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

**Mr I McCrea:** I will.

**Mr Givan:** I thank the Member for what he said in respect of that letter. I, too, have a copy of that letter. Will he confirm that it was sent to staff from the deputy director of the personnel services division and the director of the department of human resources in DFP? It is not a letter from an insignificant civil servant; it was issued from the highest levels of the Civil Service.

**Mr I McCrea:** I thank the Member for pointing that out. I can certainly confirm that that is the case.

A lot has been said about liability being the main barrier to making payment. I have outlined the Finance Minister's position on the way forward. Therefore, it is important that we hear from the Justice Minister how he intends to take this forward. I also happen to have in my possession a copy of a letter dated 13 May that was received by Sammy Wilson, in his capacity as an MP, from the Justice Minister in response to Sammy sending him a letter from a constituent who was a member of PSNI support staff. In the response from the Justice Minister, he details the

factual position around the County Court judgement back in March, as well as a NIPSA bulletin dated 27 March that advised its members that a challenge based on internal comparators in the PSNI was unlikely to succeed. The letter states that, given the court case and the NIPSA bulletin, he — the Justice Minister — had no plans for further work on those issues in his Department. Quite frankly, that is not good enough, and I ask the Minister to tell the House today in his response that he will reconsider that position and clarify that point. Can the Minister also confirm that there are no obstacles from his Department that would block any attempt by the PSNI to present a business case?

**Mr Spratt:** I thank the honourable Member for giving way. You, like me, were a member of the Northern Ireland Policing Board, and, during that period, you will remember that the Police Service, with the assistance of the Justice Minister, got some £86 million of additional funding a number of years back. Within that was a £21 million or £26 million figure to settle the pay claim. That money was supposed to be ring-fenced. It would be good if the Minister could say exactly where that money is and whether it is still available to pay the people who are, justifiably, making this claim.

**Mr I McCrea:** I thank my colleague for his intervention. I too believe, having spoken to senior people in the Police Service, that that figure of £26 million is around the amount that it would take to clear the claim.

The whole debate on the issue — I am not just talking about today — has missed one important fact: we are dealing with people's lives. Those people put themselves on the front line throughout the Troubles, had to check under their cars and to change their routes to work and to where they shopped. The impact that had on their families must also be considered. I commend them for that. Those people do not ask for special treatment, but they do ask to be treated as equals.

It seems that, when it suits, a payment can be made. I use the example of the prison officers' package. As far as I am aware, there was no legal obligation to make that payment, yet the Department did so. I must add that I am not opposed to that payment. This is a matter of fairness, not legal obligation. In my opinion, when two members of staff work in the same office and do a similar job for the same salary but one gets a payment as part of the settlement and the other does not, it is not just unfair but immoral.

It is hard to understand why those responsible have failed to bring forward a business case. As I said, I have spoken to senior officers in the Police Service who have made it clear that they want the payments to be made to their staff. I ask the Minister sincerely today to step up to the mark and right this wrong. I hope that the motion receives the support of the House and that whoever needs to get involved in addressing this matter gets on with it without any further delay.

**Mr McCartney:** Go raibh maith agat, a Leas Cheann Comhairle. Beidh mé ag labhairt i bhfabhar an rúin seo. Sinn Féin supports the motion. For us, this issue is about equality of treatment and fairness. We come at it from that point of view, because the case has been through the courts, and a number of presentations have been made to the bodies involved. Indeed, last week, officials from the Department of Justice gave our Committee a very

extensive and informative briefing, and I want to thank them for that.

There are issues that remain to be addressed. Perhaps the Minister will take the opportunity today. Ian McCrea has raised a number of questions, and I think one of them is whether the Minister has the power and the capability to make an ex gratia payment to address what people now call a wrong. What has happened will continue to happen; it will not go away. The people who feel that they have not been properly treated will always have that sense of wrongdoing.

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

**Mr McCartney:** I will indeed.

**Mr I McCrea:** The Member referred to whether the Minister has the power or the capability. Does he agree that it is important that the Minister states not whether he has the power but whether he has the will to do it?

**Mr McCartney:** I hope that I am not being unfair to the officials who made the presentation last week, but they said that there was a legal position that tied the Department to a particular course. However, there was a sense that the issue had not been truly addressed, if that is the right way of putting it. There was an acceptance that there was a lingering issue of equality and fairness that hung round it. That is why I am asking the Minister. He could take the position that he feels that, legally, he cannot do anything. The point was well made last week in other circumstances that, in order, perhaps, to enhance particular positions, enhanced payments had been made. That is why I want to explore this.

You said that this was not about apportioning blame. It has been said that, if a business case were made to the Policing Board, there is a possibility that this could be advanced. That has not happened. So, we are trying to create circumstances where, rather than being seen as challenging the Minister or anyone else, the people who feel that they have been wronged can find a way to have this addressed. I think people accept that they have made a good case, and I am sure that even the Minister would accept that. However, legally there does not seem to be any redress. That is why I make that point. The Minister will say whether he has the will, but we are trying to say to him that, if there are circumstances whereby this can be addressed and rectified, then let us hear what the possibilities are.

The Minister may not be the best person to answer, but there is some sort of suggestion that, perhaps, a business case has not been made because there are some blockages. It is about trying to determine who is making those blockages. In raising this particular case, the Member raises something where people feel that they are being treated unfairly. It is our responsibility to ensure that they feel that all avenues have been explored for them. I do not think that any of us can promise what the outcome will be, but, because people feel that they have been unfairly treated or there is an issue of equality, we find it easy to support the motion.

**3.15 pm**

**Mr A Maginness:** I listened very carefully to the proposer of the motion, Mr McCrea. From reading the papers and listening to the briefing from Department of Justice

officials, I can say that there clearly is an outstanding issue that needs to be resolved. Certainly, we are supportive of this motion, and it is timely that it has come to the House, given the judgement by his honour Judge Babington on the issue. He said in his judgement that legally there is no case and, therefore, he could therefore not make a decision in favour of the applicants. It is now accepted by everyone that there is no case. The trade union involved, NIPSA, has been very consistent throughout this, and there is no criticism of it. It is not appealing this case, and, therefore, that is where the law lies.

Certainly, if you have a situation, as Mr McCrea outlined, where you have two workers who effectively do the same job, come from different positions historically regarding employment and do not receive the same wages, it creates a very serious inequality. There is an issue of fairness there and an issue of morality for all of us in the House. We have to resolve that, and we have to do so in favour of those who have been so disadvantaged, and I make no bones about that.

Where is the blockage? I endorse what Mr McCartney raised in his contribution. Has the Minister, given the established legal position, got the power to remedy such a stark inequality, or has the Minister got some flexibility in how he deals with the situation? That, I do not know, and I would like it to be fully clarified. There has been a suggestion that the Minister has the power but is simply not exercising his will to implement a change to create equality. I do not know what the position is there. Maybe the Minister will qualify that.

**Mr Spratt:** I thank the honourable Member for giving way. I raise again the point about a case that was made to the Treasury about additional money that was required for a police service that was under pressure regarding security and for other reasons. As part of that, the Treasury agreed to release more than £20 million to the Chief Constable to pay those claims. Is it not the Chief Constable who has a moral responsibility to provide those resources and pay the people under his command who are doing a gallant and good job on a day and daily basis? He made the claim as part and parcel of the package, and he was supported by the present Minister and other Executive colleagues.

**Mr A Maginness:** I want to return to the point about whether the Minister has the power. That has to be clarified, given the settled legal position, as I understand it.

I accept your point, which you made very robustly and effectively. If that money was earmarked, as you suggested, for this purpose, why is it not being used for this particular purpose? Again, that has to be answered. I hope we are not involved in some interdepartmental dispute between the Finance Department and the Department of Justice on this matter. I hope that it is not a matter of pass the parcel. I see colleagues across the Benches shaking their head. I hope that that is not the situation, because these people require justice, fairness and the application of equality to the situation. I, my party and my party colleagues support them, and I hope that we can resolve this pressing situation.

**Mr Elliott:** I welcome the motion. We tabled an amendment that was not accepted by the Speaker —

**Mr Deputy Speaker:** Order, please. The Member wrote to the Speaker on that issue. He got a reply, and he knows very well that the rules of this House are very simple: you

do not make any reference to amendments that were not accepted. Continue.

**Mr Elliott:** That is fine, Mr Deputy Speaker. Thank you for that ruling.

We support the motion. We wanted it to be strengthened a little bit by putting pressure on to have the finance paid, and I understand that that is ring-fenced for this measure. There is a deep unfairness in the inequality of the situation, and a number of Members have mentioned that today. I firmly believe that there is a clear inequality and that those people deserve and have a right to have the equal pay settlement. They are civilian staff from the PSNI, the Department of Justice — I suppose that the staff is mainly civilian there — and the Northern Ireland Office. There has been, as Mr Alban Maginness highlighted, a pass-the-parcel process, and I have heard all sorts of people being blamed, such as the Minister of Finance and Personnel, the Department of Finance and Personnel, the Department of Justice, the Minister of Justice, the Policing Board and the Chief Constable.

It came to light last week at the Justice Committee that the Policing Board put forward a business case to the Department of Justice that was not then progressed to the Department of Finance and Personnel. The matter could have been dealt with at a much earlier stage and much more positively, and it would not have resulted in us being required to bring the motion and have the debate today. There have been significant shortcomings in dealing with the proposal and with this matter of inequality. Let us not forget that, as I understand it, £26 million is ring-fenced for equal pay, and there are people who deserve that. However, it is not just about those people being the end recipients of it. If that £26 million is ring-fenced for this project and cannot be spent on any other project in the Northern Ireland Executive, the entire community in Northern Ireland will be without that £26 million, and that is money that we could do with in the economy at present. Maybe the Minister can clarify whether that is the position. There has been a wrong, and it needs to be righted.

Point 108 of the Policing Board business case that was presented to the Department of Justice states:

*“The objectives in agreeing a resolution to the NICS equal pay case impact for the police staff are as follows: to meet the legislative requirements in respect of equal pay; to meet the Northern Ireland Policing Board statutory obligation as the employer of those appointed to assist the police, that is, police staff; to meet the statutory obligations of DFP towards those employed in the Civil Service engaged by the NIPB to support the police; to secure the necessary approvals in relation to the terms and conditions of police staff from the Minister of Justice.”*

My point is that there appears to be a justifiable case in the business case, and I do not know why it was not progressed from the Department of Justice to the Department of Finance and Personnel. I really want to hear why that is and why it has not been resolved long before now instead of us having to debate it here. I believe that there is a moral obligation on the Department. These people deserve that, and they have a right to the equal pay settlement. As Mr McCartney said, we do not want inequality in that Civil Service area, which is exactly what is happening. We are making these people feel unwanted

and unequal compared with other parts of the Civil Service.

**Mr Dickson:** I declare an interest as a former employee of the Labour Relations Agency, where I had administrative oversight of a number of equal pay applications but was not involved in any of the negotiations.

I add to the words of other Members in recognising the disillusionment and sense of unfairness that is felt by people who worked in the PSNI and the Northern Ireland Office and are affected by these issues. The honeyed words of others in the Chamber will not make any difference to those employees. We can all probably think of examples of when the system let people down, when the financial rules and terms of agreements have excluded or not applied to certain people and when, although they are not deemed legally wrong, they appear very unfair. The law is a key issue in this case, and the court judgement, which the motion notes, makes it absolutely clear that the staff in question had no right to equal pay terms because the pay arrangements were not within the control of DFP.

I am not saying that that was fair, but I am saying that it was the legal judgement. In these circumstances, it falls to DFP and to Minister Wilson if he wishes to take the matter further forward. A Hansard report shows that, on 10 April this year, a DFP official told the Finance and Personnel Committee that the judgement:

*“effectively draws a line under the NIO/PSNI situation.”*

That statement, perhaps, did not receive much of a challenge from the Members who put their names to the motion, but it seems unlikely that those words will have been said without the knowledge of the Minister of Finance and Personnel. Of course, DUP Members will not want to push officials from their Minister's Department too hard, even though that Department has the final say on these matters. Instead, they thought it much better to engage in what has become too common in the Assembly: singling out the Justice Minister and trying to shift responsibility to him. Why are they doing this?

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

**Mr Dickson:** No; I want to complete what I want to say.

Why are they doing this? To deliver for their constituents? Forgive my cynicism, but those DUP Members know the facts. It has been made clear in Committee proceedings that when the PSNI produced the business case, which Members referred to, in draft form in 2010, the DOJ sought the advice of DFP. The advice that it received was not to allow the business case to progress, and there it sits. It has also been made abundantly clear that for DFP, legal liability and cost to the public purse are two overriding considerations that have blocked and will continue to block the progress of any business case. It is, therefore, for DFP and Minister Wilson to address that blockage. Should he wish to find a way forward, let him do so and come to the House.

With that in mind, what do DUP Members want the Justice Minister to do? Do they want him to ignore the rules from the Minister's Department on managing the public purse? That clearly seems to be what is coming across today. Do they want him to disregard the high standards that have been clearly set out in public life and public responsibility for finances and allow a business case to be submitted to

DFP for final approval, even though DFP has indicated that it is not prepared to accept that business case? Perhaps we should call their bluff and see whether the Finance Minister will sign off. Will the Finance Minister sign off on £26 million of expenditure, given the previous legal advice that he has received, judgements and statements from his departmental officials and even himself? I shall come to quote the Minister directly. Perhaps they and the Minister would then like to face the Audit Committee and the Audit Office, because they are all too keen on using them when it comes to criticising others.

Indeed, perhaps the Minister should be here to answer those questions himself. However, that was never the genuine reason behind the motion brought by DUP Members. If they thought that there was even a slim chance of the issue being resolved, they would have asked their own Minister to appear before the Assembly as the final arbiter on and paymaster for the matter. Of course, Mr Wilson has already made his position clear. In May, Mr Hussey asked Mr Wilson in a question for written answer what action he was taking to find a solution.

**3.30 pm**

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

**Mr Dickson:** The Minister's reply was:

*"I have taken no action to extend the NICS equal pay settlement to those who have no legal entitlement right to it."*

**Mr Deputy Speaker:** The Member's time is up. I ask him to resume his seat, please.

**Mr Dickson:** In response to a similar question from Mr McDevitt, he said that it has been clear from the outset that a decision on the equal pay settlement has now been upheld in the County Court.

**Mr Spratt:** On a point of order, Mr Deputy Speaker. Is it right for the Member to try to talk down you, a Deputy Speaker of the House, when you are trying to get him to sit down?

**Mr Deputy Speaker:** I am sure that the Member realises that I am a very tolerant person. I have put up with a lot of talk across the Chamber as well. I remind Members that, from now on, when I indicate that your time is up, please respect that. I also remind Members not to make remarks across the Chamber. Then we will all be happy.

**Mr Dickson:** On a point of order, Mr Speaker. A brief point to apologise to you for going 18 seconds over time.

**Mr Givan (The Chairperson of the Committee for Justice):** If the Member for East Antrim had given way, he would have got an extra minute. We would have facilitated that, and been happy to do so.

I commend my colleagues Mr McCrea and Mr Weir for bringing the motion to the Assembly. It is timely that it has been brought to the Assembly after the court judgement. Until the Member who spoke previously rose, I thought that we were collectively trying to find a way through all this. I do not think that today is a day for apportioning blame. We have not sought to do that, and it ill behoves those who seek to apportion blame, particularly to my Minister when successive DUP Finance Ministers indicated that

a fairness was at stake and that the equal pay claim needed to be resolved. It was DUP Ministers who set the chain in motion right from the very commencement. Peter Robinson initiated all this when he was in DFP. We are trying to work collectively to get a resolution.

**Mr Dickson:** Will the Chairperson give way?

**Mr Givan:** I will give way, yes.

**Mr Dickson:** I do really appreciate that. I understand what you say about Ministers having a desire to resolve the matter, and I do not think that there is anyone in the Chamber who did not wish to see it resolved. However, there is now a clear legal definition on the equal pay matter. It cannot now be paid unless a Minister, of Justice or Finance, flies in the face of a court decision and attempts to overturn established practice in the public sector on the use of public sector money. I just think that that is totally and utterly unreasonable.

**Mr Givan:** I appreciate the extra minute.

The Member makes a valid point, which is that we now need to find a way to get around that legal judgement. We need to be creative. If there is a willingness on the part of the Minister of Justice to be creative, I am almost sure, having spoken with him on the issue, that the Finance Minister, Sammy Wilson, wants to do all that he can to facilitate the Minister of Justice in taking the issue forward and will be happy to do so.

I say all that as a private Member. I now speak as Chair of the Committee. We have looked at the issue, which has been ongoing for a considerable time, and obviously still without a satisfactory conclusion. That was illustrated when the Committee first got representation from the Department and NIPSA officials back in March 2011. The current Committee has had officials before it as recently as 23 May 2013. We have kept a watching brief on the matter and received information on developments as the issue has been ongoing, as has the Committee for Finance and Personnel, which has also taken a keen interest.

The £26 million has been mentioned as being a ring-fenced sum. I ask the Minister to clarify whether that money is sitting with the Treasury. Has it already been allocated to the Department and the PSNI or is it now ultimately lost to the Northern Ireland block grant, full stop? That would indicate what Mr Elliott said is true: that this £26 million is lost to Northern Ireland, because there is no other way to get it except through the equal pay settlement.

We have also had representation from PSNI support staff. It is an issue that has caused deep hurt among those who have not been awarded the judgement for equal pay.

Recently, the Committee requested an oral briefing in respect of the judge dismissing the NIO/PSNI support staff claim, and we have discussed this matter as recently as last week. We wanted to explore what action the police and the Department now intend to take in light of the judgement that has been issued most recently. The briefing clarified a number of issues, which was helpful. As other Members indicated, it was a very candid meeting. However, it indicated that there seems to be an unwillingness to look at this matter creatively to try to find a way around the problem that is now presented to us. We hope that the Minister will be able to lead on this.

I say to the Minister: we come at this in a supportive manner, not wanting to apportion blame. I believe that the Committee will support the Minister in trying to take this issue forward. Ultimately, it is a matter of fairness and of staff feeling that they have been treated unfairly. It is putting staff members, some of whom are in the very same office, against other members of staff, because some have been awarded sums of moneys and others have not. That is unfair, and has created a genuine grievance. I think that it is incumbent on the Minister to try to seek a resolution to that. It is the right thing to do. As recently as this morning, I spoke to the Chief Constable to deal with PSNI-related staff. He indicated to me that he wants to get a resolution to this. I hope that we can facilitate that and that it is something we will be able to make progress on. If the Minister can confirm that he is willing to drive this forward, I can confirm that the Committee will be willing to support him in whatever way it can to get a satisfactory result for the staff concerned.

**Mr Craig:** Given some of the remarks that have been made in the Chamber today, I think it important that we have a think about where the equal pay claim actually came from. When looking at the NICS and all the civilian staff who work in the PSNI, it is important that we all recognise that a lot of those who worked there for the past 30 or 40 years fell under the same threats, intimidation and danger as those officers who worked on the front line. We all should temper what we are saying here, because that needs to be borne in mind when we talk about the inequality of what is going on here. Most of them willingly served under those additional pressures that they were put under, and they did that with a heart and a half. That needs to be borne in mind when we discuss this matter.

One thing still puzzles me, and I think it puzzles a lot of Members in the Chamber. Why, in 2009, when NIPSA did make an equal pay settlement, those who were working for the DOJ and the PSNI were left out of the equation? That is something that I think only the union itself can answer. I do not have an answer to that one. It certainly puzzles me greatly that the union could not negotiate something better for its members. That is not just a question that I am asking. It is something that I am bringing forward to the public domain because I know that a lot of the members themselves are asking some very searching questions of the union around that issue.

**Mr Spratt:** I thank the Member for giving way. Is it not the case that the union has totally failed to properly represent the employees, in these particular circumstances, from day one?

**Mr Craig:** I thank the Member for his intervention. I can certainly confirm that an awful lot of members out there who have approached me concur with that view.

Under a huge amount of pressure from its own members, NIPSA launched a legal case. The membership at that time was given clear assurances that this was a 100% guaranteed mechanism that was going to bring about equal pay for the membership.

That is what kept the lid on a lot of criticism from the membership at that time. That legal case was launched in 2011, and we find ourselves in 2013 with nothing but a failed challenge. Instead of sitting down to negotiate with the Minister or Ministers and the Chief Constable towards a resolution, we have a failed legal challenge. If you were a

member of that union, you would certainly be asking some very searching questions about the wisdom of what it did.

I have listened to the opinion of some in the Chamber who said that nothing can be done now because there is a legal case out there with a judgement. My experience of all legal cases is that they make a point in law. That point in law has been made. If we sit back and take the attitude that we can do nothing to rectify the situation, or if there is no willingness to rectify the situation, nothing will happen. Today, the House is calling for political willingness to find a solution. It is not right that hundreds of staff in the PSNI are treated differently to the rest of the Civil Service, and it is not right that hundreds of people in the Department of Justice are treated differently. The question in my mind is this: why are they being paid differently to an equivalent job elsewhere in the Civil Service? This is certainly an issue of equality. This House preaches much about equality in all other matters, so let us preach a little equality on the subject of pay. I have always said that, if there is a willingness, a way can be found.

I appeal to the House, the Minister of Justice, the Chief Constable, the Finance Minister and the Committee, please, to sit down and find a resolution to this problem because, although we can stand here and debate the subject to death, staff are being adversely affected, and they are the ones who are being paid the least in our society. We need to bear that in mind when speaking about this issue. These are not people with huge amounts of excess money; these are people who are finding it difficult to feed their family and educate their children. We must bear that in mind. Surely, if there is a will, a solution can be found.

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

**Mr Craig:** Thank you very much, Mr Deputy Speaker.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas le moltóirí an rúin. I thank the proposers of the motion for bringing it to the Chamber. Mr Craig's last point is true: in many cases, we are talking about people who are administrative assistants, administrative officers and EO2s.

By way of a wee bit of background to the case, during 2009, DFP and NIPSA held a number of meetings and arrived at what they referred to as the settlement agreement, which provided that affected employees were to have their salaries revised upwards, with a lump sum that was set to represent a loss of salary in the six years prior to the agreement in what they referred to as compromise or consolidated agreements.

I have read the judgement, and it is worth refreshing our memory as to what the cases that were taken were about. They broke down, essentially, into four categories, although there were a number of other people involved as well. The first category was those who were appointed to the Northern Ireland Civil Service and who were then seconded to the Police Authority for Northern Ireland up to 1 February 2009. Those people did not get a fair amount as calculated in that period for their wages and salary adjustment because it did not take into account their years of service in the Police Authority.

The second category was those who were appointed to the Northern Ireland Civil Service, seconded to the NIO,



and then came back to the Northern Ireland Civil Service. Again, those people were disadvantaged and deprived of their entitlement and what they would have had if they had stayed on permanently and consistently in the Northern Ireland Civil Service during that period without going to the Northern Ireland Office.

### 3.45 pm

The third category was those who were at the Northern Ireland Civil Service but were seconded to the NIO and remained in the NIO at the settlement date of 1 February 2009. On 12 April 2010, post-devolution of policing and justice, they were transferred back to the Northern Ireland Civil Service to work in the new Department of Justice. They received a new salary scale but were disadvantaged by not receiving their lump sum for the duration of their spell at the NIO.

The fourth category was a group that was appointed as civil servants, who then transferred to the Police Authority for Northern Ireland. They remained there until 1 October 2008 and transferred to the employ of the Northern Ireland Policing Board, apparently on a new salary scale, from 1 February 2009, but they received no lump sum as they were on secondment for the six-year period up to 1 February 2009. The judge's reasoning was that delegations were made to the Northern Ireland Office, the Police Authority for Northern Ireland and the PSNI that were not revoked at any stage. Therefore, they were in a Northern Ireland Office pay group and excluded from those negotiations.

I have also read the comments of Sir David Fell, who is a former head of the Northern Ireland Civil Service. It is important to read those on to the record. When dealing with the issue, he said:

*"Obviously we are anxious to ensure that change does not result in detriment and we interpret this as meaning that there will be no erosion of current entitlement."*

I would have thought that some form of natural justice would prevail, and that has been the constant refrain that has been going through the Chamber today. Clearly he was thinking of those staff who had been in the Civil Service, moved out and came back again, as well as those who are still outwith the Northern Ireland Civil Service and those who were likely to come back as part of the new Department of Justice.

In conclusion, I do not really care whether the Department of Justice or the Department of Finance and Personnel sorts it out, but natural justice dictates that it just needs to be sorted. I am aware that there has been a court case. We have gone through that, and we see all that, but there is still a problem where some who entered the Northern Ireland Civil Service on the basis that they would be treated the same as everybody else in the Civil Service were then moved out and found out that they were treated unfairly. So, the principles of natural justice dictate that they are treated equitably and fairly and the same as everyone else in every other Department in the Northern Ireland Civil Service. I hope that there is a will, and I hope that there is a way between the DOJ and DFP to get this sorted once and for all. Go raibh míle maith agat, a LeasCheann Comhairle.

**Mr Hussey:** This matter has been ongoing for some time. In fact, during the Assembly elections, I spoke to several civil servants who were concerned that they had not received their equal pay settlement. Two years later, we are still seeking to find out why those civil servants have been disregarded. Several times in meetings of the Finance Committee and PAC, I have asked this question: "When is a civil servant not a civil servant?" The answer seems to be, "Whenever we feel like it." Nearly everyone that I have spoken to was recruited into the Northern Ireland Civil Service, attached to DFP and then allocated to whatever arm of government required them.

At this stage, I will declare an interest as a member of the Northern Ireland Policing Board. I am also the brother-in-law of a civil servant who works for the PSNI. With my background, it is clear that I also know many civil servants personally, and I have probably received more post in relation to this issue than to any other subject.

Those who work for the Police Service are generally long-serving staff who have served with the Civil Service for well over 20 years, and they worked in security situations that would probably not be seen as falling within the health and safety requirements that are in place today. Those people worked in police barracks that were regularly attacked. They were targeted by terrorists, and, on some occasions, they were confined to barracks and the station was locked down. We have civil servants employed by the Department of Justice who worked in courthouses, and they were also regarded during the Troubles as targets by the IRA. It is laughable that the Department responsible for most of those employees is the Department of Justice, because it is quite clear that, in these circumstances, the last thing that those civil servants have received is justice.

I will go back to my initial point about when a civil servant is not a civil servant. On 9 April 2013, I submitted the following question:

*"To ask the Minister of Finance and Personnel (i) how many staff from his Department, who were on secondment to the old Police Authority or the Northern Ireland Office between 2003 and 2009 were mistakenly paid both limbs of the settlement under the agreed 2009 Civil Service Equal Pay Settlement; (ii) what was the total amount that was mistakenly paid to these members of staff; (iii) from where did the money that was mistakenly paid come; and (iv) whether HM Treasury has requested that this money be clawed back."*

The answer was:

*"DFP made 7 payments to former NIPB headquarters staff who had returned to the NICS totalling just over £41,000, which was paid from the funding set aside for the NICS equal pay settlement. The NIPB made payments to a further 18 staff totalling just over £159,000. HM Treasury has not asked us to reclaim any monies paid out to NIPB staff."*

Following that response, on 3 May, I submitted another question:

*"To ask the Minister of Finance and Personnel what action he has taken to find a solution for people with unresolved issues stemming from the Civil Service equal pay issue."*

Honeyed words were used by Mr Dickson to reread that question, and he did it exceptionally well. The Minister's response was:

*"I have taken no action to extend the NICS equal pay settlement to those who have no legal entitlement to it."*

I also submitted this question:

*"To ask the Minister of Justice what action he has taken, in conjunction with the Minister of Finance and Personnel, to find a solution for current and former staff from his Department and its Arm's-Length Bodies with unresolved issues stemming from the Civil Service equal pay issue."*

His response was:

*"The County Court decision on 7 March established that the NICS equal pay settlement applied only to periods of service in the 11 NICS departments. It did not apply to bodies such as the Northern Ireland Office (NIO) and PANI/PSNI who had lawfully received a delegation for pay matters which was still in effect during the relevant time period.*

*Therefore staff in the Department of Justice who were former members of the NIO prior to devolution as well as those in PSNI support grades have no legal entitlement to have the terms of the settlement applied to them. However, settlement payments for individuals with periods of eligible service in NICS departments are still available should individuals wish to avail of them.*

*In the circumstances there is no further action being taken in respect of the equal pay issue."*

I go back to the question: when is a civil servant not a civil servant? We saw that DFP made seven payments to former NIPB HQ staff, and NIPB paid 18 staff members. I asked a question of the Policing Board, and was advised:

*"We can confirm that NIPB submitted a Business Case to the Department of Justice (DoJ) seeking approval to make payment to NICS staff seconded to the Board in relation to the Equal Pay Award. DoJ subsequently informed the Board that the Department of Finance and Personnel — "*

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

**Mr Hussey:**

*" — were content that the necessary approvals were in place for NIPB to make payments to NICS staff seconded to the Board in relation to the Equal Pay Award."*

Basically, I support the motion and want to know when a civil servant is not a civil servant.

**Mr Newton:** I support the motion and thank my party colleagues Mr McCrea and Mr Weir for bringing the motion. It is, as was said, a timely motion. It is regrettable that we are having to debate the issue.

Three things encapsulate the motion and put the needle right home to the heart of what it is about. The motion:

*"recognises the sense of unfairness felt by many civil servants".*

It recognises also that they are those:

*"who had worked in or were working in the PSNI or the Northern Ireland Office at the time of the equal pay settlement of 2009 but were not entitled to access that settlement".*

The motion also calls for us to sort it out.

There is something wrong when we in the Chamber are talking about equal pay for equal work. There is something wrong when we are talking about what is essentially an industrial relations problem, and a motion that unites the Chamber with the exception, at least at the moment, of Mr Dickson. The tone of Mr Dickson's remarks is regrettable. He might well disagree with the motion, and that is fair enough, but there is the matter of the tone in which Members set their remarks on what is, essentially, a very sensitive issue for many people who did their duty. As has been said, many of them did their duty through very dangerous days. They did their duty on our behalf — on society's behalf — and the terrorist did not distinguish between someone on the front line in the PSNI and someone who worked in a back office.

When any civil servant is doing his or her duty and is sitting beside someone who receives additional money, we need to ensure that everything — equal pay and equal work — is treated equally. There was an attempt to get the assimilation exercise to come into play. That assimilation exercise was supposed to end all the future pay claims. There was also a commitment to conduct, at the end of that, a comprehensive pay and grading routine. I have no doubt that PSNI staff were to be included in all the negotiations.

As has been referred to, some comfort was taken from the letter from David Fell, a former head of the Civil Service. That letter has been described as a letter of comfort. We know that, within that, his feelings were that natural justice should prevail in the addressing of the issue. Natural justice is very prevalent in many speeches that are made across here. We may use a different word; we may use that word "equality", but natural justice was in the thinking of David Fell, a former head of the Civil Service and a man with considerable experience, when he wrote that letter.

**Mr Hussey:** I thank the Member for giving way. Again, I am sure that he is well aware of the statement that was made by Nigel Dodds on 24 June 2008. He said that towards the end of the negotiations:

*"It was agreed by everyone that there was a legal and moral obligation to those civil servants who had been underpaid for so long. It is an inherited, legacy issue; however, it falls to the Assembly to deal with it this year." [Official Report, Bound Volume 32, p65, col 2].*

Despite some comments made by Mr Dickson, there is no doubt that the Assembly is responsible for resolving this issue, regardless of the Department. We, as an Assembly, must now follow through and support these civil servants.

**Mr Newton:** I will know not to give way to him again, Mr Deputy Speaker, because he has taken —

**Mr Hussey:** I saw your last page.

**Mr Newton:** It is not a page; it is just a few comments. I very much agree with the remarks that Mr Dodds made when he was a Member of the Assembly, and Mr Hussey has summed that up very well.

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

**Mr Newton:** Do I get another minute, Mr Deputy Speaker?

**Mr Deputy Speaker:** No.

**Mr Newton:** Well, OK; I will give way.

**Mr Dickson:** I will speak very briefly. Mr Dodds may very well have said that at the time, but we now have the legal decision with regard to the matter. He may have been of that view at that point in time, but a judge has ruled differently at this point in time. Mr Deputy Speaker, there is no doubt that we have sympathy with the individuals, but to ask the House to turn on its head the financial rules of the public service is wrong.

**Mr Newton:** He really is pushing the boat out. We know that there is a judgement. There are many judgements. That does not mean that you leave that judgement, set that judgement and that it is cast in stone and that is it.

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

**Mr Newton:** OK. Thank you. Let me just say this: this is a human issue, and it needs to be treated as a human issue. We need the sentiments that have come from across the Chamber, with the exception of Mr Dickson, to prevail.

**Mr Girvan:** I am glad to hear the comments round the Chamber and that there seems to be unanimity in trying to resolve this matter. The difficulty that I have is that, if there is a will, there is a way. I think that we look for reasons not to do things, and, unfortunately, that seems to be the case here.

**4.00 pm**

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

A number of points were raised, and I do not want to go back over them all. When crises have arisen — I am thinking of the Presbyterian Mutual Society (PMS) and the recent farming crises — we have moved relatively quickly to resolve them. Irrespective of the legal case taken by the union, we have to resolve this matter fairly.

Staff morale has been affected. I have spoken to members of staff in the DOJ and those affected by the issue, and I can tell you that they say that morale has never been lower. That is simply down to the fact that they are being treated differently from other people who are doing exactly the same job.

Everybody mentioned fairness; everybody wants equality but not necessarily on the same basis. Let us be truthful and move ahead: if we want to resolve the issue, we can. I believe that we need to do that.

As Mr McGlone mentioned, civil servants who were seconded to the DOJ were given all sorts of assurances that they would not lose their rights or conditions and that it would have no financial impact on them. They were told lies. That is exactly what has happened to them. They were led up the garden path and were told that they were getting a resolution. Unfortunately, everybody said to wait to see how this legal case went, which made only certain

people wealthy — the lawyers. It has not done anything to help the people affected.

If what I see around the Chamber is correct, it will be necessary to bring heads together to ensure that we get a resolution. Sometimes, the only way to do things is to gather together around a table those who are batting the ball back and forward. Unless that willingness is there, we will still be debating this next year.

We are not talking about people who earn fortunes. Some of those people are living on the breadline, and we need to ensure that they receive fair pay. Irrespective of their pay settlement, we have to deal with the legacy of what happened in the past. That is where we are today.

**Mr Hussey:** You are right: these people are on the breadline. They are on very low pay. However, they were always committed to their job. As we approach the G8 conference, members of police staff will be working overtime to support the police, yet they have received no equal pay settlement, which is totally immoral. Therefore, they are still committed to a job that many others would not have done.

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

**Mr Girvan:** I thank the Member for his intervention and appreciate that we have to move ahead in a way that will resolve the matter. The same ball was batted back and forward when it came to payment for the part-time Reserve, and we appreciate that that was part of the St Andrews negotiations. Unfortunately, everybody felt that this matter would be dealt with under the ordinary equal pay claim, but it has become unequal pay, which we need to resolve.

The letter of comfort from Sir David Fell did nothing except hold out a carrot in front of people and make them believe that there would be a resolution. Now we have an opportunity to ensure that that carrot can be grasped. We have to use the power given to us. Let us be honest: if the Assembly is to deliver anything, it has to deliver for those whom we believe have been treated unfairly. That is what the Assembly should be doing. I support the motion.

**Mr Ford (The Minister of Justice):** I begin by acknowledging that the issue that we are debating this afternoon has caused understandable disappointment and frustration to a significant number of staff, most of them in my Department, and is one about which there is much confusion. In introducing the debate, Mr McCrea said that it was not about blame and that he hoped that we would bring clarity to the issue. I do, however, have to express concern that the way in which the issue has been brought before us today and the wording of the motion may serve only to cause more confusion and, even worse, lead ultimately to greater disappointment and frustration than exists already.

I do not make that accusation lightly. However, when I simply state the facts, it will become clear why I have taken that view. The motion comprises three elements. I can support comfortably the first and second elements. However, I cannot support the third, which I believe is, at best, misleading and, at worst, disingenuous. I will deal with each in turn.

The first element refers to the County Court judgment that was delivered on 7 March. That is at the heart of the issue. The case was taken against DFP and the Northern

Ireland Policing Board, not against DOJ. The judgment was clear and comprehensive. It followed lengthy evidence by all parties. The court was asked by 10 plaintiffs, who were supported by NIPSA, to rule that relevant staff should have access to the Northern Ireland Civil Service equal pay terms. The plaintiffs' case was based on breach-of-contract arguments. The court found that the staff did not have a contractual right to the equal pay terms, because their pay arrangements were not within DFP's control. That stems back to 1996, when the NIO was granted a pay delegation by DFP to enable it to set pay for its staff, including Northern Ireland Civil Service staff who were on secondment to the NIO. That pay delegation to the NIO also included staff who worked for the then Police Authority. The effect was that the NIO, not DFP, had overall control of pay arrangements for PSNI staff.

Those matters, to be fair, were hotly contested in that case. Indeed, many of the arguments that were made were repeated by Members from different sides of the House in the debate. However, the fact is that NIPSA and DFP agreed a settlement for the Northern Ireland Departments only. That settlement covered only those staff who were within DFP's control for pay purposes. The court ruled that other staff — those who are now in my Department and the PSNI — were outside DFP's pay control and had no right of access to the settlement.

As I said, many of the arguments that were before the court have been restated today. There is no point in my seeking to argue with them, because the judge has ruled on them. None of the arguments made persuaded the judge to the contrary. NIPSA has since informed its members that it does not intend to appeal. Therefore, in short, the court judgement established that relevant staff in my Department and PSNI support staff do not have a legal entitlement to the NICS equal pay settlement that was agreed in 2009.

I stress again that the issue of legal entitlement is central to what I am able to do on the matter. It is not an issue of personal sympathy; it is a matter of legal entitlement. When a number of Members talked about the difference between what they saw as justice and the legality of it, they were perhaps indirectly and unwittingly highlighting the difficulty that we are all in.

I will now deal with the second element, which is the staff's sense of unfairness. Previously and today, Members from all parties, including my own, have highlighted the disappointment and sense of unfairness that has been felt by staff. I am well aware of those feelings. Most of the staff, as I said, work in my Department. A number of them work in my private office. They are people on whom I depend. They are people whose work I respect. I have discussed the matter with some of them. I have corresponded with some directly and with many others through other MLAs. I acknowledge and understand fully the sense of unfairness that they feel. Although it will not lessen that sense, I take the opportunity to state my appreciation for the work that is done by staff in my Department and by support staff in the PSNI. The service that they have given in difficult times in the past and continue to give to this day is not in any doubt. The least that we should give them now is clarity and honesty on the situation as it stands, because, as well as that sense of unfairness, there is significant confusion.

Some of the letters that I have received ask for the NIO to act. Others ask for DOJ or the PSNI to resolve the

matter in favour of the staff who are affected. Still others blame DFP. Despite the efforts of DFP officials when they appeared before the Committee for Finance and Personnel, of Department of Justice officials, of the PSNI and of NIPSA, that confusion remains. That is why, when dealing with the third element of the motion, I want to be very clear about what I believe I can and cannot do. I will also be very clear about what I am willing to do.

Part of the confusion may, perhaps, involve issues such as the comparisons with, as we just heard, farmers, the Presbyterian Mutual Society and prison officers. The one element of that for which I have any responsibility relates to the prison officers' voluntary early retirement package. That was absolutely within the Civil Service terms for redundancies, just as this settlement is.

Were it not for the court's decision, the process for dealing with pay matters of this nature would be as follows: first, the PSNI would present a business case to the Department of Justice setting out the basis on which it believed a pay settlement should be made. Secondly, the DOJ would consider the business case, taking account of its delegated authority from DFP, which includes a requirement for DFP approval for all expenditure that is novel, contentious or repercussive. Naturally, DOJ officials would consult with and take advice from colleagues in DFP. Thirdly, if and when DOJ was satisfied that the business case complied with DFP rules, it would send the business case to DFP for approval. Finally, DFP, in its role as the ultimate decision-maker in such matters, would or would not approve the business case.

In the case that we are discussing today, the PSNI submitted a draft business case to the DOJ in October 2010. As would be normal practice in such complex matters, my officials consulted DFP officials on the matter of legal liability, which is a key requirement under the rules of 'Managing Public Money'. The advice they received from DFP dated 22 February 2011 was clear and unambiguous: the pay delegation granted to the NIO for its staff, PSNI staff, Policing Board staff and Police Authority staff was still in place. There was, therefore, no basis on which to put forward the business case to DFP; it could not have gone through the necessary legal and financial approvals. DOJ officials advised the PSNI accordingly, and the matter, as we know, subsequently moved to the courts.

If DFP's advice was clear then, the position is even clearer today, because the opinion then was based on legal opinion, and it is based today on a County Court judgement. The case was rigorously and successfully defended by DFP. As I said, NIPSA decided not to appeal the judgement, there is no legal entitlement in play, and my Department has no delegated authority to make payments to staff in these circumstances.

Members suggested that beyond the issue of liability is an issue of fairness. Of course I can understand that point, but I am also very clear in my understanding that I am bound by DFP rules, and any attempt by me to pass a business case to DFP that flies in the face of legal liability, now established beyond question in the courts, would be a breach of those rules and would, therefore, be rejected.

**Mr Elliott:** I thank the Minister for giving way. I have a quick query. Was the business case that the Policing Board put forward to your Department actually inaccurate then?

**Mr Ford:** No, I am not saying that the business case was inaccurate. It simply did not meet DFP rules under 'Managing Public Money'.

The position was stressed by DFP officials when they appeared before the Committee for Finance and Personnel. It was also stressed by the Finance Minister in the House on 14 May, when he said:

*"I do not think that anyone would expect that, where there is not a legitimate claim, we should pay money out. Indeed, I think that the Public Accounts Committee and the Northern Ireland Audit Office may have something to say about that."* [Official Report, Bound Volume 85, p79, col 1].

I should also say a little about the issue of funding, which a number of Members mentioned. Members and affected staff have suggested that they believe that I have money in my Department's budget to settle this matter. That is simply not the case.

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

**Mr Ford:** Just let me finish this point a second.

Such money was only ever to be provided to the Department of Justice from the Treasury in the event that legal liability was established. The money was part of the Treasury reserve, and it was never even made available to DFP, never mind DOJ or the police.

**Mr Spratt:** I thank the Minister for giving way. Earlier, I referred to the additional, I think, £86 million from a number of years ago, of which £20 million-odd was to be used to cover this claim. I am not suggesting and did not suggest for one minute that that was in your Department, but I am suggesting that the entire amount of £86 million went to the Chief Constable and that, out of that, he should have honoured part of the case that he made to the Treasury at that time, which you and other Executive colleagues were part of.

**Mr Ford:** I have no basis for believing that the Chief Constable got any amount of that money for that. Certainly, as far as the equal pay case was concerned, £26 million was ring-fenced in the Treasury reserve if required on the basis of legal liability for equal pay being established, but that was not established.

If Members are genuinely concerned about that sense of unfairness, we should not act in ways that are likely only to increase it. Instead, let us act with honesty and integrity. Let us be clear and unequivocal about the facts of the matter, and about what can and cannot be done by Ministers under the rules laid down by DFP.

#### 4.15 pm

That brings me to the final part of the motion, which calls on me to address the concerns of the civil servants affected as a matter of priority. I have made clear my understanding of the rules and the limits of my authority. To pretend to the staff in question that there is any real prospect of the matter being resolved to their satisfaction, as suggested, is disingenuous. It would raise expectations that I do not believe will be met. It would imply that I have authority that I simply do not enjoy. That, in itself, is unfair to the staff.

However, given the degree of confusion that appears to exist, in response to those concerns, I will write to the Finance Minister to ask him to set out the basis on which my Department, and, in turn, his Department, could approve a business case based on arguments of fairness where no liability or right has been established and where the court has ruled to the contrary. I will ask him for that personally, because I am certain from previous engagement that his officials will not sign off on any such business case. He, as Minister of Finance and Personnel, may or may not have the authority to do that. I am certain that I, as Minister of Justice, do not. I will also remind the Finance Minister that my Department does not have, and, as I have just explained to Mr Spratt, has never had, the necessary funding in its baseline to meet the costs associated with such a business case. I will ask him to guarantee that if he is in a position to approve such a business case, he will also make the arrangements to provide the necessary funds to meet the additional costs and any other potential liabilities that might flow from such an action.

I must leave the matter there, before the House. In all honesty, I cannot support the motion because of its third element. To do so would be fundamentally unfair to the staff involved. What I can and will do is to seek to provide staff with clarity on whether the Finance Minister has the authority to approve a business case in the absence of any legal liability.

In closing, let me express once again my appreciation for the work done in serving our community by the staff affected by this issue both now and for many years in the past. I hope that today does not compound the sense of unfairness that I know they already feel.

**Mr Weir:** At the outset, I thank all those who contributed to the debate. Four of the five main parties indicated support for the motion. It is a pity that that support was not unanimous. The Minister acknowledged that he supported two of the three elements of the motion, but stated that the third element was unacceptable.

A range of issues have been dealt with. As Raymond McCartney put it, it is about equality, fairness and trying to provide a level playing field. As Robin Newton indicated, it is a pity that we even have to talk about equal pay and treatment, but that is what we have been driven to. As someone pointed out, at the heart of the debate are human beings. As a number of Members mentioned, particularly Patsy McGlone and Paul Girvan, we are not talking about people who are at the higher end of the pay scale. Without wanting to rehearse any of the controversies of yesterday, we had a lengthy debate about a small number of people who are, by anybody's standards, well paid. We are not talking about anybody who is on that level of money. We are not even talking about people who are on the lesser scale of money of an MLA. We are talking about people who are genuinely at the lower ends of the financial scale — people who may even fail to obtain the average industrial wage that some in the House purport to enjoy. The reality is that there is a requirement for us to do what we can for all those people.

In discussing whether the situation is fair, mention was made by Ian McCrea, Patsy McGlone, Ross Hussey, Robin Newton and others of the correspondence and the level of assurance that was provided to people when they were asked to transfer on a temporary basis to work in a

civilian role for the police, the Court Service or the NIO. There is no doubt that there is a feeling that these people have been let down and have been given a degree of false assurance.

Plenty of history has been raised within this. On a positive note, the issue of equal pay has been rumbling around for the past couple of decades. To be fair, the Executive and the Assembly have taken action to try to resolve that, and we are in a situation where that has been done for the bulk of people. However, there is a section of our society — perhaps a couple of thousand civil servants — who are covered by the motion and who have fallen outside that. To produce something for those people is a laudable aim.

Realistically, I think that it was only those who were opposed to the motion who tried to drag this down into a blame game. As the proposer of the motion indicated — indeed, it was echoed around this — we are looking for a positive way forward. Whatever the attribution of blame between Departments, I think that it was Mr Hussey who said that what he really just wants to see the thing getting sorted out. Whether it is a combination of DFP, DOJ, the Police Service or any of those organisations, it is really about trying to create that level of dialogue to find a positive way forward.

I want to turn to one of the remarks that the Minister made at the end. He seems to have shuffled maybe a quarter of a step forward in what he has indicated he would be willing to do. If we are looking for a positive way forward, the very negative tone of the Minister about the correspondence that he intends to have with the Minister of Finance and Personnel does not particularly encourage me. It is very much on the basis —

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

**Mr Weir:** I will give way briefly.

**Mr Ford:** I appreciate the Member's giving way. I am afraid that I adopted a negative tone because of all the legal advice that I have received and all my expectations of this position. It is not negative because I do not want to recognise the service of staff, but because of the legal position that I am in.

**Mr Weir:** I will turn to the legal position. However, whenever you are trying to resolve an issue in a positive manner, to essentially say that the correspondence and discussion will be on the basis of, "Do you agree with me that we have no opportunity really to pay this money?", which seems to be very much the tone in which the Minister is putting it forward, is not approaching this issue in a positive manner.

The legal ruling has been mentioned — it is fully acknowledged in the motion — and the matter has been in front of the courts. I think that the courts probably could not have reached a different conclusion on the direct remit of any agreement, because DFP could only have reached agreement that covered the staff who were within that category. There is no doubt — and I am perfectly happy to accept it; it has been acknowledged by a number of Members and was acknowledged in the motion — that, from that point of view, there is no legal requirement on the Minister to pay this out or a legal entitlement for people to receive it. We may disagree with the legal decision, but that is the clear legal decision.

However, the Minister seems to predicate everything on whether he has a requirement to do it. If the answer is no, no money should be paid or even considered to be paid. However, there are a range of actions —

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

**Mr Weir:** No. Unfortunately, Minister I have heard enough from you today. I am not going to give way again.

The reality is —

**Mr Ford:** — *[Inaudible.]*

**Mr Weir:** With the greatest of respect, you had your chance to produce a more positive way forward, but you did not take it.

In terms of the legal position —

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

**Mr Weir:** I will give way briefly to my colleague who has not had a chance.

**Mr Anderson:** I thank the Member for giving way. Does the Member agree with me that what we are getting from the Minister is a brick wall attitude? There is no willingness to seek a way forward. Where there is a willingness, there is always a way to sort out an issue. The bulk of these people, if not all of them, worked in a policing and security environment, in which not only they but their families put their lives at risk. There should be a willingness. The brick wall attitude is not good enough.

**Mr Weir:** I agree with Mr Anderson: there seems to be a lack of willingness here. There have been numerous occasions on which the Executive —

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

**Mr Weir:** No. I have given way enough. I only have a few minutes to finish this off.

There have been a number of occasions where there have been legitimate claims and there has not been a legal entitlement or a legal requirement. For example, the recent compensation to farmers has been mentioned —

**Mr Dickson:** — *[Inaudible.]*

**Mr Ford:** — *[Inaudible.]*

**Mr Weir:** With the greatest respect, Members are obviously trying to — *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Weir:** There have been a number of other occasions on which I suspect — for example, the flooding cases — compensation was produced. Had someone tried to take the Executive to court to try to force payment of that compensation, it would probably have been found that there was no legal requirement on the Executive to have made it. However, it is about the Executive, collectively, making a positive contribution. *[Interruption.]* I see Mr Dickson trying to intervene. Mr Dickson seemed very reluctant to give way in any shape or form when he was speaking. Perhaps, what goes around comes around, Mr Dickson.

The reality is that the Executive have, rightly, made decisions to provide finance on a range of issues where there was not a requirement for that to be done, and certainly not a legal entitlement. However, it was the right

thing to do, and the Executive stepped up to the mark. It is a pity that the Minister seems highly reluctant to do that. To my mind, as was mentioned, there may not be a requirement to pay but there is a power to. A number of Members — Alban Maginness, Raymond McCartney and others — questioned whether there was the willingness to pay, and I must say that I have been disappointed with the attitude and level of willingness from the Department today. It seems, at best, begrudging.

Mr Elliott made the point about the situation with the Policing Board. It seems that a case that was produced by the Policing Board went to the DOJ and no formal action was taken beyond that. It seems to have died a death.

**Mr D Bradley:** I thank the Member for giving way. He and several other Members referred to the various precedents for the Executive paying moneys to various groups, including farmers, flooding victims, the PMS, and so on. There was no legal requirement there but an obvious recognition of some form of moral requirement. Rather than playing pass the parcel between the two Departments, does the Member agree that the two Ministers should get together and look at this issue under the various precedents mentioned?

**Mr Weir:** I completely agree. As I think Ross Hussey said, this is about the Assembly as a whole delivering. There is a challenge to the whole Assembly that has to be embraced positively by its Members. We must look for inventive ways of moving this on and recognise that there is a serious issue of inequality and fairness to be addressed. In the same way, as was mentioned, that something was negotiated —

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

**Mr Weir:** — on a range of other issues. Therefore, I urge the House to unite behind the motion. If some people have concerns over it, they should call DFP's bluff and support the motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes the judgement of His Honour Judge Babington in the recent equal pay case heard in the County Court; recognises the sense of unfairness felt by many civil servants who had worked in or were working in the PSNI or the Northern Ireland Office at the time of the equal pay settlement of 2009 but were not entitled to access that settlement; and calls upon the Minister of Justice to address the equal pay concerns of these civil servants as a matter of priority.*

*Motion made:*

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

## Adjournment

### Knockbreda High School and Newtownbreda High School, South Belfast

**Mr Deputy Speaker:** The proposer of the topic will have 15 minutes. The Minister will have 10 minutes in which to respond and all other Members who wish to speak will have six minutes.

**Mr McGimpsey:** This concerns the future of secondary education in south Belfast, specifically the proposals for Newtownbreda High School and Knockbreda High School, and I am grateful to see the Minister here to listen to what is said.

The issue is that Knockbreda High School has falling roll numbers. The falling intake in the lower part of the school creates a vicious circle that leads parents to choose to send their children elsewhere. Newtownbreda High School, however, continues to hold up considerably well. Often, the issue in these situations is that you see one school not doing well and another that is strong, and, by bringing the two together to create one school out of two, we get a strong school. I think that that is how most people in south Belfast see the future.

If the two schools merge, it would create a school of over 1,000 pupils, with an admission of roughly 170 per annum and a sixth form of 150. Until an extension can be completed on the Newtownbreda school site, the school would operate over two sites.

#### 4.30 pm

Newtownbreda is the last controlled secondary school in south Belfast. It serves a large area of south Belfast, Castlereagh and parts of east Belfast. Its intake comes from some of the most economically deprived wards in the whole of Northern Ireland, and it provides those pupils with an education that is appropriate to their individual needs and talents.

I attended a meeting of parents in Newtownbreda High School on 6 March, when the board came forward with its proposals for the way forward. I listened carefully. It was a meeting of well over 200 people and was very well attended by parents. Despite the arguments from the board, the views of the school family — families, pupils and staff — were absolutely clear. Their view of the way forward is that Newtownbreda High School remains as a strong school and Knockbreda High School closes and merges with Newtownbreda High. That seems logical to me. You have a strong school of over 700 pupils, and you have another school that is less strong and is clearly failing. I would have thought that the way to do it is to allow the pupils from Knockbreda High to merge and integrate with Newtownbreda High. That seems to me to be a logical way forward.

The board presented its plan, which was basically to shut both schools and reopen a school on the Newtownbreda High School site. I do not understand the logic of that,

bearing in mind that the strong school is Newtownbreda High School. It has good staff, is doing reasonably well and is making progress. It seems to me that the trauma of shutting two schools is not sensible, particularly bearing in mind the effect that it would have on pupils, especially pupils who are in the process of GCSE and A level courses.

Rather than have that approach of shutting the two schools and then bringing them together on the one site, it seems much more sensible that, when you have a going concern that is successful and is working well, you keep that going and allow the pupils and staff from the other school, Knockbreda High, which is failing, to merge in. It seems to me that that is the clear way forward. I can tell you that it is overwhelmingly the opinion of the school family and of the parents there that night. It was a very well attended meeting. It was about as good a meeting as I have been at in many years in south Belfast as far as education is concerned. It is also the view of the staff, and it was clearly the view of senior pupils who were at the school. That seems to me to be the way forward, and that is effectively why I am calling this Adjournment debate. That is the way forward for the school.

It is about putting the education of our children first. That is what we are all about. It is about keeping Newtownbreda High School open and for the two schools to integrate rather than closing them and forming a new school. There is precedent. It happened when Lisnasharragh closed. We have seen Dunmurry High School closing and the school on the Blacks Road closing, so we are now down to the last controlled secondary school in south Belfast. We also look at the challenges that are coming forward in east Belfast. Those are around the future of Orangefield High School and of Dundonald High School and what is happening there. It seems to me that we need to look at the best, most practical way forward to ensure the least disruption and trauma to the pupils in the school — a school that is successful. By allowing Knockbreda to merge into Newtownbreda, we would end up with a strong school of well over 1,000 pupils.

There are, of course, other things that are inevitable anyhow. The school buildings at Newtownbreda are well over 50 years of age, as, indeed, they are at Knockbreda. They are past their sell-by date, and that is something that needs to be put into the capital programme. I realise that moneys are tight, but that, I believe, is also crucial. We have to invest in our pupils' education; that is not simply about investing in the best training for the best staff but about investing in the best facilities and equipment to give our children the best support that we can and the best start in life.

Newtownbreda High School has a very good, well-trained and dedicated staff and a good headmaster who work very well to deliver results for the school. The staff at Knockbreda High School can merge in, and we can keep the whole project alive and delivering. As the pupil rolls rise as a result of Knockbreda closing and merging, we can see that continuity in the delivery of education, which is absolutely crucial, not least for the confidence of the parents and the school family, who overwhelmingly at that meeting and in conversations since remain strongly of the opinion that the board's plan is not right for the school. The way forward, as I said, is to keep Newtownbreda High School open and allow Knockbreda High School to merge so that we get a strong school.

I know that there are implications. Other Members will want to discuss the implications for Orangefield High School and Dundonald High School, but, in my role as an MLA for South Belfast, I am charged by the constituency with ensuring that we get the best delivery. That aim will not be achieved by the board's plan. I have listened to the board and talked to its representatives, and I know that they are sincere about their plan, but it does not make sense. If you have a successful school, why shut it down? That does not make sense. We should keep the continuity and allow the transition to be as painless as possible.

If the merger goes forward, we can have a successful school and deliver education in a controlled secondary school in the area for some of the most deprived wards in Belfast if not the whole of Northern Ireland. It is exactly the sort of constituency in which we are looking to invest and support. As far as the school family and I are concerned, that is the best way forward. I ask the Minister to look very carefully at the board's plan and consider how to moderate and modify it in order to give the schools, the constituency, the parents, the pupils and the staff what they are asking for and what they need.

**Mr Spratt:** I thank Michael McGimpsey for securing the Adjournment debate, and I acknowledge the fact that the Minister is present. It is not often that I praise you, Minister, but I will do so and acknowledge that you have been willing to speak to the schools and the parents concerned. I acknowledge all of that. You are prepared to listen, and I know that you have asked for other things to be done. As a Member for South Belfast, I appreciate that.

I see this as part of a wider picture in the entire corridor that runs through east and south Belfast. Mr McGimpsey has covered a lot of the facts, and the fact is that the Knockbreda parents do not want the school to close. They want to work with the board.

Let us look at the number of schools that have closed in south Belfast or are threatened with closure and the fact that children fluctuate between east Belfast and south Belfast. Schools such as Deramore High School, Dunmurry High School, Balmoral High School and Lisnasharragh High School were closed and, more recently, Orangefield High School has been under threat. The corridor along the Knock dual carriageway is becoming less and less for children. Many children have already been moved, and families whose older children had to move face the same with their other children. If we are serious about tackling educational underachievement, we must ensure that children are not moved from school to school and unduly disrupted during their school career.

Part of the problem is the fact that there is no political representation on either the Southern Eastern Board or, I believe, the Belfast Board. There are also two council areas involved, and there is a silo mentality. I often say in local government and with reference to DRD, the remit with which I am more familiar, that Departments have a tendency to work in silos. It is apparent, if you look at what has happened with Newtownbreda High School, Knockbreda High School and all the other schools in the east Belfast area, that there is a silo mentality, where one board is not talking to the other board. Having been sacked by a direct rule Minister for being one of the people who refused to put through special needs cuts in the South Eastern Education and Library Board, I know that there is a tendency for officials from different boards not to talk to



one another. That is one of the things, Minister, that I would ask you to look at seriously when it comes to the area plans and addressing many of the issues that parents have raised. You have listened to the concerns of some of the parents and are going to visit others. I ask you seriously to listen to some of the stories that are coming across, because those at the coalface realise the situation.

I understand that numbers are dwindling. One of the sad things about Knockbreda is that the South Eastern Board has always been happy, once a proposed closure, amalgamation or whatever has been put in place, to allow numbers to wither on the vine. That makes the whole situation worse. It makes the uncertainty worse, and it makes all the problems worse.

Mr McGimpsey said that we should set up a new school in Newtownbreda, with a new identity, a new name and all the rest of it. That may be the best thing to do, at the end of the day, but the build is not currently on the Newtownbreda site. If the build is not there to take the additional pupils, considering the closure of the other schools in the area, such as Orangefield High School, there will be problems. Some of the Knockbreda High School parents were told that they could send their children to Ashfield Boys' High School and Ashfield Girls' High School. My understanding is that the board said that there were sufficient places in those schools but, when the numbers were checked, the numbers were not there, in some cases. Another school that was mentioned was Priory College in Holywood, where the Belfast Board said there were places. When parents checked, there was a single place in that area. All those things point to the mentality of the boards and their officials and to how they work in silos and do not talk to one another.

**Mr Deputy Speaker:** I ask the Member draw his remarks to a close, please.

**Mr Spratt:** Minister, that is something that I ask you to have serious discussions about when you look at what is going to happen in this area.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I also thank Mr McGimpsey for bringing the Adjournment topic to the House this afternoon. We have discussed the issue in a broader sense in the past number of weeks in the Chamber, but it is important to reiterate the fact that many parents remain concerned, rightly so, about the future education of their children. I echo the comments from Jimmy Spratt that the Minister has taken an active interest. He has spoken to parents and others who are directly involved, and he has listened to their concerns. It is important that those concerns are listened to.

It is also important to recognise that, in areas such as south and east Belfast, one board is very close to another board, and the communities that live in those areas do not see the border between the board areas. Therefore, it is important that the agencies and boards speak to one another. It is important to recognise that there are people from within the broader south and east Belfast area who see one school as being close to another but do not know that the schools are in different board areas. It is critical that the sectors talk to one another. Both Members who have spoken so far made it very clear that what is important is the education and best interests of the children. That has to be central to everything we do, and

it is the primary concern of the parents who have been raising the matter.

#### 4.45 pm

As I understand it, the proposal is for, effectively, an amalgamation of the schools that the Member has drawn attention to this afternoon. There may well be a technical way of resolving that. I accept that people have affinities with schools and are worried about heightening uncertainty about the future. If there is a technicality around how such an amalgamation may go ahead, it is important that that is done, as I said, with the future interests of the children as the centrally important thing. I urge the Minister to continue his active interest in the matter and continue listening to the parents and educationalists who are endeavouring to look after the primary interest, which is the children's education. I urge him to continue his discussions to make sure that we get an outcome that reflects the best interests of all the children and takes on board the concerns and views of the parents, boards of governors and the staff who work in those schools.

**Mr McDevitt:** I, too, thank Mr McGimpsey for bringing the Adjournment debate this afternoon. It is worth reflecting on what he said about the spread of post-primary education provision in our constituency. If the rationalisation proceeds — it appears that it will — the question possibly for the House is how that will happen. It will leave one controlled post-primary school in South Belfast. If my memory is correct, we have one maintained post-primary school in South Belfast that is not a grammar school and one integrated post-primary school in South Belfast that is also not a grammar school. Everything else in our constituency is a grammar school of one form or another. To be honest, that is not reflective or representative of the educational need in our constituency. There are two ways of fixing the problem. One way is to change the system, but we are unlikely to reach agreement in the House to do that in the short term, much as I would like to think us capable of doing so. The other way is to make sure that there is suitable provision for those who desire, need or end up in circumstances where they want to access a diversity of school type.

I am aware of the perspective of parents and pupils on how the Newtownbreda/Knockbreda situation should proceed, and, like many people who are parents of someone in a post-primary school or who represent the constituency, I am sympathetic to the proposal coming forward from them that it will not be shut down and reopened but will be a merger-type process. I look forward to the Minister's observations on that.

Colleagues have also said that we, in South Belfast, sit on the outskirts of Belfast city and border other board areas. That gives rise to several problems that we have seen manifested recently in primary schools in the constituency. The truth is that it should not really matter what side of a line you happen to live on when your obvious choice of school is the one that is maybe closest to you. However, it does matter, and that has been the situation in our part of the city, where factors such as board boundaries have come into play in school selection. I remain particularly concerned that, as an Executive and a House, we are able to meet the educational needs of young men and women from the Donegall Pass and Village areas of our constituency. Those young men and women live in very

close proximity to some of the best schools in our region, but those schools appear inaccessible to them. We can solve that either by making those great schools accessible to them, which would be my preference, or, if that is not possible in the short term, by guaranteeing them excellent education provision as close to their homes as possible.

The truth is that the closest place to their homes where we seem able to offer that type of provision is either in Finaghy, which is basically where Malone College is, or on the outer ring, which is where the two schools that we are debating this evening are. That is not at all close to their homes in city terms. It is going the wrong way, heading out of town. People who choose to live in cities tend to gravitate towards town to do what they want to do, be it to go to school or to pursue their future life in a work environment.

I am happy to offer my support to Mr McGimpsey. We should be sympathetic to the voice that is coming from the schools and the parents. We should continuously remind ourselves that we need to protect the diversity of education provision in the constituency. That may not be possible if we continue on a rationalisation agenda.

**Ms Lo:** I thank the Member for securing the debate. I understand that there is considerable opposition to the proposal for the amalgamation of the Knockbreda and Newtownbreda schools, particularly from the families and pupils of Knockbreda High School. I responded to the Department's consultation in March, and I forwarded a copy of my letter to the South Eastern Education and Library Board, outlining my reservations about the proposed amalgamation.

At the outset, it is important to note that the number of empty spaces in our school estate is unsustainable. We have up to 85,000 empty desks across the school estate. The Minister has stated that that equates to 150 empty schools, and, obviously, that is a waste of public money. Knockbreda has 34% unfilled spaces, and Newtownbreda has 18%. Enrolment figures for new pupils at Knockbreda are very low: only 34 for the 2012-13 academic year. In some cases, smaller classes may have benefits, with the more personalised attention that it can mean. However, it also has drawbacks when schools end up with multi-year classes and the problem of more money being spent on administration and maintaining outdated school buildings than on providing high-quality education for our children.

I have concerns about the performance of schools that have entered an amalgamation process. Research from the Hay Group has shown that, when schools amalgamate, performance suffers, with 68% of schools suffering a drop in performance after amalgamation and 51% of those schools not recovering to their pre-amalgamation level. It is important that that is not allowed to happen in this case. Knockbreda is still in the formal intervention process, while recent inspections have noted improvements at Newtownbreda. If the process goes ahead, all necessary supports must be put in place for the schools to monitor their performance and to ensure that any issues are speedily addressed.

An amalgamation would also have a particular impact on the pupils. It would be a disruptive and uncertain time for them. If this process goes ahead, it is important that it is not allowed to have an adverse impact on the pupils, particularly those sitting important examinations. The

uncertainty and upheaval will only increase the pressure on them.

Keeping failing schools open should not be a top priority for us. We must consider what is best for our pupils. In this case, amalgamation does not appear to provide for the educational needs of pupils in the best way possible, nor does it provide increased stability. I do not believe that it is ideal to have this school based across two sites, even if they are geographically close. To facilitate the pupils from Knockbreda with minimal upset to all involved, firm proposals for an extension of Newtownbreda could be drawn up and supported by the Minister as soon as possible to ensure that pupils do not have to be split across both sites. That is particularly so as Newtownbreda has had some new capital investment in recent years, including the new science building, the outside keep-fit area and the new gym.

It is essential that there is proper post-primary planning across all sectors in the constituency of South Belfast to ensure appropriate levels of social and physical connectivity between schools and communities. It is necessary for the Minister to take into consideration, in this case and in relation to other schools in South Belfast — and East Belfast, as was mentioned by other Members — the needs and wishes of pupils, parents, teachers, schools and the wider community. Imposing a merger could be counterproductive and would diminish parental choice.

It would be remiss of me as an Alliance Member not to highlight the demand from parents for the provision of integrated education, which makes up only 7% of post-primary provision. That is despite the recent good relations indicators update released by the Office of the First Minister and deputy First Minister (OFMDFM), which shows that 70% of people are in favour of mixed schooling. Within the South Belfast constituency, we have Lagan College, an integrated school that is consistently oversubscribed and achieves excellent results at both GCSE and A level.

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

**Ms Lo:** In his decisions, the Minister should take on board that demand for more integrated education.

**Mr Newton:** I also thank Michael McGimpsey for securing the debate. Like others, I welcome the presence of the Minister. I know that he has given a lot of time to the issue, and he attended the debate that we had on East Belfast issues. I also thank Mervyn Storey, because, as Chair of the Education Committee, he also has concerns in this regard.

As an East Belfast MLA, I will concentrate my remarks on the Knockbreda school, but this also obviously has implications for Newtownbreda. Like Mr McGimpsey, I attended the parents consultation night at Newtownbreda, and I was struck by the concerns of the parents, and quite rightly. Having also spoken with parents and teaching staff from Knockbreda, I know that there is no appetite for the proposal that the board has come forward with to amalgamate Newtownbreda and Knockbreda on a split site. There is no appetite for it among parents or staff.

Anna Lo has indicated what the statistics say about amalgamations. She said that 68% of mergers saw a drop in performance and 51% of schools that merge

never return to pre-merger standards. The Minister has met delegations of parents, and you know, Minister, that the parents have raised with you how this would affect their children, particularly the merger situation. In your reply to them, you indicated that you believed that the amalgamation itself would not make any difference, and it is about how it is handled by the board and the teaching staff. However, the history of mergers indicates that they are not overly successful. Anna Lo quoted the same figures that were made available at the consultation evening for parents at Newtownbreda.

It also struck the parents there and, indeed, the parents in Knockbreda that only one proposal is being put forward. We raised that with you, Minister, in the debate around East Belfast. It is nearly "This is what the board says, and this is what we are going to do". That really causes concern for the parents.

#### 5.00 pm

There is a lack of a real plan and a real vision. Jimmy Spratt made the point that there is not the necessary consultation between the South Eastern Education and Library Board and the Belfast Education and Library Board to see a real plan come through.

Knockbreda school has suffered over the past number of years. It has suffered because there were proposals to invest in the school and those proposals were withdrawn. It has suffered through a turnover of staff. You can understand that, when there is a lack of money in a school for the investment that was promised, staff will start to say to themselves that maybe their career interests would be better served elsewhere.

I know, Minister, that you have made comments about the bad press reports. Whether we like it or not, the press like a bad story and highlighting a school that is in intervention and whether it should be there or not. That is a debate that Jimmy Spratt and I had with the principal of Knockbreda. Bad press reports tend to sell newspapers.

Another interesting statistic was quoted to me, and I hope I get this right: the principal of Knockbreda said that 175 pupils travelled past the front door every day. I imagine that some of them are going to Newtownbreda and some of them are going to other schools. However, there is something essentially wrong when parents travel by bus or whatever and take pupils past a school door when they should be going into the school that is closest to them.

Given the circumstances we are in and where we are with the planning process or lack of planning process, there are concerns that the parents immediately have for their pupils as they sit their examinations this year to determine which class they go into next year. There is a plea. There is a plea for extra help, given the circumstances that we are in.

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

**Mr Newton:** There is chaos in the system at the moment. There are unsettling circumstances, real concerns and real tensions with the pupils in the lead-up to the examination period.

**Mr Storey:** I thank the Member for securing the debate this evening. As has been mentioned by a number of Members, it really follows on from the debate that we had just a few weeks ago about East Belfast. Just a few moments before

coming to the House, I, along with the vice-chair of the Education Committee, attended a meeting with the senior management team and board of governors of Orangefield. If ever there was an example of how not to plan, it is in Orangefield. Clearly, that school has made a decision. The board of governors is waiting, and I know that the Minister has corresponded with some Members about that. However, it does again raise an issue.

I appreciate that the Minister is here. I suppose that we run the risk of giving him too much praise and that he will take all the praise that he is getting in the House this evening. However, the Minister knows that I genuinely appreciate the fact that he is accessible and that he makes his office available on many of these issues and has done over the past number of days when we have specifically raised issues with him. I appreciate the fact that he spoke in the previous debate on this issue in a way that, I think, has been helpful in trying to find a way to a point where we really have an education plan for the Belfast east/south corridor. There is an interconnection and a connectivity between what is going on in east and south Belfast for a variety of reasons. Therefore, I concur with the comments made by Mr McGimpsey in securing the debate and with other colleagues who have made a contribution.

There are a couple of things that I want to say about the situation. The first is to do with capital alignment, and the Minister knows that we have spoken to him about that in Committee and at other locations. When you put a plan together, there needs to be not only commitment to the plan but a capital investment that aligns with the plan. The difficulty is that we have some examples, which we have referred to in the past in the House, of where there was a plan and a capital alignment but the school was never produced. There are other places where there are proposals but there is no capital alignment. All of that feeds into the uncertainty. That uncertainty is the very reason why the point that my colleague Mr Newton referred to about the pupils going past some schools is the case. The one thing that parents want to have is certainty about how and where their child's education will be provided. Therefore, if there is any degree of uncertainty, whether that is in relation to enrolment, capital, sustainability, educational outcome or whatever, parents will make choices. We have seen that cascading effect, particularly in east and south Belfast, for a time. The Minister has a golden opportunity. Even as I was in the House when others were speaking — my apologies to them — I have been in contact with the two boards to try to finalise a date between now and the end of this week to have the two boards sit down and have that discussion. Clearly, there is an issue that needs to be addressed around the way in which we carry out our area planning.

The other issue, which has to be first and foremost, is educational need. There are a variety of educational needs, and they are not all going to be suited in one particular school. Members know that I do not concur with the view that one size fits all in educational provision. We need to have a provision that is broad enough and diverse enough to meet the needs of the young people who have varying degrees of need, aptitude and ability. That is why, Minister, again I place on record in the House our call to you to look at this not only in terms of the Department of Education but in terms of further education with the Department for Employment and Learning that Minister Farry is responsible for. We have the Castlereagh

campus, we have Belfast Met and we have a network of schools in the area. They need to be part and parcel of an educational plan that will drive the needs of the pupils. That then will be an area plan that, I think, we will all be able to subscribe to, because it will deliver for the young people who ultimately need to be kept at the centre of all these discussions.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas le Michael McGimpsey as an ábhar díospóireachta seo a ardú. I thank Mr McGimpsey for bringing forward the debate this evening. Nothing can be more important in education terms than ensuring that we have the right provision in place to meet the needs of our young people. The issues raised today, as several Members have said, are very similar and, indeed, connected to those raised in the Adjournment debate on post-primary education in east Belfast and to the Belfast Board's plans there as well.

I believe that we need to widen the debate to discuss all of the provision in Belfast, rather than looking at it in a fragmented fashion only when a development proposal is published for a particular school or schools. Not wishing to sour the tone of the debate, I think that we also have to include the grammar schools in that area to see where they fit into the future provision in planning for all the citizens in south and east Belfast.

The citizens of south and east Belfast pay for all the education provision in their area through their taxes, so in my view, this should be accessible to all citizens, but in the absence of agreement around academic selection, we have to include them in the discussions as to how we provide sustainable education going forward in those parts of the city.

We must ensure that we equip all schools and our pupils with the knowledge and skills that they need to be active contributors to our society and economy in the future. We have high-performing, all-ability schools across the city and further afield. I do not wish Mr Storey to withdraw his praise for me today, but I disagree with him on this point. I believe that we can provide excellent education across a range of subject areas and have vocational and academic education on one site. However, we have not reached agreement on that, and I do not think that we should sour the discussions on this issue but instead look at all the options available to us.

Today's focus is on Knockbreda High School and Newtownbreda High School in the south of the city. I have been very encouraged by the commitment of the parents in those schools to secure the very best for their children. They have an energy that I would like to see supporting all schools. However, they are also realistic enough to know that things cannot continue as they are. They are not opposed to change, but they want proof that the changes being proposed will result in better education for their children.

As I said, the current set of development proposals that have been brought forward for the south and east of the city are trying to deal with a complex issue. However, I will repeat what I said during the Adjournment debate on post-primary education in east Belfast. I have not reached a decision on any of the proposals that are affecting those areas. Indeed, I take on board Mr McGimpsey's comments as to how the process should have been handled. We

should be looking at the closure of one school and an amalgamation with the other, rather than the closure of both and the adoption of a new school. I suspect that the proposal as formatted is on the basis that there are no losers or winners and that we start off afresh, but I take on board the comments that have been expressed here today. Those will form part of my deliberations when I come to make a decision.

The development proposals published on 16 April 2013 by the South Eastern Education and Library Board propose that Knockbreda High School and Newtownbreda High School amalgamate with effect from 31 August 2014 or as soon as possible thereafter. The proposal is that both schools will close at that time, and a new amalgamated school will open. As I said, I will investigate whether there is a different way to do that or whether the status quo should remain. Members will appreciate that I am not in a position to comment on any of the detail associated with the proposals as the two-month consultation period does not close until 16 June.

**Mr Storey:** I appreciate the Minister giving way. I know that he takes an interest, but will he give an assurance to the House that he will take a proactive approach in having discussions with the two boards on these issues? Although we have necessary and important debate here, there are ongoing discussions, and the boards need to be made aware of the concerns that are being expressed in the House this evening.

**Mr O'Dowd:** I took note of Mr Spratt's comments about Departments working in silos, and I will not argue against that concept at all. However, I am encouraged by the close working between the chief executives of the Belfast Board and the South Eastern Board on these matters. I am encouraged by the details that my Department has brought together on what is now referred to as the Knock dual carriageway corridor and the debate among my departmental officials as to how best we should proceed.

I have brought all the boards and the CCMS together in one room to discuss area planning to ensure that we are approaching the issue in a uniform way. I am not going to suggest that everything is perfect, but I believe that it is much better than it was previously, and those discussions continue. I will re-emphasise to both boards the need for them to work closely together for a successful outcome for all the pupils involved.

During my deliberations, I will welcome the views of all interested parties, including the views that have been expressed by Members. That will build on the engagement that has already taken place. Over the past few weeks, I have held meetings with parents, schools' boards of governors and teachers across the south and east of the city. I was impressed with their openness and willingness to engage in dialogue about issues that are obviously important to them and their community. They also listened to what I had to say and took away for further consideration points that I raised.

#### 5.15 pm

I am visiting Dundonald High School on Thursday to engage with the pupils, parents, staff and local representatives. I want to hear their views at first hand. The following week, I am meeting representatives from Newtownbreda High School and will be visiting the school

in and around 12 June. Only when I have completed those visits will I look at the information to assess the best way in which to provide for all the young people, not only in south and east Belfast but in Dundonald and Holywood.

We cannot shy away from the fact that some of the schools in question have not been providing the level of quality education that any of us would expect. Some are in formal intervention, and one has been there more than once.

You highlighted, in various ways, the need for high-quality provision to serve the young people in those areas. You highlighted the problems that some of them face in their daily life. I will take all of that into account when reaching my decisions.

I have often said that the provision that met the needs of pupils in the past may not be appropriate to meet the needs of pupils in the future. We need to ask ourselves what we want in 10 or 15 years' time. We need to build that vision with the local community and ensure that pupils are our concerns, not the institutions.

Therefore, what can be done to improve outcomes for young people in south Belfast and beyond? The answer lies in two areas. One is area planning to move towards a network of sustainable schools. I take on board the comments that a number of Members made that decisions need to be backed by capital investment. Communities have been let down in the past there. I have been careful not to make any capital announcement that I am not confident can be backed with money and planning.

We have prioritised amalgamations in our capital development programme. I have set aside a fund from which schools can access up to £4 million to make a significant enhancement to the premises. Again, that is aimed at allowing amalgamations and area planning to move forward.

The other area that we have to ensure is right is that of policies aimed at raising standards and mitigating the effects of social disadvantage. Those, Members, are the way forward. I accept fully that when policies and area planning are interpreted on to the ground, there is no one package that fits all. We have to listen to the views of those in the community.

I welcome the tone and manner in which this and the previous debate in on these matters took place. I found them informative. I assure Members that the Hansard report and my reflections on those debates will form part of the evidence-gathering in preparing my response to area plans. Difficult decisions lie ahead. There are decisions that need to be made. I can only assure Members that I will make them based on all the evidence before me. Go raibh míle maith agat.

*Adjourned at 5.18 pm.*



# Written Ministerial Statement

The content of this written ministerial statement is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.





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# Written Ministerial Statement

**The content of this written ministerial statement is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.**

## Office of the First Minister and deputy First Minister

### **Together: Building a United Community Strategy**

*Published at 5.00 pm on Thursday 23 May 2013*

**Mr P Robinson (The First Minister) and Mr M McGuinness (The deputy First Minister):** This statement is to advise the Assembly that the Executive agreed, at its meeting on Thursday 23rd May, to publish the Together: Building a United Community Strategy. The Strategy will be available on the OFMDFM website [www.ofmdfmni.gov.uk/together-building-a-united-community](http://www.ofmdfmni.gov.uk/together-building-a-united-community) and printed copies of the Strategy will be available shortly.

This Strategy has been many years in the making. It is the culmination of a long and detailed process which began with the draft Cohesion, Sharing and Integration Strategy. The extensive public consultation undertaken alongside the draft Strategy demonstrated overwhelming public support for action on good relations. Equally, it showed that the actions being proposed in the draft were not regarded as sufficiently robust to command public support.

Ministers reacted decisively to the results of the consultation and we invited Executive parties to form a Working Group, through which a new Good Relations Strategy could be agreed. That process ran from September 2011 until December 2012.

What we have published today marks a significant step along the road to a united community. It provides the policy context and framework for strategic actions, which, when implemented, have the potential to make a real difference to the lives of many communities.

The Together: Building a United Community Strategy sets out our thinking and the principles on which we will operate in moving forward. We have established design teams with relevant departments to advance planning and costing for the seven major policy actions we announced on the 9th May.

These seven actions are, of course, not the only actions and commitments included in the strategy. We will be moving forward to implement actions around the four key themes:

- Our Children and young people;
- Our shared community;
- Our safe community; and
- Our cultural expression.

The actions and commitments contained in the Strategy show just how determined we are to effect lasting change in our society. We have displayed ambition in the things we intend to do. In addition we have established design teams that will bring forward detailed proposals, specific targets and costings.

The Strategy demonstrates our determination to resolve all of our problems, even those most challenging problems.

Therefore we are in the process of establishing an all-party group to consider and make recommendations on matters, including parades and protests; flags, symbols and emblems and related matters; and dealing with the past. We are hopeful that we will be able to find lasting solutions.

We believe that the publication of this strategy, together with our key actions and All-Party Working Group marks an important step towards building a better, brighter and more united community for all.



# Committee Stages



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# Northern Ireland Assembly

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Committee for the Environment

30 May 2013

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## Planning Bill [NIA 17/11-15]

### Members present for all or part of the proceedings:

Ms Anna Lo (Chairperson)  
Mr Simon Hamilton (Deputy Chairperson)  
Mr Sydney Anderson  
Mr Cathal Boylan  
Mr Tom Elliott  
Mrs Dolores Kelly  
Mr Barry McElduff  
Mr Ian Milne  
Lord Morrow  
Mr Peter Weir

### Witnesses:

Mr Brian Gorman	}	<i>Department of the Environment</i>
Ms Irene Kennedy		
Mr Simon Kirk		
Mr Ian Maye		

**The Chairperson:** I welcome Irene Kennedy, Brian Gorman, Simon Kirk and Ian Maye, who are here to brief the Committee on their response. Irene, do you want to start?

**Ms Irene Kennedy (Department of the Environment):** Thank you. Chair, we wrote to the Committee yesterday evening, setting out our response to the two potential amendments. Amendment No 1 would mean that, from the date of Royal Assent, policymaking by the Department under part II and part III of the Planning (Northern Ireland) Order 1991 must be carried out with the objective of furthering sustainable development, promoting or improving well-being and promoting economic development, and, in doing so, attention must be paid to the desirability of achieving good design.

In clause 6, an amendment to affirm that the reference to material considerations in the determination of planning applications includes a reference to any economic advantages or disadvantages likely to result from the grant or refusal of planning permission will also apply from the date of Royal Assent. Subject to Executive agreement, the Minister agrees to support this and take it forward as a departmental amendment at Consideration Stage. The Department will work to expedite the associated policy and guidance.

We suggest that clause 27(1) be amended to include reference to clauses 2(1) and 6(1) and have circulated an amendment to that effect.

**The Chairperson:** Do members have any comments on that?

**Mr Hamilton:** That is fine.

**The Chairperson:** Irene, at the last meeting, we talked about whether this amendment would make our three-year review messy, given that we will also review the 2011 Act. There is also mention of a review when it comes into operation in 2015. What will be the timescale for that?

**Ms I Kennedy:** It will depend on when the clause is commenced. What we have drafted — it is really encompassed in amendment No 2 — is that the review will be three years from the date of commencement, which, we hope, will be towards the end of this year. That would mean a review in 2016 specifically looking at clauses 2 and 6. There will be similarities, but I suppose that you are looking specifically at the outworkings of those two areas, and, later, the wider review will also pick those up.

**The Chairperson:** Will the review of the 2011 Act be a wider review?

**Ms I Kennedy:** Yes, it will include the operation of the 2011 Act, the reformed system and the transferred system with most planning functions devolved to council.

**The Chairperson:** Will that be in 2018?

**Ms I Kennedy:** Yes.

**The Chairperson:** OK, so that is a gap of two years. What —

**Ms I Kennedy:** Potentially, it depends on the date of commencement.

**The Chairperson:** All that you can say, then, is that, in 2018, if you have already done the review of clauses 2 and 6, you could skip the —

**Ms I Kennedy:** You would probably provide comment on that. Then, in 2018, you would be looking at the situation with the powers transferred to councils, so that will be a slightly different context.

**The Chairperson:** Are members content with that?

*Members indicated assent.*

**The Chairperson:** That is really all that we need from you, Irene. Is that right?

**Ms I Kennedy:** Yes, certainly. The Department, in its response, sets out its approach to amendment No 2.

**The Chairperson:** OK. Let me see where we are now.

**Mr Boylan:** Before we go on, Irene, once enacted, by when — date and year — will clauses 2 and 6 be in operation for planning applications?

**Mr Ian Maye (Department of the Environment):** From the date of Royal Assent.

**Mr Boylan:** Which will be?

**Mr Maye:** It depends on when the Bill completes its remaining stages.

**Mr Boylan:** *[Inaudible due to mobile phone interference.]*

**Mr Maye:** *[Inaudible due to mobile phone interference.]*

**Mr Hamilton:** *[Inaudible due to mobile phone interference.]*

**The Chairperson:** Irene, we hear all the time that the single strategic planning policy statement (SPPS) will be put in place before clauses 2 and 6 are in operation. Can that still happen? Will you have the SPPS ready for planners before the commencement of clauses 2 and 6?

**Mr Maye:** The simple answer is no. We are still on schedule, according to our timetable, to publish the first draft of the SPPS before the end of this calendar year. That is our firm target. It may well be possible to publish in advance of this provision and the Bill receiving Royal Assent, but it may be around the same time.

**The Chairperson:** This will need to go out to consultation, though. Is that what you were saying?

**Mr Maye:** That is only the consultation document. We intend to have in place the final policy statement before the transfer of functions to local government on 1 April 2015, so we have built that into our delivery timetable.

**The Chairperson:** So there will be a gap of a year between your having the final version of the SPPS and the commencement of the new clauses?

**Mr Maye:** Yes, but it will be framed in the context of those clauses. As part of the preparation process, it will be put together with clauses 2 and 6 in mind. The other point is that we have not yet determined what weight will be accorded to the draft single strategic planning policy statement when it is published for consultation. Significant weight may not be attached to it at that point, but it may have some material weight in the planning process.

**The Chairperson:** OK, but, essentially, are the planners still working on all the planning policy statements?

**Mr Maye:** Yes.

**The Chairperson:** Right. So there will be a gap of a year and a half between the existing planning policy statements and the new SPPS when the two clauses are in operation.

**Mr Maye:** Roughly, yes.

**The Chairperson:** How will that impact on the life of the planners? Will they look at both: the draft SPPS and the current PPS?

**Mr Maye:** Yes, and they do that routinely as we introduce planning policy statements under the existing regime. The existing planning policy statement will continue to carry weight until the final planning SPPS is adopted by the Executive. So a transitional period is built into the preparation of all policy. We deal with that as a matter of course and advise our colleagues in the operational teams on how to deal with those issues and what weight to give policies at various stages of preparation.

**The Chairperson:** Will we be criticised for putting the cart before the horse by commencing clauses 2 and 6 without the SPPS?

**Mr Maye:** That is for others to judge. Certainly, following discussions with the Minister, the Department does not think that it would pose any insuperable problems to the operation of the planning system or the preparation at this point.

**The Chairperson:** How will we reassure stakeholders, many of whom objected to clauses 2 and 6 on the

grounds that they would add extra weight to economic development? All along, the assurance from the Department at the stakeholder event or briefings here has been that clauses 2 and 6 would be addressed by the new SPPS, which will define and clarify what economic development is and what constitutes sustainable development requires. So how will we assure stakeholders that clauses 2 and 6 will not add weight to economic development?

**Mr Maye:** On the Department's responsibilities, stakeholders will have to judge us by our actions when the Bill receives Royal Assent and those new provisions bite on the operation of the planning system.

**The Chairperson:** I have a serious concern. I believe that you said that the SPPS would be in place at the same time as the Bill achieves Royal Assent. If that were so, I would be content to support the amendment. However, knowing that there will be a gap, meaning confusion for a year and a half, I feel that I certainly cannot support the amendment. I will put that to other members. Tom has just come in. We are discussing amendment No 2. Tom, you raised the issue of a review. The Department has tabled an amendment on that. Are you content with that?

**Mr Elliott:** Yes.

**The Chairperson:** That means that, in 2016, we will have a review of clauses 2 and 6. In 2018, we will have a review of the Planning Act 2011. Have members any comments on that?

**Mr Hamilton:** I am content.

**Mr Boylan:** It is grand, Chair.

**The Chairperson:** It is grand? I thought that you had raised your hand.

**Mr Boylan:** No, I am fine. I have asked my question. I am just wondering whether anyone else will ask about clauses 2 and 6 before we start.

**The Chairperson:** OK. Members, I would like to put this to a vote. Is that the right way to do it?

**The Committee Clerk:** Chairperson, we are about to embark on formal clause-by-clause consideration. As the Committee goes through each clause, it can indicate whether it is content. If any member wants to raise an objection to a particular clause, that would be the time to do so.

**The Chairperson:** What about the amendments suggested by the Department? Will we deal with them now?

**The Committee Clerk:** We have three proposed amendments from the Department. As you consider each clause in turn, on those with amendments — clauses 2, 6 and 27 — you can just put the Question that the Committee is content with, say, clause 2 subject to the proposed amendment.

**The Chairperson:** OK. We will do that, then. The departmental staff will stay with us. Is that correct?

**Mr Maye:** We will stay.

**Mr Hamilton:** Sure what else would they be doing? *[Laughter.]*

**The Chairperson:** Well, it is fairly straightforward. We will now commence formal clause-by-clause consideration of

the Planning Bill. Members, you have been provided with the Bill, written submissions and other documents. Formal clause-by-clause consideration is the final opportunity to discuss the clauses. Any decisions will be final. The Bill has 28 clauses, and the Committee shall now consider each clause in turn.

**Clause 1 (Statement of community involvement)**

**The Chairperson:** Members previously indicated that they were broadly content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 1 agreed to.*

**Clause 2 (General functions of the Department and the planning appeals commission)**

**The Chairperson:** Members received legal advice on this clause at our meeting on 16 May. The Department also explained why a proposed amendment suggested by Community Places was not acceptable to it. Members then indicated that they were broadly content with the clause.

Is the Committee with the clause 2, as amended?

**Mr Hamilton:** It is not amended.

**The Committee Clerk:** It should be that the Committee is content with clause 2, subject to the proposed amendment.

**The Chairperson:** Sorry. The amendment is in your papers. In page 2, line 1, at end insert

*“(3) The Department must, not later than 3 years after the coming into operation of section 2(1) of the Planning Act (Northern Ireland) 2013, review and publish a report of the implementation of this Article.*

*(4) The Department must make regulations setting out the terms of the review.”*

**Mr Hamilton:** Do you want to divide on that?

**The Chairperson:** Yes. I want to put this to a vote

*Question put, That the Committee is content with the clause, subject to the proposed amendment.*

*The Committee divided:*

*Ayes 7; Noes 1.*

**AYES**

*Mr Boylan, Mr Elliott, Mr Hamilton, Mrs D Kelly, Mr Milne, Lord Morrow, Mr Weir.*

**NOES**

*Ms Lo.*

*Question accordingly agreed to.*

*Clause, subject to the proposed amendment, agreed to.*

**Clause 3 (Meaning of development)**

**The Chairperson:** We previously indicated that we were broadly content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 3 agreed to.*

**Clause 4 (Publicity etc., in relation to applications)**

**The Chairperson:** Again, we indicated that we were broadly content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 4 agreed to.*

**Clause 5 (Pre-application community consultation)**

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 5 agreed to.*

**Clause 6 (Determination of planning applications)**

**The Chairperson:** Members received legal advice on this clause at the meeting on 16 May. Members then indicated that they were broadly content with the clause.

*Question put, That the Committee is content with the clause, subject to the proposed amendment.*

*The Committee divided:*

*Ayes 8; Noes 1.*

**AYES**

*Mr Anderson, Mr Boylan, Mr Elliott, Mr Hamilton, Mrs D Kelly, Mr Milne, Lord Morrow, Mr Weir.*

**NOES**

*Ms Lo.*

*Question accordingly agreed to.*

*Clause, subject to the proposed amendment, agreed to.*

**Clause 7 (Power to decline to determine subsequent application)**

**The Chairperson:** Members previously indicated that they were broadly content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 7 agreed to.*

**Clause 8 (Power to decline to determine overlapping applications)**

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 8 agreed to.*

**Clause 9 (Aftercare conditions for ecological purposes on grant of mineral planning permission)**

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 9 agreed to.*

**Clause 10 (Clause 10: Public inquiries: major planning applications)**

**The Chairperson:** Members were briefed by the Department on this clause at the meeting on 16 May, when they were informed that the power to appoint persons other than the Planning Appeals Commission (PAC) would be used only as a last resort and only if the PAC's workload

was too much. Members then indicated they were broadly content with that explanation and the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 10 agreed to.

**Clause 11 (Appeals: time limits)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 11 agreed to.

**Clause 12 (Matters which may be raised in an appeal)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 12 agreed to.

**Clause 13 (Power to make non-material changes to planning permission)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 13 agreed to.

**Clause 14 (Aftercare conditions imposed on revocation or modification of mineral planning permission)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 14 agreed to.

**Clause 15 (Planning agreements: payments to departments)**

**The Chairperson:** Members previously indicated that they were broadly content.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 15 agreed to.

**Clause 16 (Increase in penalties)**

**The Chairperson:** Members were briefed by the Department on this clause at the meeting on 16 May, when they were informed that the level of fine to be imposed in particular cases is a matter for the courts. However, the increase in the maximum level of fines to be made available under the proposed changes provides additional latitude for the courts to exercise their discretion in sentencing. Members then indicated that they were broadly content with that explanation and the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 16 agreed to.

**Clause 17 (Conservation areas)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 17 agreed to.

**Clause 18 (Control of demolition in conservation areas)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 18 agreed to.

**Clause 19 (Tree preservation orders: dying trees)**

**The Chairperson:** Is the Committee content with clause 19 as drafted?

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 19 agreed to.

*Question put a second time and negatived.*

**Clause 20 (Fixed penalties)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 20 agreed to.

**Clause 21 (Power of planning appeals commission to award costs)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 21 agreed to.

**Clause 22 (Grants)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 22 agreed to.

**Clause 23 (Duty to respond to consultation)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 23 agreed to.

**Clause 24 (Fees and charges)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 24 agreed to.

**Clause 25 (Duration)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 25 agreed to.

**Clause 26 (Interpretation)**

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 26 agreed to.

**Clause 27 (Commencement)**

**The Committee Clerk:** There is a proposed amendment to clause 27.

**The Chairperson:** Yes. At last week's meeting, the Committee indicated that it may wish to amend clause 27 to include clauses 2 and 6 in the list of clauses to be commenced at Royal Assent. An amendment has been proposed, which is amendment No 1.



**Mrs D Kelly:** What is the impact of that?

**The Chairperson:** I will read it out. In page 16, line 31, after "1" insert

" 2(1), 6(1),"

That means that clauses 2 and 6 are to be included in the list of commencements on Royal Assent.

**Mrs D Kelly:** That is grand.

**The Chairperson:** As previously discussed, I want to express concerns that there will be a gap between proper guidance or revised guidance and the commencement of the two new clauses. We need to put this to a vote.

*Question put, That the Committee is content with the clause, subject to the proposed amendment.*

*The Committee divided:*

*Ayes 8; Noes 1.*

**AYES**

*Mr Anderson, Mr Boylan, Mr Elliott, Mr Hamilton, Mrs D Kelly, Mr Milne, Lord Morrow, Mr Weir.*

**NOES**

*Ms Lo.*

*Question accordingly agreed to.*

*Clause, subject to the proposed amendment, agreed to.*

**Clause 28 (Short title)**

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 28 agreed to.*

*Long title agreed to.*

**The Chairperson:** We have now concluded the formal clause-by-clause consideration of the Planning Bill. Thank you all for going through the Bill with us. In particular, Irene and Angus, you have been at every meeting, so thank you very much.



# Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Northern Ireland Assembly

Friday 17 May 2013

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### **Maze Development: Road Infrastructure Proposals**

**Mr Craig** asked the First Minister and deputy First Minister for an update on the road infrastructure proposals for the Maze development.

**(AQO 3710/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The regeneration of Maze/Long Kesh site is one of the commitments identified under the Executive's Programme for Government for 2011-15. A key objective under that commitment is for site infrastructure development work to commence in 2013-14.

We established the Maze/Long Kesh Development Corporation last September to regenerate the site and meet this commitment.

The recent adjournment debate on the road infrastructure of the M1 link to the site highlighted the considerable progress the Development Corporation has made since its inception, including the provision of essential internal infrastructure and an additional entrance in time for the first RUAS Agricultural Show to be held on the site in May.

In addition, the Corporation is commencing initial survey work and feasibility studies for inclusion in their detailed proposals for improving infrastructure linkages to the site, including a link to the M1. These wider road developments are seen as key to the overall delivery of regeneration of the site and to attract private sector investment.

Indeed, £21 million has been allocated by OFMDFM in the current CSR period for the regeneration of the site which includes essential infrastructure.

However, no decisions have been taken regarding the preferred options for linkages to the M1, nor will decisions be made without engagement with stakeholders and the local community.

#### **Former Security Sites: Ministry of Defence**

**Mr Nesbitt** asked the First Minister and deputy First Minister how much the Ministry of Defence has contributed to decontamination and maintenance costs for former security sites, broken down by site.

**(AQW 21742/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Ministry of Defence has not contributed to decontamination and maintenance costs of the former security sites gifted to the Executive and held by our Department.

#### **Former Security Sites: Ministry of Defence**

**Mr Nesbitt** asked the First Minister and deputy First Minister what discussions they have had with (i) Central Procurement Directorate; and (ii) the Ministry of Defence on the level of the contributions made by the Ministry of Defence for the decontamination and maintenance costs of each former security sites.

**(AQW 21743/11-15)**

**Mr P Robinson and Mr M McGuinness:** There were a number of meetings with the Ministry of Defence (MOD) and with Central Procurement Directorate on the issue of the gifting of sites and decontamination.

The MOD and the Chief Secretary to the Treasury confirmed that as the sites were being gifted it was not MOD policy to underwrite decontamination costs at its former military sites before disposal. The MOD confirmed its policy to sell each site 'as seen' and they provided us with all MOD land quality assessments previously undertaken.

At the time of transfer, officials worked with the Central Procurement Directorate (CPD) on the review of the land quality assessments provided by the MOD and the process to determine accurate contamination levels at the gifted sites. Officials also sought advice from CPD on maintenance costs for these sites.

Our officials continue to work closely with CPD on these important issues to ensure sites are safe and maintenance costs are kept to a minimum.

### Shackleton Barracks

**Mr Dallat** asked the First Minister and deputy First Minister (i) what work has taken place on the decontamination of the former Shackleton army barracks at Ballykelly; (ii) what meetings have taken place involving MLAs from the local constituency; and (iii) what plans are in place for developing the site as a major centre of industry, business and commerce. (AQW 21750/11-15)

**Mr P Robinson and Mr M McGuinness:**

- (i) No decontamination has taken place on the former Shackleton Army Barracks at Ballykelly. The need for remedial action will depend on the future potential uses of the site.
- (ii) Meetings have taken place with George Robinson MLA, as part of the OFMDFM Committee visit to the site and regarding local issues. Meetings have also been held with council and community representatives on local issues including the possibility of using part of the site for community purposes.
- (iii) There are no development plans for Shackleton Barracks at present as the intention for the gifting of the site under the Hillsborough Castle agreement was not for development purposes. OFMDFM officials are currently awaiting information from the Department of Agriculture and Rural Development (DARD) on what parts of the site it will require for its headquarters and therefore what parts will still be available in the future for other purposes. In the meantime, the site is being used for one-off events and for agriculture, and OFMDFM will continue to evaluate potential interest in uses for the site.

### Northern Ireland Memorial Fund

**Mr Copeland** asked the First Minister and deputy First Minister for an update on the funding available for the Northern Ireland Memorial Fund education and training grants. (AQW 22326/11-15)

**Mr P Robinson and Mr M McGuinness:** The Northern Ireland Memorial Fund (NIMF) closed for applications on 31 March 2013.

From 1 April 2013, the funding for Education and Training Grants has been incorporated into the new Health and Wellbeing Programme administered by the Victims and Survivors Service (VSS). Awards will be based on an individual's need as determined by an assessor from the Victims and Survivors Service.

During 2012-2013, the NIMF assisted 1,113 people with Education and Training grants amounting to a total of £430,069.

A further 282 claims for Education and Training grants were received late in the financial year subsequent to eligible recipients being informed that the NIMF was closing. These are currently being processed.

### Disability Strategy

**Mr Agnew** asked the First Minister and deputy First Minister whether there will be an implementation budget for the disability strategy.

(AQW 22448/11-15)

**Mr P Robinson and Mr M McGuinness:** It is expected that departments will look carefully at their own resources to target improvements to the delivery of outcomes for people with disabilities as part of delivering the strategic priorities in the disability strategy. Additionally, we will consider bids for further resources, from the Delivering Social Change fund, to enhance the capacity of departments to deliver the seven work streams identified within the strategy.

### Planning Appeals Commission

**Mr Weir** asked the First Minister and deputy First Minister how many (i) appeals; and (ii) Article 31 hearings the Planning Appeals Commission heard in each of the last five years; and on how many occasions was a person from outside the Commission appointed to preside over the proceedings.

(AQW 22646/11-15)

**Mr P Robinson and Mr M McGuinness:** The Planning Appeals Commission is an independent tribunal Non-Departmental Public Body. Given its status, we have asked its Chief Commissioner to provide a response directly to you.

### Social Investment Fund

**Mrs Hale** asked the First Minister and deputy First Minister for an update on when the funding allocation for the successful projects under the Social Investment Fund will be made.

(AQO 3952/11-15)

**Mr P Robinson and Mr M McGuinness:** The final plans for all nine zones were received on 28 February and are now being subject to a rigorous appraisal process. This process is assessing the individual projects within the plans against set criteria to ensure the most robust projects are recommended, to maximise impact on the ground.

Following the appraisal process, we will take decisions on the final projects to be funded and the most appropriate delivery mechanism, with a view to projects commencing in communities soon afterwards.

### Historical Child Abuse Inquiry

**Ms McCorley** asked the First Minister and deputy First Minister, in light of the ongoing reports of historical child abuse, whether they will seek advice from the Attorney General about initiating an inquiry to address the issue.

**(AQO 3945/11-15)**

**Mr P Robinson and Mr M McGuinness:** We would encourage anyone who was abused as a child in a residential institution here between 1922 and 1995 to contact the Inquiry, where they can talk in private about their experiences to two members of the Inquiry's Acknowledgement Forum. Contact details for the Inquiry are available on its website.

The recent reports regarding the Magdalene Laundry institutions in the Republic of Ireland have raised the question of how those who were resident in similar institutions here may address concerns. Anyone who experienced abuse as a child within such institutions will be covered by the remit of the current Inquiry. However, we are conscious that there may be a group that would not be covered as they were over the age of 18 during their residency. We have appointed a senior civil servant to draw up a scoping report on the Magdalene Laundry type institutions here to see what further action could be taken.

### 'Economy and Jobs Initiative'

**Mr McKay** asked the First Minister and deputy First Minister for an update on the commitment in the 'Economy and Jobs Initiative' document, which states that "the Office of the First Minister and deputy First Minister will bring forward proposals to boost economic activity through the retro-fitting of energy efficiency measures into homes".

**(AQO 3948/11-15)**

**Mr P Robinson and Mr M McGuinness:** The retrofitting of energy efficiency measures into homes is an important element of the wider Economy and Jobs Initiative; it will not only assist in boosting the economy – which is our number one priority – but it will simultaneously contribute to the delivery of several other Programme for Government commitments. These relate to tackling disadvantage, improving wellbeing, reducing Greenhouse Gas emissions and securing energy supply.

The Department has engaged the Strategic Investment Board's Delivering Social Change Unit to work with officials, stakeholders and recognised industry experts to bring forward proposals that both complement and supplement existing fuel poverty and energy efficiency initiatives.

We will be making further comment on this issue in the next short while.

### Maze/Long Kesh Regeneration Site

**Mr Milne** asked the First Minister and deputy First Minister for an update on the Maze/Long Kesh Regeneration Site following their visit on 24 April 2013.

**(AQO 3949/11-15)**

**Mr P Robinson and Mr M McGuinness:** Developing the Maze/Long Kesh site is a commitment in the Programme for Government and the launch on 24 April 2013 of the Development Corporation's Vision, for the regeneration of the whole site, is an important milestone towards meeting this goal.

Significant progress has been made in the seven months since the Corporation has been operational, with the relocation of the Royal Ulster Agricultural Society (RUAS) and the announcement that planning approval has been granted for the Peace Building and Conflict Resolution Centre (PbCRC).

These two key projects, together with the provision of essential infrastructure works, will facilitate the Development Corporation in attracting further private investment, with a target of £100 million to be raised by 2016.

These developments, along with the £21 million investment by the Executive, will help create up to an estimated 5,000 permanent jobs and showcase to the international community our commitment to building a brighter, better and shared future society.

### Ilex

**Mr Flanagan** asked the First Minister and deputy First Minister for an update on the recruitment of a chairperson, board members and chief executive officer for Ilex.

**(AQO 3950/11-15)**

**Mr P Robinson and Mr M McGuinness:** A Public Appointment competition is ongoing to secure a new Chair and additional Board members. We hope to make an announcement on these positions in the near future.

Ilex recently ran a public recruitment competition to appoint a Chief Executive. This competition did not result in any suitable candidates. Ilex is pursuing the Interchange programme to fill the vacancy and the competition is ongoing. Interim arrangements are in place and remain so until the Chair and Chief Executive positions are filled.

## Department of Agriculture and Rural Development

### Livestock Injuries

**Mr Hazzard** asked the Minister of Agriculture and Rural Development what assistance her Department offers rural dwellers to prevent livestock from getting injured on their land.

**(AQW 21970/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** My Department offers no financial assistance to rural dwellers to prevent injury to livestock on their land.

However, where a landowner has a prehistoric or other historic monument on his land the Built Heritage Directorate of the NI Environment Agency (NIEA) will work to protect such sites. This is done either by scheduling under Article 3 of the Historic Monuments and Archaeological Objects (NI) Order 1995 or by policy which is agreed between the NIEA and DARD. It is recognised by the NIEA that, from time to time, certain historic monuments may pose a risk to the public and livestock. In these instances, the NIEA will work with people who own, or use, such sites to achieve both the protection of life and property, and also to secure the long-term conservation of the monument.

If a site is scheduled under the above Order, the owner will be contacted by a Field Monument Warden from time to time to discuss its condition. If the site requires remedial action, for instance, repair of an earthwork or fencing to restrict grazing or access by livestock, an owner may be offered a management agreement under Article 19 of the above Order. This is offered up to the value of any necessary expenditure or loss of land use for a particular period, but it is only offered in respect of activity that is permitted at a site. Fencing of a site to mitigate farm animal trampling or the hand-clearance of invasive scrub are typical situations for management agreements. If a site is not scheduled an owner who has a concern about the condition of a monument can contact the NIEA: Built Heritage directly for advice as there is no regular inspection of monuments which are not statutorily protected.

The NIEA also responds to requests from my Department about the protection of prehistoric and other sites on land which is subject to agreement under an agri-environment scheme. Farmers in these schemes receive funding to protect and maintain historic sites on their land. In such cases the NIEA inspects those sites and makes recommendations to DARD about their treatment which are passed to the landowner for action. Farmers implement management practices which may reduce the risks to grazing livestock, for example, a farmer receiving funding must not use a historic monument as a supplementary feeding site or storage area for round bale silage or hay. As the NIEA is concerned to protect all monuments from harm, an inspection of any site, whether scheduled or not, can be carried out on request and advice and direction are provided by the Archaeological Inspectorate free of charge.

### Single Farm Payment

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she plans to prioritise specific areas or farmers affected by the recent snow crisis for inspection to enable payment of their single farm payment as early as possible.

**(AQW 22140/11-15)**

**Mrs O'Neill:** The final selection of farm businesses identified for single farm payment (SFP) inspections will not be known until after 10 June 2013, which is the final date for receipt of SFP applications or amendments to the Single Application Form. Once we have identified the businesses selected for inspection, my Department will give consideration to the way in which specific areas or farmers, affected by the recent adverse weather conditions, might have their inspections prioritised for the 2013 claim year.

### Single Farm Payments and Agrienvironment Scheme Funding

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, given the potential risk of double funding by the ongoing reform of the Common Agricultural Policy, how many local farmers are in receipt of both single farm payments and agrienvironment scheme funding.

**(AQW 22236/11-15)**

**Mrs O'Neill:** There were 37,585 applicants for 2012 single farm payment (SFP) of which 11,360 also receive funding under agrienvironment schemes.

### Young Farmer Incentive Schemes

**Mr Frew** asked the Minister of Agriculture and Rural Development what incentive schemes are in place for young farmers and people considering taking up farming; and what schemes are planned aimed at reducing the average age of farmers.

**(AQW 22245/11-15)**



**Mrs O'Neill:** You will be aware that DARD, through CAFRE, provides programmes of Further and Higher education to equip young people for entry into farming. Currently, some 743 people are enrolled on CAFRE's Higher and Further education programmes. The College is also piloting a programme of training to support young farmers in the early stages of their farming career.

Looking to the future, the reform of the Common Agricultural Policy offers the opportunity to secure a flexible policy framework which we can tailor best to meet the balance of local needs, including those of young farmers. That is something I am working hard to achieve. The design of our next 2014-20 Rural Development Programme also offers the opportunity to create a framework to improve the competitiveness of the agricultural industry, and within that, to consider whether any specific provision is required for young farmers. This design is something on which my Department is already engaging with stakeholders and it will be the subject of public consultation later this year.

The attractiveness of the agricultural industry to younger people as a place to forge a long-term career will be driven to a significant degree by its inherent profitability and long term prospects. These long term prospects are generally regarded as being much more positive now than they were a number of years ago, and that is to be welcomed. I hope that the forthcoming publication of the report from the industry led Agri-Food Strategy Board will help chart a way forward to grasp these opportunities and thus underpin the attractiveness of the industry to young people.

Given the nature and structure of our farming industry, its development pathway and the traditional transfer of farms between generations, any significant reduction in the average age of farmers would require a marked acceleration of older farmers leaving the industry. I am not planning any schemes aimed at creating this acceleration. Moreover, I believe that our focus needs to be on improving the profitability and sustainability of the industry, which will open a pathway to growth, rather than focusing narrowly on reducing the average age of farmers.

### **West Tyrone: Regenerating Villages and Small Towns**

**Mr McElduff** asked the Minister of Agriculture and Rural Development to outline her Department's policies that are aimed at regenerating villages and small towns in West Tyrone.

**(AQW 22263/11-15)**

**Mrs O'Neill:** Under the Rural Development Programme 2007-13, my department has a specific measure relating to Village Renewal aimed at enabling and encouraging residents of villages and surrounding areas to create an integrated action plan to ensure the full potential of such areas is achieved and to support integrated village initiatives. This measure is being delivered by 7 Joint Council Committees (JCC) working with a Local Action Group (LAG) in each area. Under the Village Renewal measure Assisting Rural Communities in the North West (ARC NW) set aside a budget of £2.5m to support 12 villages across the cluster area (Omagh, Strabane, Derry and Limavady councils).

Four villages in West Tyrone (Carrickmore, Fintona, Gortin in Omagh District Council area and Plumbridge in Strabane District Council area) have been successful in receiving funding support following an open call for applications. Applications from a further two villages in Strabane District Council area are under consideration.

The village renewal measure is open to all rural groups representing villages in the north, regardless of size and capacity.

### **Agri-food Branch Inspectors**

**Lord Morrow** asked the Minister of Agriculture and Rural Development, in relation to enforcement training for agri-food branch inspectors, to detail whether the training company approached her Department with their programme or a tender process followed.

**(AQW 22316/11-15)**

**Mrs O'Neill:** The enforcement training provided by Veterinary Service for Agri-food Inspection Branch is delivered by staff of Veterinary Service Enforcement Branch in conjunction with two external providers. The external providers were identified by Veterinary Service as having the specific skills and expertise to effectively deliver the bespoke training necessary for inspectors. Procurement policy was followed and a value for money exercise conducted which demonstrated clear benefit from using the current arrangement.

### **Scrapies: Sheep Herds**

**Mr Hazzard** asked the Minister of Agriculture and Rural Development to detail the instances of Scrapies in sheep herds in the last three years.

**(AQW 22355/11-15)**

**Mrs O'Neill:** Since 2010 there have been 2 cases of Scrapie in the north of Ireland.

The first was a case of atypical Scrapie found in a human consumption sheep, sampled at a slaughterhouse, in November 2011.

The second was a case of atypical Scrapie found in a fallen sheep, sampled at a rendering establishment, in February 2012.

## Upper Bann: Farmers' Markets

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development for a breakdown of the financial support her Department has allocated for the provision of farmers' markets in the Upper Bann constituency.

**(AQW 22389/11-15)**

**Mrs O'Neill:** None. Opportunities for support for Farmers' Markets may be available under Axis 3 of the NI Rural Development Programme 2007 – 2013. This Axis is delivered in the Upper Bann constituency area by Down Rural Area Partnership (DRAP) in Banbridge District Council area and by Southern Organisation for Action in rural areas (SOAR) in the Craigavon District Council area. Applications are sought through open calls and are competitively assessed in line with the objectives and priorities set within the local rural development strategy.

DRAP may be contacted via Marguerite Osborne in Ards Business Centre telephone number 028 91820748 or alternatively by email: info@downruralareapartnership.com. SOAR may be contacted via Elaine Cullen in Craigavon civic Centre telephone number 028 38312573 or alternatively by email craigavon@soarni.org

## Land Parcel Identification System

**Mrs Dobson** asked the Minister of Agriculture and Rural Development what changes she has made to the manual quality assurance check process for land parcel identification system farm maps following the distribution of incorrect maps to farmers.

**(AQW 22415/11-15)**

**Mrs O'Neill:** Additional steps have been applied to the manual checking process to ensure that it is quickly identified if fields are missing from maps. This includes checking the map against previous single applications and against previous maps.

## Land Parcel Identification System

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail (i) the process by which land parcel identification system farm maps are quality checked prior to dispatch; (ii) the number of staff involved in this process in each of the last twelve months; and (iii) whether any disciplinary procedures were instigated following the distribution of incorrect farm maps.

**(AQW 22416/11-15)**

**Mrs O'Neill:**

- (i) The quality checks involved in the production and distribution of the new maps are as follows:
- a Land & Property Service (LPS) staff quality assure the mapping data (field boundaries and ineligible areas) which has been captured.
  - b The DARD technical quality assurance staff then check the data to satisfy themselves that it is compliant with the DARD protocols.
  - c The mapping data is then analysed by validation software to identify any anomalies within the data, which, if found, are corrected before the data is provided to DARD.
  - d Before loading the data provided by LPS, DARD performs a further software analysis of the data and if issues arise the data is returned to LPS for correction.
  - e When the data has been successfully loaded DARD produces maps from its IT system. A sample of these maps is reviewed by a team before being issued to the print contractor. Any issues identified are addressed.
- (ii) The number of staff involved in the quality check process in each of the last twelve months is as follows:

### Technical Data Quality Assurance in DARD

Average of 1.5 Agricultural Inspector Grade II staff plus 1 Agriculture Inspector Grade III staff for each month

Agricultural Group 4 staff as detailed in the table below

May12	Jun12	Jul12	Aug12	Sep12	Oct12	Nov12	Dec12	Jan13	Feb13	Mar13	Apr13
18.4	17.4	17.4	14	13	13	13	13	13	18	18	18

### Map Quality Checks

Map production did not take place throughout the year, so the information below covers testing and map checking for appropriate months. This was not a full-time role during these months, but was carried out as necessary when maps were produced.

May12 – Aug 12	Sep12	Oct12	Nov12	Dec12	Jan13	Feb13	Mar13	Apr13
0	2	2	2.5	3	3	2	16	5

- (iii) No disciplinary action has been taken in respect of the maps which were affected by missing fields. This problem was caused by a technical fault which caused a number of fields in the database to lose their connection to businesses which declared them for area-based schemes purposes. This problem was quickly fixed and affected farmers provided with additional time to examine their maps. It would be wrong to blame staff for an error of this kind, particularly when staff worked extremely hard to resolve the problem quickly.

### Trees: Pollarding and Felling

**Mr Kinahan** asked the Minister of Agriculture and Rural Development what action her Department is taking to monitor the pollarding and felling of trees to remain within her Departments single farm payments guidelines.

**(AQW 22421/11-15)**

**Mrs O'Neill:** My Department does not formally monitor the pollarding and felling of trees. However, during On-The-Spot Checks for Single Farm Payment, DARD inspectors record breaches of Cross-Compliance, such as tree cutting inside the closed period of 1 March to 31 August.

### Native Trees: Destruction

**Mr Kinahan** asked the Minister of Agriculture and Rural Development, pursuant to AQW 20538/11-15, whether the cross-compliance requirements are EU or local,

**(AQW 22422/11-15)**

**Mrs O'Neill:** The 2 elements of Cross-Compliance are laid down by the European Commission.

The first of these, the Statutory Management Requirements (SMRs), require applicants for direct agricultural support to comply with specific articles contained within 18 European regulatory requirements covering the environment, food safety, animal and plant health and animal welfare.

The second element, that land is maintained in Good Agricultural and Environmental Condition (GAEC), were developed from the framework set out by the European Commission and were subject to a local consultation exercise.

### Hardship Payments: Applications

**Mr Weir** asked the Minister of Agriculture and Rural Development how many applications for hardship payments her Department has received from farmers, broken down by constituency.

**(AQW 22438/11-15)**

**Mrs O'Neill:** Approximately 1,300 farmers have had fallen stock collected and disposed of under the first phase of the hardship funding. However farmers will only be able to apply for hardship payments when the second phase of the funding opens. I hope to release details of the hardship scheme and how to apply as soon as possible.

The hardship scheme, which will help to mitigate the costs of the livestock losses that have been sustained by farmers arising from the snow storm will be under the EU de minimis rules and capped at a maximum of 7,500 euro per farmer. This will include the collection and disposal costs of the fallen animals.

The scheme is being framed in light of the information gathered on the extent and nature of these losses.

### Agrifood Branch Inspectors

**Lord Morrow** asked the Minister of Agriculture and Rural Development, in relation to the enforcement training of agri-food branch inspectors, to outline the additional costs incurred by the specialist speaker, including travel, and whether this are included in the contract costs provided by the training company or separately met by her Department.

**(AQW 22494/11-15)**

**Mrs O'Neill:** There have been two enforcement courses run for Agri-food Inspection Branch to date. The courses ran from 7 to 15 January and 21 to 29 January 2013. The total cost for the provision of the courses amounted to £2,318 and £2,607 respectively excluding VAT. The additional costs over and above lecture fees are included in these amounts and were itemised on the invoices received from the two specialist speakers. Additional costs included all associated travel, accommodation and subsistence and amounted to £568 and £857 for the first and second courses respectively.

### Neonicotinoids

**Mr Cree** asked the Minister of Agriculture and Rural Development whether she has had any communication with garden centre retailers who have voluntarily withdrawn plant products that contain neonicotinoids.

**(AQW 22496/11-15)**

**Mrs O'Neill:** The European Commission has indicated that it will shortly prohibit the use of 3 neonicotinoids for seed treatment, soil application and foliar treatment on bee attractive crops. The sale of these neonicotinoids to amateur growers, through outlets such as garden centres, will also be prohibited.

I have had no communication with garden centre retailers who have already voluntarily withdrawn plant products that contain neonicotinoids.

## Imidacloprid, Clothianidin and Tmx

**Mr Cree** asked the Minister of Agriculture and Rural Development whether she has had discussions with departmental officials regarding the EU moratorium on the use of imidacloprid, clothianidin and tmx on crops that attract bees.

**(AQW 22501/11-15)**

**Mrs O'Neill:** My officials have updated me regularly on the European Commission's proposals to restrict the use of these three neonicotinoid insecticides.

## Neonicotinoid Pesticides

**Mr Cree** asked the Minister of Agriculture and Rural Development whether she has planned any meetings with beekeepers in light of the EU Commission proposals to suspend the use of certain types of neonicotinoid pesticides.

**(AQW 22503/11-15)**

**Mrs O'Neill:** The Strategy for the Sustainability of the honey bee, which was published in February 2011, provides a plan of action aimed at sustaining the health of honey bees and beekeeping in the north of Ireland for the next decade.

Beekeepers and Departmental officials are currently working in partnership to deliver the aims and outcomes of the Strategy. Delivery is being phased and outcomes and priorities reviewed at regular intervals by the Strategy's Implementation Group.

It is very clear that bees and pollinators face many problems unrelated to neonicotinoid pesticides. I have not planned any meetings with beekeepers in light of the EU Commission proposals to suspend the use of certain types of neonicotinoid pesticides.

## Neonicotinoid Pesticides

**Mr Cree** asked the Minister of Agriculture and Rural Development for her assessment of the EU proposals to suspend the sale of certain types of neonicotinoid pesticides for domestic use.

**(AQW 22504/11-15)**

**Mrs O'Neill:** Domestic users of pesticides are not subject to the same requirements, regulations and controls that apply to professional users in the agricultural industry.

Therefore the EU proposal to suspend the sale of certain types of neonicotinoid pesticides for domestic use is a reasonable precaution to prevent possible adverse impacts which could arise from inadvertent or inappropriate use.

## Farmers: Hardship Payments

**Mrs Dobson** asked the Minister of Agriculture and Rural Development for an update on the timescale for hardship payments to farmers affected by the severe winter weather in March, including whether the payments will be with all the affected farmers by the end of June 2013.

**(AQW 22799/11-15)**

**Mrs O'Neill:** I have obtained Executive agreement to hardship funding measures to assist farmers worst affected by livestock losses arising from the recent snow storm.

The first element of these measures is that DARD is paying for the costs of collection and disposal of fallen stock that have died as a direct result of the snow storm. The second element will be a Hardship Payments Scheme, which will help to mitigate the costs of the livestock losses that have been sustained by farmers arising from the snow storm. This will be under the EU de minimis rules and capped at a maximum of 7,500 euro per farmer, including the collection and disposal costs of the fallen animals. Farmers, who had livestock losses as a result of the snow storm and had fallen stock disposed of during the period 2 April – 19 April 2013 by approved renderers, will be eligible for the hardship funding.

I intend to bring details of the Hardship Payments Scheme to the Executive for agreement very shortly. The scheme is framed in light of the information gathered on the extent and nature of losses, which we have been building as farmers have had stock removed and disposed of by the approved renderers.

Subject to Executive agreement, the scheme will be brought forward as quickly as possible and I hope to release details in the very near future. It is intended to make payments to farmers by the end of June.

## Department of Culture, Arts and Leisure

### Efficiency Savings: Job Losses

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure to detail the (i) number; and (ii) location of, job losses she expects as result of efficiency savings in relation to her Department's Arms Length Bodies.

**(AQW 20143/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** In line with the letter to the CAL Committee Chair dated 30th January 2013, it is difficult to accurately determine the impact of savings in my Department's Arms Length Bodies (ALBs) on

jobs. In the case of ALBs whose budgets contain very significant payroll elements (LibrariesNI and National Museums), the bodies have estimated job losses of 87 and 56 respectively. In the former case, the number of job losses also includes those resulting from its rationalisation exercise (55) when LNI was first established from the former Education and Library Boards.

In contrast, in the case of grant-giving bodies (for example Arts Council, SportNI and NI Screen), the implications for jobs of reduced budgets is harder to determine. While the value of grants to third parties will fall, much depends on the ability of these grantees to attract funding from other sources and/ or to absorb budget cuts by reducing spending in non- payroll related areas.

My Department is not able to track job impacts across the large number of grantees involved and no reliable estimates are available. For this reason, the overall picture will be incomplete.

## Department of Education

### Schools Access Team

**Mrs D Kelly** asked the Minister of Education how his Department's schools access team's refusal to allow some children admission to local schools fits with his Department's Every School A Good School document, which has, as one of its four cornerstones, schools connected to their local community.

**(AQW 22375/11-15)**

**Mr O'Dowd (The Minister of Education):** There is a clear link between the role of School Access Team and the Department's policy in relation to Every School a Good School – a policy for school improvement (ESaGS).

The Department's School Access Team's role within the open enrolment policy is to address short term demographic pressure(s) in a particular area through granting a small number of additional places using a temporary variation. The team's role is to ensure that the school's estate is actively managed in a strategic, economic and balanced manner, whilst also still ensuring that children are able to avail of a school in their chosen educational sector within reasonable travelling distance of their house. To do otherwise would result in unchecked over subscription of certain schools, deflecting resources from improving educational outcomes such as those supported through the delivery of ESaGS.

Increasing engagement between schools and the parents, families and the communities they serve is one of the key policy areas within ESaGS. However, no child is guaranteed a place at a particular school as places at schools are determined by the schools admissions and enrolment numbers based on the available teaching accommodation. While parents can state their preference for a particular local school, it is the school's own admissions criteria which determines the rank order of admissions and the setting of these criteria are entirely the responsibility of the school's Board of Governors. In some cases it is the school's admissions criteria that results in local children not being able to attend local schools.

### Savings Delivery Plans

**Mr Storey** asked the Minister of Education, pursuant to AQW 21786/11-15, whether he has identified any efficiencies as part of his savings delivery plans.

**(AQW 22410/11-15)**

**Mr O'Dowd:** My Department's published Savings Delivery Plan (SDP) identifies a range of services where savings have been required to ensure that the education system lived and continues to live within the overall budget provided.

In identifying areas in which to effect savings, my priority was to protect the classroom as much as possible and to protect also expenditure on important services for our most vulnerable children and young people.

Wherever possible, this has been done through improved efficiency and effectiveness. Moving forward, I will continue to work to improve efficiency and effectiveness in the education sector, including through the establishment of ESA.

### Central Procurement Directorate

**Mr Storey** asked the Minister of Education, pursuant to AQW 19804/11-15, to detail the dates of the formal meetings with procurement staff during the project.

**(AQW 22414/11-15)**

**Mr O'Dowd:** The project team met with the BELB Procurement Officer during September 2011.

Available records also indicate that meetings including ELB procurement staff and project team staff also took place on following dates:

- 19 May 2011 (SEELB Procurement Governance and Accountability meeting);
- 24 June 2011 (SEELB Procurement Governance and Accountability meeting);
- 30 September 2011 (SEELB Procurement Governance and Accountability meeting);
- 11 October 2011 (CoPE re-accreditation sub-group);
- 24 October 2011 (Procurement Practitioners Group);
- 13 December 2011(Procurement Practitioners Group);

- 20 February 211 (Procurement Practitioners Group);
- 22 December 2011 (SEELB Procurement Governance and Accountability meeting).

### Teachers: Unsatisfactory

**Mr Kinahan** asked the Minister of Education when his Department's procedure for dealing with teachers who are deemed unsatisfactory was last reviewed.

**(AQW 22476/11-15)**

**Mr O'Dowd:** The current Unsatisfactory Teaching Procedures were drawn up jointly by teachers' employing authorities in consultation with DE in 1997. In March 2010 the Management and Teachers' Side of the Teachers' Negotiating Committee (TNC) agreed that the procedures were no longer fit for purpose and that a new approach was necessary. A working group was set up which included representatives from both trade unions and Management Side.

New procedures have been drafted – a Procedure for Supporting Effective Leadership in Schools for school principals and a Procedure for Supporting Effective Teaching in Schools for teachers and vice-principals. Both revised procedures have been tabled at the Joint Working party, consisting of teachers' employers and unions, for consideration and approval. It is envisaged that these procedures will be finalised in the very near future.

The current procedure for dealing with teachers who are deemed unsatisfactory includes an informal stage followed, if necessary, by a formal stage.

The parties involved at the informal stage are as follows:

- Teacher;
- Principal;
- Board of Governors;
- Employing Authority;
- Teacher union representative/teaching colleague, if required; and
- Education & Library Board's Curriculum Advisory and Support Services (CASS) or other agencies, as appropriate.

The parties involved at the formal stage are as follows:

- Teacher;
- Principal;
- Board of Governors;
- Sub-committee, established by the Board of Governors;
- Employing Authority;
- Trade Union;
- Trade Union representative/teaching colleague, if required; and
- CASS or other agencies, as appropriate.

Whilst there is no requirement to involve the Inspectorate in the procedures to address unsatisfactory work, a school's assessment of deficiencies may be corroborated by Inspectorate comments. Requests for an inspection of a teacher will only be considered when submitted by the Board of Governors and with the knowledge of the teacher.

In cases of an appeal, an Appeals Committee shall consist of an Independent Chairman appointed by the Labour Relations Agency, and two panel members, one nominated by the Teachers' Side and one nominated by the Management Side of the Teachers' Salaries and Conditions of Service Committee (Schools).

### Teachers: Unsatisfactory

**Mr Kinahan** asked the Minister of Education whether his Department has any plans to review the procedure for dealing with teachers who are deemed unsatisfactory.

**(AQW 22477/11-15)**

**Mr O'Dowd:** The current Unsatisfactory Teaching Procedures were drawn up jointly by teachers' employing authorities in consultation with DE in 1997. In March 2010 the Management and Teachers' Side of the Teachers' Negotiating Committee (TNC) agreed that the procedures were no longer fit for purpose and that a new approach was necessary. A working group was set up which included representatives from both trade unions and Management Side.

New procedures have been drafted – a Procedure for Supporting Effective Leadership in Schools for school principals and a Procedure for Supporting Effective Teaching in Schools for teachers and vice-principals. Both revised procedures have been tabled at the Joint Working party, consisting of teachers' employers and unions, for consideration and approval. It is envisaged that these procedures will be finalised in the very near future.

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The parties involved at the formal stage are as follows:

- Teacher;
- Principal;
- Board of Governors;
- Sub-committee, established by the Board of Governors;
- Employing Authority;
- Trade Union;
- Trade Union representative/teaching colleague, if required; and
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Whilst there is no requirement to involve the Inspectorate in the procedures to address unsatisfactory work, a school's assessment of deficiencies may be corroborated by Inspectorate comments. Requests for an inspection of a teacher will only be considered when submitted by the Board of Governors and with the knowledge of the teacher.

In cases of an appeal, an Appeals Committee shall consist of an Independent Chairman appointed by the Labour Relations Agency, and two panel members, one nominated by the Teachers' Side and one nominated by the Management Side of the Teachers' Salaries and Conditions of Service Committee (Schools).

## Teachers: Unsatisfactory

**Mr Kinahan** asked the Minister of Education to list the parties that are involved when the procedure for dealing with teachers who are deemed unsatisfactory is followed.

**(AQW 22478/11-15)**

**Mr O'Dowd:** The current Unsatisfactory Teaching Procedures were drawn up jointly by teachers' employing authorities in consultation with DE in 1997. In March 2010 the Management and Teachers' Side of the Teachers' Negotiating Committee (TNC) agreed that the procedures were no longer fit for purpose and that a new approach was necessary. A working group was set up which included representatives from both trade unions and Management Side.

New procedures have been drafted – a Procedure for Supporting Effective Leadership in Schools for school principals and a Procedure for Supporting Effective Teaching in Schools for teachers and vice-principals. Both revised procedures have been tabled at the Joint Working party, consisting of teachers' employers and unions, for consideration and approval. It is envisaged that these procedures will be finalised in the very near future.

The current procedure for dealing with teachers who are deemed unsatisfactory includes an informal stage followed, if necessary, by a formal stage.

The parties involved at the informal stage are as follows:

- Teacher;
- Principal;
- Board of Governors;
- Employing Authority;
- Teacher union representative/teaching colleague, if required; and
- Education & Library Board's Curriculum Advisory and Support Services (CASS) or other agencies, as appropriate.

The parties involved at the formal stage are as follows:

- Teacher;
- Principal;
- Board of Governors;
- Sub-committee, established by the Board of Governors;
- Employing Authority;
- Trade Union;
- Trade Union representative/teaching colleague, if required; and
- CASS or other agencies, as appropriate.

Whilst there is no requirement to involve the Inspectorate in the procedures to address unsatisfactory work, a school's assessment of deficiencies may be corroborated by Inspectorate comments. Requests for an inspection of a teacher will only be considered when submitted by the Board of Governors and with the knowledge of the teacher.

In cases of an appeal, an Appeals Committee shall consist of an Independent Chairman appointed by the Labour Relations Agency, and two panel members, one nominated by the Teachers' Side and one nominated by the Management Side of the Teachers' Salaries and Conditions of Service Committee (Schools).

## Education and Library Board Staff

**Mr Storey** asked the Minister of Education to detail the number of staff currently employed in each Education and Library Board, broken down by section.

**(AQW 22487/11-15)**

**Mr O'Dowd:** The table below sets out the number of staff employed in each Education and Library Board headquarters broken down by section.

Education and Library Board (ELB)	Corporate	Education / Curriculum	Finance	Total
BELB	422	369	55	846
NEELB	441	655	78	1,174
SEELB	386	543	101	1,030
SELB	526	584	90	1,200
WELB	183	573	74	830
<b>Total</b>	<b>1,958</b>	<b>2,724</b>	<b>398</b>	<b>5,080</b>

### Notes:

- 1 Figures do not include school based employees.
- 2 Corporate section includes areas such as Chief Executive's Office; Commissioners; Legal; Audit; Administrative, Technical and Information Services; Property Services, Student Support Services and staff associated with the delivery of operational services to schools such as maintenance and transport.
- 3 Education / Curriculum section includes all headquarters and out centre staff involved in the provision of support, guidance and assistance to schools and pupils including those delivering Education projects and Youth services.

## Paid and Unpaid Invoices

**Mrs Cochrane** asked the Minister of Education to detail, for the period 1 April 2012 to 31 March 2013, (i) the total number of invoices paid by his Department and its respective arm's-length bodies; (ii) the number of invoices paid within thirty calendar days; (iii) the number of invoices paid within 10 working days of receipt; (iv) how each of his Department's arm's-length bodies has performed against the 30-day payment performance targets; and (v) the number of invoices that remain unpaid.

**(AQW 22519/11-15)**

**Mr O'Dowd:** In respect of my Department and its Arms Length Bodies, the table below details the number of invoices paid, the number paid within 30 calendar days and 10 working days of receipt and the performance against the target 'to ensure that 97% of all non-disputed invoices are paid within 30 days of terms date' for the period 1 April 2012 to 31 March 2013. Where figures are provided, the number of invoices that remain unpaid includes valid undisputed invoices and does not include invoices that are in dispute.

Organisation	Total Number of Invoices Paid (i)	Number of Invoices paid within 30 Calendar Days (ii)	Number of Invoices paid within 10 Working Days (iii)	Performance against target (iv)	The number of invoices that remain unpaid (v)
Department of Education	2,818	2,767	2,583	98.19	1 (Note 1)
North Eastern Education and Library Board	115,128	97,267	60,582	84.49	0 (Note 2)
Belfast Education and Library Board	80,839	71,676	43,293	88.67	0 (Note 2)
Western Education and Library Board	109,312	95,989	57,576	87.81	0 (Note 2)
South Eastern Education and Library Board	92,401	81,045	52,267	87.71	0 (Note 2)



Organisation	Total Number of Invoices Paid (i)	Number of Invoices paid within 30 Calendar Days (ii)	Number of Invoices paid within 10 Working Days (iii)	Performance against target (iv)	The number of invoices that remain unpaid (v)
Southern Education and Library Board	118,896	106,888	70,205	89.90	0 (Note 2)
Council for Catholic Maintained Schools	1,171	1,169	1,143	99.83	0
Council for the Curriculum, Examinations & Assessment	3,319	3,006	2,655	90.57	12
Staff Commission for Education & Library Boards	133	133	133	100	0
Youth Council for Northern Ireland	831	831	830	100	0
Northern Ireland Council for Integrated Education (NICIE)	534	534	274 Note 3	100	0
Comhairle na Galescolaíochta	293	292	182	99.66	0
General Teaching Council for Northern Ireland	450	450	299	100	6
Middletown Centre for Autism	877	877	238	100	0

**Note 1**

It is not possible for the Department to provide the number of invoices received before 31 March 2013 which are not on the Account NI transaction processing system, as the cost of collating this information would be disproportionate.

**Note 2**

The Education and Library Boards can only report on 2012-13 invoices outstanding within their finance departments. It is not possible to report on the number of outstanding invoices within the wider school network as this information could only be provided at disproportionate cost.

**Note 3**

10 working day figures for NICIE were not available prior to July 2012 therefore the total of invoices paid within 10 working days does not include the period 1 March-30 June 2012.

**Modular Examinations: Removal**

**Mr Agnew** asked the Minister of Education how the removal of modular examinations would impact on the performance of exceptional students compared with that of other students.

**(AQW 22655/11-15)**

**Mr O'Dowd:** There is no clear and consistent evidence that modular examinations are easier than linear.

Current research and evidence reveals that modular assessment is not consistently easier than end of course examinations. Indeed the appropriateness of modular assessment can vary by subject. Even so, where there are differences, the differences have been small in scale.

I have allowed the retention of modular assessment in GCSEs offered here and I am currently considering short term changes to A levels. The fundamental review of GCSEs and A Levels which I commissioned CCEA to undertake will continue to address this issue and I will study the recommendations closely before making any decisions regarding the future of these important qualifications.

**Rural Development Council: Rural Proofing Assessment**

**Mrs Dobson** asked the Minister of Education, pursuant to AQW 21380/11-15, and in relation to area planning, whether the Rural Development Council's rural proofing assessment *Striking the Balance*, which was carried out in 2008, needs to be updated.

**(AQW 22660/11-15)**

**Mr O'Dowd:** Prior to its publication in 2009, the Sustainable Schools Policy, on which area planning is based, was assessed against the Rural Development Council's rural proofing checklist in its report "Striking the Balance".

The Rural Proofing Guide published by the Department of Agriculture and Rural Development in March 2011 suggests that rural proofing is carried out at the outset of policy development or policy review.

I do not currently have any plans to carry out a review of the Sustainable Schools Policy and do not therefore consider it necessary to re-assess it in respect of rural proofing.

### Teachers and Principals on Long-term Sick Leave

**Mr Kinahan** asked the Minister of Education (i) to detail the number of (a) teachers; and (b) principals in each Education and Library Board area who were absent on long-term sick leave, in each of the last three years; (ii) how long they have been absent; and (iii) what reasons have been given for their absence.

**(AQW 22692/11-15)**

**Mr O'Dowd:** The information is contained in the tables below.

**Table A (ii), 2011/12 data. The number of teacher who were absent on long-term sick leave by the length of absence and Education and Library Board area.**

	Belfast	Western	North Eastern	South Eastern	Southern	Total
21-40 days	73	98	133	75	117	496
41-60 days	67	71	71	48	83	340
61-80 days	11	20	26	21	22	100
81-100 days	10	18	22	11	31	92
101-140 days	8	15	23	13	26	85
141+ days	8	7	12	9	8	44
<b>Total</b>	<b>177</b>	<b>229</b>	<b>287</b>	<b>177</b>	<b>287</b>	<b>1157</b>

**Table A (ii), 2010/11 data. The number of teacher who were absent on long-term sick leave by the length of absence and Education and Library Board area.**

	Belfast	Western	North Eastern	South Eastern	Southern	Total
21-40 days	74	90	111	92	158	525
41-60 days	51	67	80	55	108	361
61-80 days	16	20	20	10	20	86
81-100 days	19	12	20	15	18	84
101-140 days	#	13	22	#	30	91
141+ days	*	11	15	#	9	45
<b>Total</b>	<b>177</b>	<b>213</b>	<b>268</b>	<b>191</b>	<b>343</b>	<b>1192</b>

**Table A (ii), 2009/10 data. The number of teacher who were absent on long-term sick leave by the length of absence and Education and Library Board area.**

	Belfast	Western	North Eastern	South Eastern	Southern	Total
21-40 days	95	99	130	107	133	564
41-60 days	42	69	65	60	97	333
61-80 days	20	23	18	21	31	113
81-100 days	7	24	16	13	23	83
101-140 days	#	13	19	#	31	80
141+ days	*	12	12	#	11	46
<b>Total</b>	<b>172</b>	<b>240</b>	<b>260</b>	<b>221</b>	<b>326</b>	<b>1219</b>

**Table B (ii), 2011/12 data. The number of Principals who were absent on long-term sick leave by the length of absence and Education and Library Board area.**

	Belfast	Western	North Eastern	South Eastern	Southern	Total
21-40 days	5	*	11	*	7	28
41+ days	6	#	15	#	13	50
<b>Total</b>	<b>11</b>	<b>12</b>	<b>26</b>	<b>9</b>	<b>20</b>	<b>78</b>

**Table B (ii), 2010/11 data. The number of Principals who were absent on long-term sick leave by the length of absence and Education and Library Board area.**

	Belfast	Western	North Eastern	South Eastern	Southern	Total
21-40 days	#	5	*	6	*	24
41+ days	*	11	#	9	#	46
<b>Total</b>	<b>9</b>	<b>16</b>	<b>13</b>	<b>15</b>	<b>17</b>	<b>70</b>

**Table B (ii), 2009/10 data. The number of Principals who were absent on long-term sick leave by the length of absence and Education and Library Board area.**

	Belfast	Western	North Eastern	South Eastern	Southern	Total
21-40 days	8	6	9	8	8	39
41+ days	5	8	14	9	14	50
<b>Total</b>	<b>13</b>	<b>14</b>	<b>23</b>	<b>17</b>	<b>22</b>	<b>89</b>

**Table A (iii), 2011/12 data. The number of teacher who were absent on long-term sick leave by the reason given and Education and Library Board area.**

	Belfast	Western	North Eastern	South Eastern	Southern	Total
Stress/other psychiatric illnesses	67	87	104	46	98	402
Benign and malignant tumours, cancers	#	10	13	#	6	40
Chest and respiratory problems, cold, flu, asthma	7	11	11	12	10	51
Gastrointestinal problems	*	9	11	#	9	40
Genitourinary/ gynaecological	16	28	31	16	26	117
Injury, fracture	15	16	24	10	24	89
Musculoskeletal problems	12	16	14	15	23	80
Other/ unclassified	52	52	79	64	91	338
<b>Total</b>	<b>177</b>	<b>229</b>	<b>287</b>	<b>177</b>	<b>287</b>	<b>1157</b>

**Table A (iii), 2010/11 data. The number of teacher who were absent on long-term sick leave by the reason given and Education and Library Board area.**

	Belfast	Western	North Eastern	South Eastern	Southern	Total
Stress/other psychiatric illnesses	69	75	95	59	117	415
Benign and malignant tumours, cancers	*	9	6	#	8	34

	<b>Belfast</b>	<b>Western</b>	<b>North Eastern</b>	<b>South Eastern</b>	<b>Southern</b>	<b>Total</b>
Chest and respiratory problems, cold, flu, asthma	8	9	11	6	10	44
Gastrointestinal problems	7	8	12	6	15	48
Genitourinary/ gynaecological	11	23	19	15	30	98
Heart/cardiac and circulatory problems	#	7	7	*	18	40
Injury, fracture	17	23	24	12	25	101
Musculoskeletal problems	16	16	20	19	29	100
Other/ unclassified	40	43	74	64	91	312
<b>Total</b>	<b>177</b>	<b>213</b>	<b>268</b>	<b>191</b>	<b>343</b>	<b>1192</b>

**Table A (iii), 2009/10 data. The number of teacher who were absent on long-term sick leave by the reason given and Education and Library Board area.**

	<b>Belfast</b>	<b>Western</b>	<b>North Eastern</b>	<b>South Eastern</b>	<b>Southern</b>	<b>Total</b>
Stress/other psychiatric illnesses	68	75	81	79	116	419
Benign and malignant tumours, cancers	*	9	#	7	6	29
Chest and respiratory problems, cold, flu, asthma	9	6	10	10	16	51
Ear, nose, throat, headache /migraine, eye, dental/oral	5	9	6	5	7	32
Gastrointestinal problems	11	13	7	5	17	53
Genitourinary/ gynaecological	14	22	25	10	26	97
Heart/cardiac and circulatory problems	*	11	#	7	10	36
Injury, fracture	12	22	15	18	15	82
Musculoskeletal problems	15	18	17	10	30	90
Other/ unclassified	34	55	88	70	83	330
<b>Total</b>	<b>172</b>	<b>240</b>	<b>260</b>	<b>221</b>	<b>326</b>	<b>1219</b>

**Table B (iii), 2011/12 data. The number of Principals who were absent on long-term sick leave by the reason given and Education and Library Board area.**

	<b>Belfast</b>	<b>Western</b>	<b>North Eastern</b>	<b>South Eastern</b>	<b>Southern</b>	<b>Total</b>
Stress/other psychiatric illnesses	*	6	9	#	6	24
Other/ unclassified	#	6	17	#	14	54
<b>Total</b>	<b>11</b>	<b>12</b>	<b>26</b>	<b>9</b>	<b>20</b>	<b>78</b>

**Table B (iii), 2010/11 data. The number of Principals who were absent on long-term sick leave by the reason given and Education and Library Board area.**

	Belfast	Western	North Eastern	South Eastern	Southern	Total
Stress/other psychiatric illnesses	*	6	*	*	8	25
Other/ unclassified	#	10	#	#	9	45
<b>Total</b>	<b>9</b>	<b>16</b>	<b>13</b>	<b>15</b>	<b>17</b>	<b>70</b>

**Table B (iii), 2009/10 data. The number of Principals who were absent on long-term sick leave by the reason given and Education and Library Board area.**

	Belfast	Western	North Eastern	South Eastern	Southern	Total
Stress/other psychiatric illnesses	*	*	9	6	8	30
Other/ unclassified	#	#	14	11	14	59
<b>Total</b>	<b>13</b>	<b>14</b>	<b>23</b>	<b>17</b>	<b>22</b>	<b>89</b>

Source: Teachers Payroll and Pensions System

\* Relates to fewer than 5 cases.

# Number suppressed to prevent disclosure of small number elsewhere.

**Notes:**

- 1 Data excludes voluntary grammar schools.
- 2 Information is based on financial years, April – March.
- 3 Long-term sick leave has been defined as more than 20 days.

### Sperrinview Special School, Dungannon

**Lord Morrow** asked the Minister of Education why the Southern Education and Library Board has refused Sperrinview Special School's application to the Community Foundation for funding for a multi-use games area; and what action he will take to address this issue.

(AQW 22695/11-15)

**Mr O'Dowd:** The Southern Education and Library Board (SELB) has advised that a request was received from Sperrinview Special School in December 2012 to use funding available from the Community Foundation for a multiuse games area and outdoor gym.

In January 2013 Board officers advised that the proposal would have limited benefit to pupils with severe learning and disability issues and that SELB would be unable to secure Public Liability Insurance cover for the proposed equipment.

Subsequently SELB received a revised proposal in April 2013 from Sperrinview for:

- Complete refurbishment of the existing play areas to include new surfacing and updated equipment suited to the ages and abilities of the pupils of Sperrinview Special School;
- Additions to the school's sensory garden.

In light of the revised proposals from Sperrinview, Board officers are currently assisting the school with this proposal.

### Sperrinview Special School, Dungannon

**Lord Morrow** asked the Minister of Education, pursuant to AQW 22456/11-15 and given that Sperrinview Special School has indicated that it would be prepared to meet the recurrent costs, whether this decision can be reconsidered.

(AQW 22696/11-15)

**Mr O'Dowd:** The Southern Education and Library Board has advised that at the time of the economic appraisal, referred to in my response to AQW 22456/11-15, hydrotherapy provision was a recommendation for two pupils at Sperrinview Special School and it was confirmed that these pupils avail of the hydrotherapy pool at Lisnally Special School in Armagh.

While the Board was willing to contribute the remainder of the required capital funding for the proposed hydrotherapy pool, the recurrent running costs were estimated at £105,000 per annum. When the saving on transport of two pupils to Armagh was deducted, the net recurrent cost was estimated to be £92,000 per annum.

At a meeting between SELB officials and representatives of Sperrinview Special School in September 2012, it was accepted that as neither the school, (through their delegated budget), nor the SELB, (through their non-delegated budget), could sustain the required recurrent costs, the proposal could not be accepted by the Board.

I understand that the school and board are currently considering alternative uses for the funding such as refurbishment of the existing play areas and additions to the school's sensory garden.

### Schools Enhancement Programme

**Mr Storey** asked the Minister of Education why his Department moved the closing date for submissions to the Schools Enhancement Programme from 12 April 2013 to 10 May 2013.

**(AQW 22714/11-15)**

**Mr O'Dowd:** In light of representations made to my Department by education stakeholders, I agreed to extend the deadline for the return of applications by four weeks, to Friday 10 May 2013.

Applications already received by my Department did not need to be re-submitted. In light of the additional time, however, if a school authority wished to withdraw and re-submit an application then my Department was happy to facilitate.

### Education and Skills Authority Implementation Team

**Mr Storey** asked the Minister of Education, pursuant to AQW 22096/11-15, what role the Education and Skills Authority implementation team played in the approval process for non-school based staff.

**(AQW 22715/11-15)**

**Mr O'Dowd:** The Department has made funds available to its Arms Length Bodies (ALBs) to cover the costs of non-school based voluntary severance, subject to certain criteria. The role of the Education and Skills Authority Implementation Team (ESAIT) in the process is to review voluntary severance proposals, submitted and approved by ALBs, to ensure that the criteria are met before funding is allocated.

The criteria include demonstrating that proposals are consistent with the Programme for Government's target of establishing ESA and in line with Savings Delivery requirements. Proposals must also demonstrate value for money, a payback period of no more than 3.25 years, a reduction in staffing budgets and corresponding reduction in Full Time Equivalent (FTE) staff numbers and that risks and mitigation of risks have been addressed.

### Accounting Officers

**Mr Storey** asked the Minister of Education to outline the responsibilities of the two accounting officers within the Department of Education.

**(AQW 22716/11-15)**

**Mr O'Dowd:** The Department of Finance and Personnel (DFP) has appointed the Permanent Secretary of the Department as principal Accounting Officer of the Department of Education. DFP has also appointed an additional Accounting Officer to be accountable for those parts of the Department's accounts relating to specified requests for resources and the associated assets, liabilities and cash flows. The responsibilities of the additional Accounting Officer are secondary to those of the principal Accounting Officer and are restricted to responsibility for the stewardship of the resources within the bodies that are due to be subsumed into the Education and Skills Authority.

This appointment does not detract from the Permanent Secretary's overall responsibility as Accounting Officer for the propriety and regularity of the public finances of the Department.

### Education and Library Boards

**Mr Storey** asked the Minister of Education, pursuant to AQW 22098/11-15 how he ensured that the quality and effectiveness of services delivered by the Education and Library Boards was not diminished in the event of a voluntary severance proposal being approved.

**(AQW 22717/11-15)**

**Mr O'Dowd:** As the employer, the Department's Arms Length Bodies (ALBs) are responsible for determining which posts they can suppress through voluntary severance. In approving the removal of posts, ALBs must take into account the needs of the organisation, including statutory requirements, to ensure the quality and effectiveness of service delivery is appropriately managed.

The Department has put in place a process and determined criteria, which employers must satisfy, in order to secure approval for access to funding. Severance proposals are subjected to risk analysis and appropriate mitigation in considering the competing priorities of reducing costs against retaining necessary skills and ensuring continuity of current levels of service delivery to schools.

To ensure a clear accountability trail, each ALB and their Accounting Officer are required to sign an assurance statement approving the release of staff and suppression of posts for which they are seeking approval for funding and confirming that

the ALB can continue to provide its statutory duties; that any risks which may affect the level of service following the release of staff have been considered and appropriate countermeasures have been, or will be, put in place to manage these.

### Projected Capital Spend

Mr Storey asked Minister of Education, pursuant to AQW16943/11-15, how much finance has been expended to date in each of the projects listed.

**(AQW 22718/11-15)**

**Mr O'Dowd:** Finances expended against the 18 capital build projects announced in June 2012 up to 31 March 2013 are shown in the table below.

School Scheme	Type of School	All Expenditure up to 31/03/2012 £000's	2012/13 Expenditure up to 31/03/2013 £000's	Total Spend to Date £000's
Coláiste Feirste, Belfast	Post-Primary	2,645	0	2,645
St Clare's Convent Primary School St Colman's Abbey Primary School, Newry	Primary	739	110	849
St Joseph's Convent PS, Newry	Primary	93	66	159
Dromore Central Primary School	Primary	244	80	324
Eglinton Primary School	Primary	154	6	160
Tannaghmore Primary School, Lurgan	Primary	209	10	219
Ebrington Controlled PS, Derry	Primary	113	51	164
Foyle & Londonderry College	Post-Primary	15,071	2	15073
St Teresa's Primary School, Lurgan	Primary	144	16	160
Victoria Park Primary School, Belfast	Primary	408	312	720
Enniskillen Model Primary School	Primary	138	4	142
St Mary's Primary School, Banbridge	Primary	69	21	90
Bheann Mhadagain, Belfast	Primary	52	0	52
Belmont House Special School, Derry	Special	10	0	10
Rossmar Special School, Limavady	Special	10	0	10
Castletower Ballymena	Special	0	10	10
Arvalee School & Resource Centre, Omagh	Special	0	0	0
St Gerards Education Resource Centre	Special	0	2	0
		20,099	690	20,789

It should be noted that the figure for Coláiste Feirste, Belfast and Foyle & Londonderry College include site purchases of £2,325k and £14,500k respectively.

### Mobile Classrooms

**Mr Weir** asked the Minister of Education, pursuant to AQW 22057/11-15, how these figures compare with 2008.

**(AQW 22721/11-15)**

**Mr O'Dowd:** The Department does not hold information on numbers of temporary classrooms by constituency for 2008. I can, however, supply data that was provided in response to a previous Assembly question in May 2009.

The table below indicates that the number of temporary classrooms has increased in most constituencies.

Constituency	No of Temporary Classrooms 2009	No of Temporary Classrooms 2013
Belfast East	11	50
Belfast North	40	55

Constituency	No of Temporary Classrooms 2009	No of Temporary Classrooms 2013
Belfast South	38	65
Belfast West	76	106
East Antrim	92	112
East Derry	97	98
Fermanagh & South Tyrone	131	155
Foyle	98	72
Lagan Valley	74	105
Mid Ulster	131	210
Newry & Armagh	151	228
North Antrim	122	194
North Down	46	43
South Antrim	108	102
South Down	166	201
Strangford	77	96
Upper Bann	83	140
West Tyrone	130	124

### Governors: Individual School

**Ms Boyle** asked the Minister of Education what plans he has to conduct patronage surveys to afford parents an opportunity to have their say in who governs individual schools.

**(AQW 22765/11-15)**

**Mr O'Dowd:** The arrangements for the governance of grant-aided schools in the north of Ireland are set out in the relevant provisions of the Education and Libraries (NI) Order 1986 and the Education Reform (NI) Order 1989. The Education Bill being considered by the Assembly proposes amendments to these provisions which will if passed make ESA responsible for the governor appointments that currently fall to the Education and Library Boards and the Department. There are no other proposals to change the statutory school governance arrangements for the purpose of affording parents the opportunity to have their say in who governs individual schools. There is of course existing statutory provision for public consultation on changes proposed to the school estate within the area planning process.

### Joint Faith Schools

**Ms Boyle** asked the Minister of Education if joint faith schools are established, to which sector, controlled, maintained or integrated, would pupils be allocated under the Area Planning process.

**(AQW 22766/11-15)**

**Mr O'Dowd:** The establishment of any school requires the publication of a Development Proposal as required under Article 14 of the Education and Libraries (NI) Order 1986 (as amended).

The Development Proposal would specify the size, location and management type of the proposed new school. There is no provision for hybrid status. The management type would have to be drawn from those covered by current legislation which are controlled (including controlled integrated), Catholic maintained, grant-maintained integrated or voluntary maintained. Whichever sector a newly established school decides upon will determine where the pupils are identified within the Needs Model.

### Integrated Schools

**Ms Lo** asked the Minister of Education what priority integrated schools attach to children from mixed religion marriages when considering their admissions criteria; and whether his Department has issued any guidance to integrated schools on this issue.

**(AQW 22769/11-15)**

**Mr O'Dowd:** The admissions criteria used by any school are a matter for the Board of Governors of the school concerned and reflect the particular priorities they wish to give for admission to their school. Where schools are oversubscribed they have to apply their admissions criteria to determine which pupils to admit. The Department does not have a role in this other than to offer guidance. The Department has not issued guidance to integrated schools about giving priority to children from mixed marriages.



## Belfast Education and Library Board Staff

**Mr Ross** asked the Minister of Education why the automatic pay increment for Belfast Education and Library Board staff is subject to approval for the current financial year.

**(AQW 22773/11-15)**

**Mr O'Dowd:** Public sector pay policy introduced in 2004, as endorsed by the Executive in 2007, necessitates following a process to obtain the required approval for any pay related expenditure, including incremental progression, for all staff in public bodies, including NDPB's.

## Education and Library Boards

**Mr Ross** asked the Minister of Education whether automatic pay increments for the current financial year at Education and Library Boards other than the Belfast Board are subject to approval.

**(AQW 22774/11-15)**

**Mr O'Dowd:** Public sector pay policy introduced in 2004, as endorsed by the Executive in 2007, necessitates following a process to obtain the required approval for any pay related expenditure, including incremental progression, for all staff in public bodies and including NDPB's, which includes the 5 Education and Library Boards.

## Education and Skills Authority

**Mr Ross** asked the Minister of Education whether automatic pay increments are still in place for staff employed by the Education and Skills Authority.

**(AQW 22775/11-15)**

**Mr O'Dowd:** The Education and Skills Authority has still to be established. Any staff that transfer into ESA once it is established, will do so under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE).

The majority of the staff who will transfer to ESA from the Departments NDPB's are currently employed on National Joint Council (NJC) Terms and Conditions, which apply an incremental pay progression and this will continue to apply after the establishment of ESA.

Public sector pay policy introduced in 2004, as endorsed by the Executive in 2007, necessitates following a process to obtain the required approval for any pay related expenditure, including incremental progression, for all staff in public bodies and NDPB's which includes ESA.

## Council for Catholic Maintained Schools and Northern Ireland Council for Integrated Education

**Mr Ross** asked the Minister of Education whether automatic pay increments are still in place for staff employed by the (i) Council for Catholic Maintained Schools; and (ii) Northern Ireland Council for Integrated Education.

**(AQW 22776/11-15)**

**Mr O'Dowd:** Public sector pay policy introduced in 2004, as endorsed by the Executive in 2007, necessitates following a process to obtain the required approval for any pay related expenditure, including incremental progression, for all staff in public bodies, including NDPB's, which includes CCMS and NICIE.

## Funding for Careers, Education, Information, Advice and Guidance Programme

**Mr Storey** asked the Minister of Education to detail the funding that has been made available to the careers, education, information, advice and guidance programme by his Department since the introduction of the programme in 2008.

**(AQW 22790/11-15)**

**Mr O'Dowd:** Under the Local Management of Schools (LMS) arrangements, the Board of Governors of every school receives a delegated budget to enable them to deliver all aspects of the curriculum including careers provision. It is a matter for each school to determine how best to utilise their delegated funding in delivering their statutory requirements which includes careers.

In addition to funding under LMS, the Department provides funding for specific programmes that are a priority for the economy such as the STEM CEIAG programme, details of which are provided below for 2009/10 to 2012/13. The budget for 2013/14 has still to be confirmed.

### STEM/CEIAG Programme

Year	Funding
2009/10	£800k
2010/11	£802k
2011/12	£109k
2012/13	£640k

## Funding for Careers, Education, Information, Advice and Guidance Programme

**Mr Storey** asked the Minister of Education what funding will be made available to the careers, education, information, advice and guidance programme in (i) 2012/13; and (ii) 2013/14.

**(AQW 22791/11-15)**

**Mr O'Dowd:** Under the Local Management of Schools (LMS) arrangements, the Board of Governors of every school receives a delegated budget to enable them to deliver all aspects of the curriculum including careers provision. It is a matter for each school to determine how best to utilise their delegated funding in delivering their statutory requirements which includes careers.

In addition to funding under LMS, the Department provides funding for specific programmes that are a priority for the economy such as the STEM CEIAG programme, details of which are provided below for 2009/10 to 2012/13. The budget for 2013/14 has still to be confirmed.

### STEM/CEIAG Programme

Year	Funding
2009/10	£800k
2010/11	£802k
2011/12	£109k
2012/13	£640k

## Specialist Schools

**Mr Storey** asked the Minister of Education whether his Department is considering the re-introduction of specialist schools.

**(AQW 22794/11-15)**

**Mr O'Dowd:** I have no plans to re-introduce the specialist school programme. With the establishment of the Education and Skills Authority, I will introduce a new regional professional support service for schools and have asked my officials to ensure that the learning and good practice that emerged during the specialist schools programme is incorporated into the future delivery of this service.

## School Uniform Guidelines

**Mr Hazzard** asked the Minister of Education what guidelines his Department has in place regarding school uniforms.

**(AQW 22795/11-15)**

**Mr O'Dowd:** The wearing of a school uniform in the north of Ireland, as in the south of Ireland, England, Scotland and Wales, is not governed by legislation but falls to schools to determine. The day-to-day management of schools, including school uniform policy, is a matter for school Principals, subject to any directions that might be given by the Board of Governors. The Department has, however, issued guidance to schools on school uniform policy and this is contained in Circular 2011/04 dated 30 March 2011 which is available on the Department's website.

Paragraph 2.1 of the Circular advises that schools "... should ensure that their school uniform policy is fair and reasonable, in practical and financial terms, and should have regard to their duties under relevant equality and other legislation".

The guidance also highlights the need for schools to:

- Consult widely on proposed policies and changes (para 2.1).
- Consider cost and availability (para 2.1).
- Consider comfort and practicality (para 2.1).
- Involve the pupils directly in the process of developing a uniform policy (para 2.2).
- Be aware of the barriers which PE uniform can cause to participation in PE, particularly for girls (para 2.4).
- Ensure that uniforms are widely available in high street shops and other retail outlets, and internet suppliers rather than from an expensive sole supplier (para 3.2).
- Have due regard to equality and other issues (section 6 and Annex 1).

In addition, the Circular makes it clear that the Department expects Boards of Governors to give high priority to cost considerations when designing their uniforms. Families should not feel excluded from being able to select a particular school because of the cost of a uniform.

## School Uniform Guidelines

**Mr Hazzard** asked the Minister of Education why it is important that schools adhere to his Department's school uniform guidelines; and what powers his Department has in relation to schools that do not follow the guidelines.

**(AQW 22796/11-15)**

**Mr O'Dowd:** The wearing of a school uniform in the north of Ireland, as in the south of Ireland, England, Scotland and Wales, is not governed by legislation but falls to schools to determine. The Department's guidance on school uniforms was issued to all schools here in March 2011. The guidance advises that schools should ensure that their school uniform policy is fair and reasonable, in practical and financial terms, and should have regard to their duties under relevant equality and other legislation.

I recognise that the day-to-day management of schools, including school uniform policy, is a matter for school Principals, subject to any directions that might be given by the Board of Governors. However, I consider that it is of particular importance that schools adhere to the guidance on school uniforms so that pupils or their families do not feel excluded from being able to apply to or attend a particular school due to the cost of a uniform.

Boards of Governors, in developing their school uniform policy, therefore, have a clear responsibility to give regard to the Department's guidance on school uniforms.

### School Uniform Costs

**Mr Hazzard** asked the Minister of Education for his assessment of the costs associated with school uniforms; and how his Department assists families in meeting the costs of the uniforms.

**(AQW 22797/11-15)**

**Mr O'Dowd:** I recognise that the cost of school uniforms can place a substantial financial burden on families particularly in the current economic climate when many families are struggling to make ends meet. Consequently, my Department has provided and continues to provide annual funding to assist families with the cost of school uniforms. I am pleased to advise that, since April 2011, approximately £12.2 million has been allocated by my Department, through the Clothing Allowance Scheme, to help families with such costs.

I am aware, however, that there is considerable variation between schools in the costs of school uniforms. I have made it clear on previous occasions that I consider it unacceptable for schools to charge excessive costs for school uniforms, particularly where this may act as a deterrent to parents who are considering whether to send their child to a particular school.

I wrote to all schools on 27 September 2012 to remind Boards of Governors of their responsibilities in relation to the Department's guidance on school uniform policy (Circular 2011/04). The guidance specifically states that schools should ensure that their school uniform policy is fair and reasonable, in practical and financial terms, and should have regard to their duties under relevant equality and other legislation. I have emphasised that Governors should ensure that regard is given to the guidance when drawing up their school uniform policy.

### Education and Library Boards: Pupils' Key Stage 1 and 2 Performance

**Mr McNarry** asked the Minister of Education to detail the (i) Key Stage 1; and (ii) Key Stage 2 performance of pupils in (a) rural; and (b) urban schools in each Education and Library Board.

**(AQW 22849/11-15)**

**Mr O'Dowd:** The answer is contained in the tables below.

- (i) Percentage achieving level 2 or above in Key Stage One Assessments by urban/rural classification of school location and Education and Library Board 2011/12 (latest figures available)

	Rural		Urban	
	English	Maths	English	Maths
Belfast	NA	NA	92.8	94.5
Western	94.0	95.7	95.9	96.7
North Eastern	94.9	95.8	94.7	95.2
South Eastern	96.4	97.0	94.0	94.8
Southern	94.4	95.2	91.1	93.2

- (ii) Percentage achieving level 4 or above in Key Stage Two Assessments by urban/rural classification of school location and Education and Library Board 2011/12 (latest figures available)

	Rural		Urban	
	English	Maths	English	Maths
Belfast	NA	NA	76.9	78.2
Western	84.6	85.7	81.5	81.4
North Eastern	86.8	87.3	82.1	82.1

	Rural		Urban	
	English	Maths	English	Maths
South Eastern	88.0	88.9	84.9	85.7
Southern	85.7	87.0	79.9	81.6

**Note:**

NA – No rural primary schools in the Belfast Education and Library Board

Please note that due to industrial action, 7% of primary schools did not submit returns in 2011/12.

## Peace-building and Conflict Resolution Centre

**Mr Kinahan** asked the Minister of Education to outline the (i) plans for school visits to the proposed peace-building and conflict resolution centre; (ii) the estimated cost of school visits; and (iii) from which budget these visits will be funded.

**(AQW 22929/11-15)**

**Mr O'Dowd:**

- (i) In matters such as school visits it would be up to individual schools to choose the venues they feel would most benefit their pupils. When the Peace Building and Conflict Resolution Centre is operational it would therefore be up to individual schools to decide whether or not to visit this venue.
- (ii) At this early stage, the Department of Education has no information regarding the estimated cost of a school visit to the proposed Peace Building and Conflict Resolution Centre.
- (iii) Educational visits in general are provided by schools and as such are funded from the school's own delegated budget.

## Department for Employment and Learning

### A8 Countries: Workers

**Mr Kinahan** asked the Minister for Employment and Learning what steps he is taking to address the gap in local skills by utilising workers from the A8 countries, such as engineers, health professionals and managers, who have moved here but who have limited proficiency in the English language.

**(AQW 22159/11-15)**

**Dr Farry (The Minister for Employment and Learning):** My Department focuses on the skills development of individuals, located here irrespective of background, in order to meet the needs of our businesses community and to support economic growth in Northern Ireland.

In conjunction with this approach, businesses can also recruit staff from throughout the European Union, for instance through the European Employment Service (EURES) scheme. My Department supports the development of the European labour market in order to meet business needs by providing job brokerage services aimed at preventing and combating skills bottlenecks.

When an employer advertises a vacancy through DEL, a language requirement can be stipulated. Language requirements associated with an advertised vacancy are appropriately worded to ensure that no eligible jobseeker is prevented from applying.

In addition, English for Speakers of Other Languages (ESOL) courses, which are targeted at individuals with limited proficiency in English, are available across all further education colleges in Northern Ireland. My Department does not set a cap on the amount of ESOL provision that colleges can deliver. Colleges' decisions are based on the needs of learners and employers in their areas.

### Youth Employment Scheme

**Mr Campbell** asked the Minister for Employment and Learning whether a target has been set for the number of people aged, between 18 to 24, enrolled in the youth employment scheme by the end of 2013.

**(AQW 22449/11-15)**

**Dr Farry:** In July 2012 I announced to the Assembly a package of new measures – “the Youth Employment Scheme” - to help young people gain experience, acquire new skills and find employment. I had earlier presented my proposals to my Executive colleagues who agreed to support and endorse these measures to help address youth unemployment.

Within the business case presented to the Executive we had set a target to make available 2,500 short 2 to 8 week work experience placements, 1,400 longer 6 to 9 month skills development opportunities and 1,000 subsidised jobs in 2013/14

## Royal Exchange Development

**Mr Swann** asked the Minister for Employment and Learning to outline the discussions he has had with the Minister for Social Development in relation to the establishment of a community and business opportunity plan for the proposed Royal Exchange development.

**(AQW 22483/11-15)**

**Dr Farry:** To date my Department has not been approached by the Department for Social Development regarding the Royal Exchange development and I understand this will not happen for some time yet. At the appropriate time, my Department will engage fully in the development of a Community and Business Opportunity Plan, similar to our involvement in the Victoria Square Scheme.

## Disability Employment Service

**Lord Morrow** asked the Minister for Employment and Learning to outline how the Disability Employment Service can assist people who have been receiving long-term benefits but have been assessed under welfare reform as fit for work although recognised as having a disability; and are such people routinely advised to contact the Disability Employment Service for assistance.

**(AQW 22489/11-15)**

**Dr Farry:** The Department's provision for people with disabilities is delivered by my staff, healthcare professionals and specialist providers. Providers have a range of expertise required to meet the specific needs of disabled people wanting to obtain or sustain employment.

Those people who have been assessed by healthcare professionals, through the Work Capability Assessment process, as being fit for work, are seen in the first instance by an Employment Service Adviser in their local Jobs and Benefits office or Jobcentre.

All of The Employment Service Advisers have received training in disability awareness, and also on the impact that a disability can have on the individual. These Advisers have close working relationships with the department's Disability Employment Service, and indeed, they are supported on an ongoing basis by specialist disability staff from that business area, including a team of Occupational Psychologists.

The Advisers are fully aware of the programmes and services provided by the Disability Employment Service, including those that are delivered by key strategic partners within the local disability sector. Therefore, those individuals who are deemed suitable for one of the department's specialist employment programmes, will be referred as such.

The specialist provision offered by my Department's Disability Employment Service includes:

- a dedicated Occupational Psychology Service;
- the Workable (NI) programme;
- the Access to Work (NI) programme;
- Work Connect; and
- the Condition Management Programme.

This menu of health and disability related provision aims to help those who have been unemployed, both short and long term, in relation to confidence building, managing the impact of their health condition in making a return to work, assistance in finding jobs that match abilities, assistance in applying for jobs and providing an opportunity to gain experience in a work setting.

The in-work supports through Workable (NI) and Access to Work (NI) include attachment of a dedicated job coach, disability training for the employer and immediate work colleagues, assistance with workplace adjustments and direct travel cost support for those unable to use public transport due to their disability.

In recognition of the number of people coming off Incapacity related benefits, but who have a disability, the Condition Management Programme has been extended to clients who are claiming Jobseeker's Allowance as a result of the reassessment process.

## People Moved from Welfare into Employment

**Mr Buchanan** asked the Minister for Employment and Learning how many of the 64,338 people moved from welfare into employment (i) are still in employment; (ii) in retraining programmes; and (iii) are receiving benefits.

**(AQW 22517/11-15)**

**Dr Farry:** This information is not available.

## People Moved from Welfare into Employment

**Mr Buchanan** asked the Minister for Employment and Learning how many of the 64,338 people who moved from welfare to employment are aged between (i) 18 to 21; (ii) 21 to 35; and (iii) over 35.

**(AQW 22527/11-15)**

**Dr Farry:** Of the 64,438 people who moved from welfare into employment between April 2011 and November 2012, (i) 3,024 were aged 18 to 19; (ii) 39,147 were aged 20 to 34; and (iii) 22,110 were over 35. This age breakdown does not add up to the overall total of 64,438 due to rounding errors.

Unfortunately due to the way the data is recorded in NOMIS, it is not possible to provide the data in the age ranges specified in the question.

### **SAE Education Limited**

**Mr P Ramsey** asked the Minister for Employment and Learning whether his Department classes SAE Education Limited [the SAE Institute – Liverpool] as a private university for the purposes of student funding, and what is the maximum amount of funding available to any student who wishes to study there.

**(AQW 22745/11-15)**

**Dr Farry:** I can confirm that SAE Institute in Liverpool is a private institution and is classified as such by my Department.

To cover tuition fees for designated higher education courses at private institutions, a student is entitled to borrow up to a maximum of £3,465 per year for “validated only” degrees or up to a maximum of £9,000 per year for “franchised” degrees. The term “validated only” is used to describe degrees validated by, but not delivered by or on behalf of, a publicly funded institution elsewhere in the United Kingdom. The term “franchised” means degrees delivered by, or on behalf of, a publicly funded institution elsewhere in the United Kingdom.

In addition, maintenance support is available through the student’s local education and library board. In 2013/14 the maintenance grant is up to £3,475, depending on their household income. In 2013/14 the maintenance loan is up to £4,840, the same rate that applies for all Northern Ireland students studying outside London and not living with their parents. Students who benefit from a maintenance grant have any maintenance loan reduced by a commensurate amount.

### **Universities: Student Numbers**

**Mrs McKeivitt** asked the Minister for Employment and Learning for an update on the proposed reform of the maximum student numbers system.

**(AQO 4004/11-15)**

**Dr Farry:** The Maximum Student Number, or MaSN as it is commonly known, is the cap which is placed on the number of full-time undergraduate places in each of the higher education institutions in Northern Ireland as a means of controlling the cost to Government of student support.

The MaSN does not apply to part-time undergraduates, postgraduates with the exception of PGCEs and some Social Work places, students from outside the EU or, since academic year 2012/13, students from the rest of GB following the introduction there of higher tuition fees.

A review of MaSN is one of 16 projects being taken forward to implement my Department’s higher education strategy, Graduating to Success. The strategy, which I launched in April 2012, gives a timescale to complete this review by 2016. However, I have asked my officials to have made significant progress on it by 2014.

I am conscious that the Department needs to have in place a fit-for-purpose mechanism, which enables it both to control costs in the sector, and to respond to the changing patterns of engagement in higher education. This is critical, as we move to having people from a range of backgrounds and age groups participating, and to having much more part-time and flexible learning.

The outcome of the MaSN review will form an evidence base that will contribute to the review of the higher education funding model; this is another key project in the higher education strategy, helping to support a flexible lifelong learning environment.

### **Apprenticeships NI**

**Mr Eastwood** asked the Minister for Employment and Learning what his Department is doing to promote Apprenticeships NI schemes in creative arts.

**(AQO 4003/11-15)**

**Dr Farry:** The current review of Apprenticeships will be reporting in the Autumn. Its primary aim is to ensure that future apprenticeships are more closely matched to the growth sectors of the economy, to support its rebalancing and meet the needs of businesses. I have identified the creative industries sector here as one of the growth sectors that my Department will focus its employment and skills provision on. I know there are real opportunities in this sector which I am keen to support through the work of my Department.

In terms of ApprenticeshipsNI schemes, my Department has supported a pilot Creative Industries apprenticeship programme in which five candidates undertook an apprenticeship in Technical Theatre.

The pilot project commenced in April 2011 and was delivered in partnership with Creative and Cultural Skills, a Sector Skills Council, and Belfast Metropolitan College.

The pilot has provided an opportunity to test an apprenticeship framework that is currently available in England, Scotland and Wales. Creative and Cultural Skills have recently presented a report on the pilot and an evaluation is ongoing. The evaluation will inform the way forward.

Currently, my Department does not have contracts with any training suppliers to deliver the qualifications outlined in apprenticeship frameworks for the Creative Industries. However, with the award of new contracts, provision in this sector will be available at Levels 2 and 3.

Up until very recently, the Department has been unable to proceed with the award of the 2010 ApprenticeshipsNI contracts due to a legal challenge. It is now hoped that a timetable for the award of new contracts for ApprenticeshipsNI can be drawn up very shortly.

My Department's Careers Service provides advice and guidance on the opportunities available in the creative arts sector and the vocational and educational qualifications available to help individuals to access the opportunities.

## Pathways to Success

**Mr G Robinson** asked the Minister for Employment and Learning what impact the Pathways to Success programme has had on young people not in education, employment or training.

**(AQO 4005/11-15)**

**Dr Farry:** Implementation of 'Pathways to Success' is at an early stage, however initial outcomes are encouraging and as operations accelerate I anticipate significant benefits for young people.

For example, under the Collaboration and Innovation Fund, £9.2 million will be made available until March 2015, to help over 5,500 young people improve their employability prospects. Seventeen projects commenced activity in December 2012 and to date, ten projects have recruited 401 unemployed young people.

The Community Family Support Programme pilot is currently being piloted in targeted areas across Northern Ireland and has supported 47 families since commencing in January 2013.

Early feedback indicates that 13 individual family members have elected to enter education and training since starting the programme. An additional 20 family members have availed of the specialist provision available and family members of working age are focusing on increasing their employability skills.

The Pathways Training Allowance was introduced to ensure there are effective incentives in place to encourage eligible young people to participate in projects which re-engage them with learning and training; to date more than £31,000 has been paid to 161 young people.

The Community Based Access programme pilot commences in September 2013 and will enable 16 to 18 year olds to increase their essential skills qualifications and progress into further education or government funded training.

In addition to the above, the 'Training for Success' programme offers a guaranteed training place for every 16 and 17 year old; currently over 7,000 young people are participating on programmes.

Furthermore, since the launch of the Youth Employment Scheme in July 2012, almost 1,000 employers have signed agreements to participate in the scheme. These employers have offered more than 2,000 workplace opportunities and 720

young people have participated in the scheme, with 260 securing permanent employment.

In combination I think you will agree these initiatives represent a comprehensive programme of action.

## Queen's University Belfast and Stranmillis University College

**Lord Morrow** asked the Minister for Employment and Learning for an update on the proposed merger of Stranmillis University College and Queen's University, Belfast.

**(AQO 4006/11-15)**

**Dr Farry:** On 28 November 2011, I made a statement on teacher education issues to the Assembly. During that statement I indicated my intention to commission a two-stage study of the teacher education infrastructure in Northern Ireland.

The first stage of the study is now complete and I will be making a statement on its findings to the Assembly within the next week or so.

It is anticipated that the second stage of the study will commence during the summer. This will seek to establish options for a more shared and integrated system for the delivery and funding of teacher education.

## Disability Employment Service

**Mr A Maginness** asked the Minister for Employment and Learning whether there will be an increase in staff or resources in the Disability Employment Service to assist those with disabilities to adapt to welfare reform.

**(AQO 4007/11-15)**

**Dr Farry:** The Department's provision for people with disabilities is delivered by departmental staff, healthcare professionals, and specialist providers from the third sector; these include Disability Action, Action Mental Health, Mencap, Cedar Foundation, Action on Hearing Loss, Royal National Institute for the Blind and Ulster Supported Employment Ltd.

My Department is a key delivery partner of the Social Security Agency's Incapacity Benefit Reassessment project, as part of Welfare Reform. As part of this, 77 additional staff have been employed, mainly front-line Employment Service Advisers. Officials from the Department are actively considering the staff resource needs for the remainder of the Reassessment period.

All of these Employment Service Advisers have been trained in disability awareness and receive ongoing support and guidance from specialist staff from the Disability Employment Service. During the past year, my Department has recruited an additional Occupational Psychologist, as well as two Access to Work Advisers. The Department's Disability Employment Service currently employs 46 staff.

In relation to the Department's range of Disability programmes, additional funding has been allocated to the Access to Work programme, and the Workable programme has been re-contracted. These flagship programmes are helping more than one thousand people with more complex disabilities find and retain work.

My Department also funds the Condition Management Programme, which is delivered by the five Health and Social Care Trusts.

In September 2012, my Department launched a new specialist disability programme, entitled Work Connect. This is aimed at helping those clients on Employment Support Allowance to overcome their health and disability-related barriers to employment.

Finally, my Department has offered an additional contribution of around £7.2 million to the European Social Funding of 20 local disability projects. Over the period 1 April 2008 and 31 December 2012, these projects have assisted approximately 19,000 participants with disabilities or health conditions.

### **Employment: Community-based Schemes**

**Ms S Ramsey** asked the Minister for Employment and Learning what action his Department has taken to reinstate community-based employment schemes as a method of creating sustainable employment opportunities.  
(AQO 4008/11-15)

**Dr Farry:** My Department has no plans to introduce a community-based employment scheme.

The Action for Community Employment programme ran from 1981 to 1998 when it was replaced by New Deal. During these years unemployment ranged from 100,000 – 120,000 whereas today, though considered high relative to that of recent years, unemployment stands at just under 65,000.

At its peak, Action for Community Employment employed 10,000 workers at an annual cost in excess of £50 million. To replicate this, based on National Minimum Wage, would cost in excess of £100 million per year which would be unaffordable given the current constraints on Government expenditure.

Steps to Work is my Department's main adult return to work programme. It provides a wide range of assistance to help people find employment. This includes work experience placements, training and subsidised employment. From September 2008 to December 2012 over 106,000 participants have started the programme, while occupancy at December 2012 was 15,185.

An additional 2,800 job opportunities for 18 to 24 year olds and those aged 50 or over have been introduced into the Steps to Work programme. These targeted opportunities include a number sourced solely from within the community and voluntary sector.

The Youth Employment Scheme is a £31million employment and skills package to help young people to compete for jobs. A core strand of this new scheme is an enhanced employer subsidy worth up to £5,570 per year. This new employer subsidy will be for sectors which have the potential to help rebuild and rebalance the economy.

The Local Employment Intermediary Service, LEMIS, is a community employment initiative designed to help the hardest to reach, in targeted areas of multiple deprivation, to find employment. From April 2011 to March 2013, LEMIS has supported 1,121 disadvantaged clients to find employment.

Finally, the Department will soon commence the procurement process for the Steps 2 Success programme. I expect to make an announcement to the Assembly in June.

### **Stranmillis University College**

**Mr Elliott** asked the Minister for Employment and Learning to outline the appointment process for the new chairperson of the governing body of Stranmillis University College.  
(AQO 4009/11-15)

**Dr Farry:** The appointment process for a new chairperson of the governing body of Stranmillis University College has been carried out in accordance with guidelines issued by the Commissioner for Public Appointments for Northern Ireland.

A set of criteria was established and included in a public advertisement for the post and, in greater detail, in an information pack issued to all applicants.

A selection panel was set up consisting of two senior officials from my Department and an independent panel member appointed by the Commissioner.



By the original closing date, only two applications for the post had been received. Given the low number of applications the Selection Panel considered that, the position should be re-advertised.

At this stage, the Panel was not aware of the names of the applicants, nor had they reviewed the applications submitted. After seeking advice from the Commissioner that this was a legitimate and compliant course of action, the Panel decided that the competition should be re-advertised.

In order to increase circulation and awareness, the second advertisement was placed in the Sunday Times and the Irish Times in addition to the Belfast Telegraph, the Irish News and the Newsletter.

The vacancy was also publicised through the Whitehall and Industry Group and brought to the attention of the CBI, NICVA, the IoD, the NI Chamber of Commerce and the Chief Executive's Forum. The re-advertisement resulted in an additional six applications being received.

The panel assessed the eight anonymised application forms against the essential criteria to determine those candidates eligible for interview.

After the selection panel interviewed all eligible candidates, it provided me with a list of suitable candidates divided into recommended or highly recommended categories, depending on performance at interview.

It was from this list that I chose the candidate that I believed to be best suited to fill the vacancy.

I have today, announced the appointment of Professor Sir Desmond Rea as Chair of the Governing Body of Stranmillis University College.

### Stranmillis University College

**Mr Nesbitt** asked the Minister for Employment and Learning for his assessment of the latest annual report from Stranmillis University College.

**(AQO 4011/11-15)**

**Dr Farry:** The annual report presents a summary of the College's activities for the 2011/12 academic year. It highlights the main achievement of the College during the year in areas such as teaching, enhancing the employability of its students, continuing professional development, widening participation, international development, research and scholarship and staff and student achievements.

The report also contains an extract from its audited annual financial statements. This shows that the College earned a surplus of some £558k after taking account of recurrent annual grant from my department and other time limited funding. I congratulate the College on its achievements throughout the year.

## Department of Enterprise, Trade and Investment

### Tourist Destinations

**Mr Hussey** asked the Minister of Enterprise, Trade and Investment to detail the number of visitors to the top five tourist destinations, over each of the last five years.

**(AQW 20684/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** This information is sourced from the Northern Ireland Visitor Attraction Survey. The report for 2012 will not be available until May 2013 so data has been provided for the years 2007 to 2011. It is important to note that the Visitor Attraction Survey is a voluntary survey and all data presented in the report is based solely on the visitor numbers provided by attractions choosing to take part in the survey. Visitor Attractions that do not appear in the published reports either did not respond or requested confidentiality

#### Top 5 Destinations in terms of Visitor Numbers, 2007

	Visitor Attraction	Visitor Numbers
1	Crawfordsburn Country Park	760,000
2	Giant's Causeway Visitor Centre	712,714
3	Botanic Gardens	660,000
4	Roe Valley Country Park	300,000
5	Belfast Zoological Gardens	294,935

**Top 5 Destinations in terms of Visitor Numbers, 2008**

	Visitor Attraction	Visitor Numbers
1	Giant's Causeway Visitor Centre	751,693
2	Crawfordsburn Country Park	710,000
3	Botanic Gardens	660,000
4	Lagan Valley Regional Park	500,000
5	Oxford Island National Nature Reserve	341,025

**Top 5 Destinations in terms of Visitor Numbers, 2009**

	Visitor Attraction	Visitor Numbers
1	Crawfordsburn Country Park	950,000
2	Giant's Causeway Visitor Centre	714,612
3	Botanic Gardens	700,000
4	Lagan Valley Regional Park	600,000
5	Oxford Island National Nature Reserve	324,947

**Top 5 Destinations in terms of Visitor Numbers, 2010**

	Visitor Attraction	Visitor Numbers
1	Crawfordsburn Country Park	750,000
2	Botanic Gardens	679,000
3	Lagan Valley Regional Park	670,000
4	Dundonald Ice Bowl	617,568
5	Ulster Museum	542,171

**Top 5 Destinations in terms of Visitor Numbers, 2011**

	Visitor Attraction	Visitor Numbers
1	The Lagan Towpath	1,080,520
2	Crawfordsburn Country Park	770,000
3	Lurgan Park	750,000
4	Botanic Gardens	650,000
5	Dundonald Ice Bowl	601,347

Further information on the Visitor Attraction Survey can be found at:

[http://www.detini.gov.uk/deti-stats-index/tourism-statistics/visitor\\_attraction\\_survey-2.htm](http://www.detini.gov.uk/deti-stats-index/tourism-statistics/visitor_attraction_survey-2.htm)

or

<http://www.nitb.com/ResearchIntelligence/VisitorAttractions.aspx>

**Unanswered Question: AQW 14189/11-15**

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment why AQW 14189/11-15 has not yet been answered.

**(AQW 22063/11-15)**

**Mrs Foster:** AQW 14189/11-15 was not answered until 26 April 2013 due to an administrative error.

**Invest NI**

**Mr McDevitt** asked the Minister of Enterprise, Trade and Investment, in relation to the four Belfast parliamentary constituencies, to detail (i) the financial assistance that was provided by Invest NI in 2011/2012; (ii) the number of inward investment visits that took place in each in the past five years; and (iii) the business people, business organisations, Belfast

City Council officials, political representatives and community representatives that were involved in these inward investment visits.

**(AQW 22144/11-15)**

**Mrs Foster:**

- (i) Financial assistance provided to companies located in the four Belfast Parliamentary Constituency Areas (PCAs) in 2011-12 is as follows:

PCA	Assistance Offered (£m)
Belfast East	12.93
Belfast North	2.72
Belfast South	22.44
Belfast West	4.46
<b>Total</b>	<b>42.56</b>

**Notes:**

- 1 Table totals may not add due to rounding.
  - 2 Planned Investment includes Assistance Offered.
  - 3 These figures include both projects that are specifically aimed at job creation and projects that are not; therefore, job numbers do not directly correlate with the assistance and investment figures included in this table.
  - 4 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.
- (ii) The number of inward investment visits to the four Belfast PCAs in the last five years is as follows:

PCA	2007-08	2008-09	2009-10	2010-11	2011-12	TOTAL
Belfast East	36	85	34	47	51	253
Belfast North	9	13	17	22	25	86
Belfast South	51	96	48	54	62	311
Belfast West	6	13	12	7	7	45
<b>Total</b>	<b>102</b>	<b>207</b>	<b>111</b>	<b>130</b>	<b>145</b>	<b>695</b>

**Notes:**

Visit figures for 2008-09 include visits associated with the US:

- 1 NI Investment Conference
- (iii) Invest NI records the locations visited during an inward investment visit, including existing investors, property visits and meeting with stakeholders. However, the agency does not maintain a central record of the individuals that were involved in these visits.

## Job Promotion and Creation

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment, pursuant to AQO 3853/11-15, to outline the difference between jobs promoted and jobs created.

**(AQW 22322/11-15)**

**Mrs Foster:** Government grant support is offered at the start of a project based on a company's commitment to create a set number of new jobs. As Invest NI does not expect to pay all of the investment costs to create these new jobs, it will negotiate with the customer to ensure that there is a significant investment from them in the project as well. Based on these two matched financial commitments, the company will then contract with Invest NI to create an agreed quantity of jobs. These jobs are known as jobs promoted.

As the project is implemented new jobs are created over a period of time, with some stretching out over five years. Therefore, it is important to point out that there is a lag between the promoted jobs and their actual creation by customers. However, these arrangements are monitored and managed by Invest NI and financial support is only released when commitments have been met in line with an agreed plan.

## Job Promotion and Creation

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment whether jobs created or jobs promoted is the more reliable measure of long-term success of her Department in attracting investment.

**(AQW 22323/11-15)**

**Mrs Foster:** At the time that an offer of financial support is provided to a business the number of jobs promoted is the only employment-based metric available. Therefore, jobs promoted will continue to be a useful indicator of the number of jobs expected to be created at some point in the future. It is a reliable indicator of Invest NI activity, together with the amount of assistance offered and the total investment to which this contributes.

Clearly, the number of jobs actually created is important as it is the basis upon which grant payments are made to the business and a true value for money measure on the use of public funding. Invest NI is already reporting the number of jobs created for those assisted through the Jobs Fund. This is because a system was set up to enable this from the outset of the programme.

With regard to other forms of employment-related assistance, Invest NI now has a system in place to enable the recording and collation of both the number of jobs promoted and created. However, it will take a number of years for the job creation data to become meaningful since projects can take up to five years to be fully implemented.

In summary, both measures are valid and required to enable Invest NI to monitor and measure its performance and overall value for money.

## Job Promotion and Creation

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment, pursuant to AQO 3853/11-15, to detail the number of (i) jobs promoted; and (ii) jobs created by her Department and Invest NI in the financial years (a) 2010/11; (b) 2011/12; and (c) 2012/13.

**(AQW 22324/11-15)**

**Mrs Foster:**

- (i) Invest NI promoted (a) 6,828 jobs in 2010-11, (b) 6,480 jobs in 2011-12 and (c) 7,390 in 2012-13.
- (ii) As previously explained in AQO 3583/11-15, Invest NI is developing its systems to enable the reporting of jobs created. Data will therefore be available this year but as offers typically have a three year life span, a detailed and meaningful analysis of this job creation data will not be possible until the end of each contract period. In the interim it will continue to report on the number of jobs promoted, as this is the only employment-based measure available when an offer of assistance is provided. The exception to this are those projects supported through the 'Jobs Fund', which was introduced in 2011-12, where Invest NI already reports on the number of jobs that have been created. This scheme created 1,021 jobs in 2011-12 and 1,678 in 2012-13.

## Petroleum Prospecting Licence

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment to outline (i) the reason for the recent advertisement of a petroleum prospecting licence in various areas including those along the western shore of Lough Neagh; and (ii) to advise what consultation has been carried out with the local community, the Committee for Enterprise, Trade and Investment and other relevant stakeholders.

**(AQW 22372/11-15)**

**Mrs Foster:** DETI officials placed a notice in the Press during week commencing 25th March, advising of DETI's intention to grant a 'Petroleum Prospecting Licence' (PL1/13) in Counties Antrim, Down, Tyrone, Londonderry and Armagh in accordance with the provisions of the Petroleum (Production) Act (NI) 1964 (PPA). The notice invited any person to make representations to DETI within one month of the 25th March.

DETI's activities in granting of Petroleum Licences in NI are informed by the provisions of the PPA. To ensure that DETI has an informed view of any issues that may have the capacity to impact on the granting of the licence or the terms and conditions thereof, notification is made to a number of organisations including the District Councils of the intent, and they are invited to make representations to the Department.

The PPA places no statutory obligation on DETI to consult regarding the intention to grant a Licence. The notification is primarily designed to inform the earliest stages of the Petroleum Licensing regime in NI as each Petroleum Licence requires to be comprised of its own terms and conditions as appropriate.

DETI notified the following list of organisations of its intention and invited them to make representations:

NI Tourist Board; The National Trust; NIE plc; British Telecom; Department of Education; Department of Agriculture and Rural Development; Department of Health Social Services and Public Safety; Northern Ireland Environment Agency; Northern Ireland Office; Department of Environment - Planning Service; Invest NI; Department of Culture, Arts and Leisure; Department of Employment and Learning; Office of First and Deputy First Minister; Northern Ireland Water; Roads Service; Department of Social Development; Royal Society Protection of Birds (RSPB).

In addition, a letter was issued by DETI to the Chief Executive of the 11 District Councils which the licence area under consideration takes in. Antrim, Cookstown, Dungannon/South Tyrone; Newtownabbey and North Down Councils subsequently contacted DETI seeking further information and were furnished with same.

The Department also placed an advertisement in 11 newspapers; namely: Antrim/Ballymena Times; Belfast Gazette; Belfast Telegraph; East Antrim Gazette; Irish News; Lurgan Mail; Mid Ulster Mail; News Letter; Tyrone Times; Ulster/Armagh Gazette; and the Ulster/Lisburn/Castlereagh Star.

The intention to grant was not notified to the ETI Committee at this juncture on the basis that at this very early stage in the licensing process, the amount of information that DETI could share with the Committee could be limited by the Intellectual Property Rights and Commercial In Confidence sensitivities pertaining to some of the information provided to DETI to facilitate assessment.

The processing of this licence application has been conducted by DETI officials in the same manner as all Petroleum Prospection Licences processed by DETI since 2010 and processed as within the ordinary line of business.

### Horizon 2020/EU Funding Streams

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment to detail (i) what measures have been put in place to ensure that relevant advice and information will be provided directly to small and medium-sized enterprises, microbusinesses and other stakeholders to maximise the benefits of Horizon 2020 and other relevant EU funding streams; (ii) how advice and information measures will be provided using collaboration with other Departments; and (iii) any departmental co-operation to date.

**(AQW 22374/11-15)**

**Mrs Foster:**

- (i) My Department continues to take the lead in improving the support available to those who wish to participate in EU Innovation Programmes, with a continued focus on small and medium-sized enterprises. The NI Horizon 2020 Action Plan identifies a range of actions to be implemented during 2013 to ensure that companies and our research organisations have the necessary support to be successful in Horizon 2020. A major part of this is the introduction of the NI Contact Point (NICP) network. As part of this network, Invest NI are taking on the role of being the 'NICP for SME's.
- (ii) As part of a new Communication Strategy on Horizon 2020, which will be agreed with all organisations who will have a role in supporting applications, a new website will be developed along with a guide to Horizon 2020. In addition, a series of workshops are planned to raise awareness of Horizon 2020 and importantly to advise of the support, financial and non financial, available to help prepare high-quality applications.  
  
As part of this Invest NI will host a workshop – "Preparing for Horizon 2020 in Northern Ireland" at the European Business Network (EBN) 2013 Congress being held in Londonderry between 29th and 31st May 2013. In addition, in partnership with my Department, Intertrade Ireland have organised a major conference on Horizon 2020 in Dublin on 16 May.
- (iii) My Department continues to work in close partnership with other Departments on this issue. Departments have already been involved in the preparation of the Horizon 2020 Action Plan and will continue to work in collaboration on the implementation of that Plan.

### Horizon 2020/EU Funding Streams

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment what discussions have taken place with the Irish Government about the potential for businesses to co-operate in order to maximise benefits from Horizon 2020 and other EU funding streams.

**(AQW 22379/11-15)**

**Mrs Foster:** My department continues to take the lead on developing North/South links to support increased collaboration for Framework 7 applications and in the forthcoming Horizon 2020 programme.

DETI is a member of an All-Island FP7 Steering group which facilitates the sharing of information with counterparts in the Republic of Ireland. Additionally, the NI Horizon 2020 Manager remains in regular contact with counterparts in the Department of Jobs, Enterprise and Innovation (DJEI) and Enterprise Ireland.

InterTradeIreland also continue to offer valuable supports to those seeking to collaborate on a North/South basis for FP7. This includes a notice-board for the posting of potential project information, travel support to meet partners and the organising of combined events. With this in mind the 3rd annual 'Collaborate to Innovate' event is being organised for the 16th May in Dublin and will see speakers from the European Commission, the Republic of Ireland, Northern Ireland and across the EU discussing Horizon 2020 and what supports will be available.

### Wind Turbines: Grid Connections

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what efforts are being made to (i) reduce the cost; and (ii) increase the speed of grid connections for wind turbines.

**(AQW 22424/11-15)**

**Mrs Foster:** The cost and speed of grid connections is a matter for Northern Ireland Electricity (NIE) operating under a regulatory framework determined by the Utility Regulator and detailed in the company's licence. My Department has no statutory role or remit in the process to provide a grid connection for renewable electricity technologies.

### Wind Turbines: OffShore

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment what the additional cost per household for electricity consumers will be as a result of the introduction of the input of offshore wind turbines into the power supply grid.  
(AQW 22511/11-15)

**Mrs Foster:** All renewable electricity generation is currently incentivised through the Northern Ireland Renewables Obligation (NIRO). The cost of the NIRO is socialised across the UK and is passed onto the consumer through energy bills and currently represents approximately £12 to £15 on an average annual domestic electricity bill.

The NIRO will close to new generation in 2017 after which time large scale technologies such as offshore wind turbine will be incentivised by Feed in Tariffs with Contracts for Difference (FIT CfDs). The costs of the FIT CfDs will continue to be spread across the UK consumer base as currently happens with the NIRO and is estimated to be approximately £9 on an average annual domestic electricity bill.

### Offshore Wind Farm: South Down

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment what percentage of the financial risk will the consumer be expected to underwrite if the proposed South Down off-shore wind farm does not generate enough electricity to recover investor costs.  
(AQW 22512/11-15)

**Mrs Foster:** The financial risk and recovery of investor costs is a commercial matter for the developer of the proposed wind farm in South Down. The wind farm will not receive an income stream from renewable obligation certificates or feed in tariffs with contracts for difference until the wind farm is actually generating electricity.

If the offshore wind farm, in line with other renewable generators, is constrained by the System Operator then it may be entitled to a compensation payment from the Single Electricity Market (SEM) in line with the market rules that will be in place at the time. The Utility Regulator approves the level of compensation payments in the SEM to ensure that they are at the least cost to the consumer. From 1 January 2018 curtailed generation will not be paid for via the market.

### Offshore Wind Farm: South Down

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment whether any maritime rights of way will be extinguished to accommodate the proposed South Down wind farm and any other proposed wind farms.  
(AQW 22513/11-15)

**Mrs Foster:** The proposed Offshore Renewable Energy Bill, due for introduction in Spring 2014, will provide for the extinguishing, suspending or allowing with conditions the public rights of navigation that usually apply on the sea. It is proposed that offshore wind farm developers must ask for a declaration to extinguish public rights of navigation when applying for consent for construction, extension or operation of generating stations under Article 39 of the Electricity (Northern Ireland) Order 1992.

The extinguishment of maritime rights is not an automatic right, is assessed on a case-by-case basis and is subject to consultation with relevant bodies including the Commissioner of Irish Lights as General Lighthouse Authority and the Maritime and Coastguard Agency. This is to minimise any impact on all legitimate users of the sea.

### Trade Enhancement

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment whether all mechanisms which are used to enhance trade are beneficial to the economy.  
(AQW 22534/11-15)

**Mrs Foster:** My Department and Invest NI regularly evaluate the benefits of its main programmes and an independent evaluation of Invest NI's suite of trade Interventions was carried out in 2011. That evaluation concluded that the suite of trade interventions provided value for money, and that the Invest NI Trade Programme exhibited positive benefits in terms of turnover, employment and GVA.

My Department is currently carrying out research to examine how we can grow and diversify our export base over the coming years. This will not only identify key export markets which local companies can exploit, but will also consider the extent to which existing provision of export support available across all organisations can support this.

## Indigenous Business

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment whether consideration will be given to introducing a diversity approach through which to develop indigenous business.

**(AQW 22536/11-15)**

**Mrs Foster:** Invest NI is committed to the principles of Equality and Diversity under Section 75 of the Northern Ireland Act 1998. We have an Equality Scheme and Action Plan and have carried out 6 major Equality Impact Assessments on our Accelerating Entrepreneurship Strategy, our Recruitment & Selection Policy, our Business Development Solutions Policy, our Corporate Plans and our Communications and Access Policy.

Based on feedback we produce updated action plans to demonstrate how we have listened to stakeholders and mainstreamed equality into the organisation. Examples of positive outcomes include: special arrangements to accommodate female parents on the Business Start Programme; outreach events for ethnic communities; tailored events for potential entrepreneurs with disabilities and making signers and translators available where required.

In common with all public authorities, Invest NI has also implemented a Disability Action Plan, which outlines our commitment to encourage the participation of disabled people in public life.

## Integrated Economic Strategy: Ireland

**Ms S Ramsey** asked the Minister of Enterprise, Trade and Investment to outline the manner in which she will work with the Department of Jobs, Enterprise and Innovation to develop an integrated economic strategy for the island of Ireland.

**(AQW 22538/11-15)**

**Mrs Foster:** I co-operate with my counterparts in the Republic of Ireland where it is beneficial to the Northern Ireland economy. However, both economies face very different challenges. The Irish Government has almost double our unemployment rate, operates in the Eurozone and is subject to a severe fiscal regime imposed by the bail out from the European Union. I have therefore no plans to develop an all-Ireland strategy but I remain committed to delivering actions detailed within our own Northern Ireland Economic Strategy and the more recent Economy and Jobs Initiative. I believe that implementation of these activities will deliver growth, prosperity, jobs and rebalance the local economy in the longer term.

## Economic Strategy

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment for an update on the steps taken to address the limitations and age of the economic data highlighted within the economic strategy.

**(AQW 22541/11-15)**

**Mrs Foster:** The Economic Strategy utilises the latest available economic and labour market data, produced by NISRA, HMRC and ONS. However, the Strategy highlighted that steps were being taken to improve coverage and, where possible, the timeliness of some of the economic data, particularly regarding exports.

In order to improve the timeliness and coverage of official economic statistics, NISRA introduced the Northern Ireland Composite Economic Index in January 2013 to provide a new measure of overall economic activity. The index is produced quarterly and is published within four months of the period to which it refers.

In addition to existing export surveys, NISRA has also increased the sample size and introduced new questions in the Annual Business Inquiry and the Index of Production to improve the measure of exports. Collection and validation of the data are ongoing.

These additions will improve the coverage of service sector exports and provide more timely export data for the production industries as identified by the Economic Strategy.

In addition, my officials continue to discuss with NISRA improvements to exports and other economic data in ongoing reviews of statistical surveys.

## Lowering Unemployment

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment whether all mechanisms used to lower unemployment are being explored; how she proposes to address high unemployment.

**(AQW 22543/11-15)**

**Mrs Foster:** Tackling high levels of unemployment is the responsibility of the whole Executive. The Northern Ireland Economic Strategy sets out what the Executive is doing, across Departments, to boost the competitiveness of the Northern Ireland Economy.

The path we have chosen to increase employment and wealth, is to rebalance the economy by building a larger and more export-driven private sector.

The actions within the Northern Ireland Economic Strategy seek to rebalance the local economy by stimulating higher rates of innovation, increasing skills levels and encouraging export growth. Executive Departments are also taking action aimed at rebuilding the local labour market in the aftermath of the global downturn.

Recognising that recovery has been slower than expected and that difficulties in our key trading partners were still impacting on the Northern Ireland labour market, the Executive launched the £200 million Economy and Jobs Initiative in November 2012.

This package will provide a significant boost to the economy in Northern Ireland with a focus on initiatives which will provide support to people, businesses and infrastructure.

### **Planning Application M/2011/0126/F**

**Mr Milne** asked the Minister of Enterprise, Trade and Investment whether she has raised the delay in planning application M/2011/0126/F with the Minister of the Environment.

**(AQW 22548/11-15)**

**Mrs Foster:** My Department and Invest NI recognise the importance of companies such as DMAC Engineering Limited to the Materials Handling Sector and to Mid-Ulster.

I have been in contact with Minister Attwood and it is my understanding the planning application is progressing.

### **Credit Union: Portadown**

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment, in light of the recent case on a credit union in Portadown, whether any (i) assessments; and (ii) checks been made regarding the viability and sustainability of the other credit unions.

**(AQW 22581/11-15)**

**Mrs Foster:** On 1st April 2012, responsibility for the regulation of Northern Ireland credit unions transferred to the former Financial Services Authority (FSA). From April 2013, all credit unions in the United Kingdom are now the subject of dual-regulation by the FSA's successor bodies, the Financial Conduct Authority and the Prudential Regulation Authority.

My Department continues to be the registration authority for Northern Ireland credit unions and is consulted as necessary by the UK regulatory authorities.

### **Northern Ireland Events Company**

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 10859/11-15, what action she now proposes to take in relation to the Northern Ireland Events Company.

**(AQW 22606/11-15)**

**Mrs Foster:** The Company inspection into the Northern Ireland Events Company is ongoing and a final draft report is expected by 30 June 2013.

### **Jobs Fund: Tourism Sector Jobs**

**Mr McKay** asked the Minister of Enterprise, Trade and Investment how many tourism sector jobs have been funded through the Jobs Fund for (i) 2012/13; and (ii) 2013/14.

**(AQW 22608/11-15)**

**Mrs Foster:** During 2012/13 two tourism-related projects were offered support through the Jobs Fund, promoting a total of 36 jobs. This includes £99,000 of support towards the creation of 33 new jobs in the Enniskillen Hotel, a new development by Damiraco Ltd.

No tourism projects have been supported to date during 2013/14, however Invest NI continues to build a pipeline of projects that will lead to further new job creation within the tourism sector and across a broad range of sectors in Northern Ireland.

### **Single Wind Turbines**

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment for a breakdown of the number of (i) 0kW to 50kW; (ii) 50kW to 100kW; (iii) 100kW to 200kW; and (iv) 200kW to 250kW single wind turbines which are (a) new machines; and (b) second-hand machines.

**(AQW 22613/11-15)**

**Mrs Foster:** A breakdown of onshore wind generating stations by capacity was provided in response to AQW 22284/11-15. The Department does not keep records of whether the turbines installed are new or second-hand nor is this information retained on the Ofgem Renewables and CHP Register.

### **Domestic Renewable Heat Incentive**

**Mr McKay** asked the Minister of Enterprise, Trade and Investment when a domestic renewable heat incentive will be introduced.

**(AQW 22671/11-15)**



**Mrs Foster:** My Department is currently finalising analysis work on the design of the domestic Renewable Heat Incentive (RHI) with a view to launching a public consultation on the policy option. The proposals for a domestic RHI are part of phase two of the RHI scheme that will also consider the expansion of support to the non-domestic market.

The development of a domestic RHI is complex and assessment has been required on the eligible technologies, the required levels of support, the potential costs and how the scheme will be administered. In the interim the Renewable Heat Premium Payment scheme (which was launched in May 2012) has received around 850 applications from domestic customers wishing to install renewable heat technologies and my Department has already offered support of £1.3million, equating to an investment in the market of £4.2million.

The launch of the domestic RHI will be dependent on the outcome of the public consultation, the development of administration arrangements and the passage of subordinate legislation. It would be my intention that the scheme could be in place before the end of 2013.

## G8 Summit

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment what benefits, in terms of employment, will be generated as a result of the G8 summit.

**(AQO 4012/11-15)**

**Mrs Foster:** The G8 summit 2013 will provide a singular opportunity for Northern Ireland to showcase itself to a global audience as a positive place to live, work, visit, study, invest and do business with.

There will be a short term economic benefit to our tourism and hospitality sectors, which may result in some additional employment opportunities.

In the longer term, we would hope that the international media exposure which will come from the Summit will support our efforts to win new inward investment and for our local companies to develop their export activity, with the potential for further employment opportunities.

## Home Energy Efficiency Measures

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether the funding of home energy efficiency measures through an energy supplier obligation would require regulation of the oil industry.

**(AQW 22710/11-15)**

**Mrs Foster:** It is planned that legislation to set up the framework for an energy efficiency obligation will be brought before the Northern Ireland Assembly in the pending Energy Bill. It is further envisaged that secondary legislation will be necessary to bring an energy efficiency obligation into effect. That legislation, subject to the views of the Assembly, will put in place the regulatory requirements for those parties, covering a range of energy sectors, obligated by the energy efficiency obligation. It is not currently envisaged that wider regulation of obligated parties will be necessary.

## Electricity Costs for Businesses: Reductions

**Mr Weir** asked the Minister of Enterprise, Trade and Investment what plans her Department is pursuing to reduce electricity costs for businesses.

**(AQW 22737/11-15)**

**Mrs Foster:** I have noted, with concern, the initial analysis by the Utility Regulator, which shows that electricity costs for our Industrial and Commercial sector are among the highest in Europe. I have written to the Regulator asking for further, prioritised analysis to examine why this is the case and suggested the formation of a working group to include my Department. I have made the point that any further analysis should examine how other jurisdictions may be operating to deliver, on the surface, better prices for businesses and if this is at the expense of other consumers.

## Department of the Environment

### Post-excavation Storage and Archiving

**Mr Ó hOisín** asked the Minister of the Environment what amendments would be required to PPS 6 to increase the provision for post-excavation storage and archiving of artefacts from undeposited sources.

**(AQW 21854/11-15)**

**Mr Attwood (The Minister of the Environment):** The baseline quantification survey of the archival material held by archaeological practices from excavations conducted in Northern Ireland has been completed. A report of the findings has been submitted to a working group comprised of officials. It will come to me for consideration, when I will assess its various recommendations.

## Planning Permission

**Mr McElduff** asked the Minister of the Environment to detail his Department's plans to overcome the barriers faced by non-farming rural dwellers in securing planning permission for a house in the countryside.

**(AQW 22265/11-15)**

**Mr Attwood:** I believe that as PPS21 has been rolled out during my tenure as Minister, more and more there is the evidence that the policy works in a proper way for non-farming rural dwellers.

Whilst PPS21 'Sustainable Development in the Countryside' does not include a policy specifically for non-farming rural dwellers almost all of its provisions provide opportunities for them. These include policies for the re-use or replacement of existing buildings as well as provision for new dwellings within existing clusters of buildings and in designated Dispersed Rural Communities.

As part of my rolling operational review into PPS21, I met with former members of the Independent Working Group, established by the previous Executive and many others to examine this issue. Their views have been taken account in the review.

I would stress that my review is, however, not a fundamental review of PPS21 policies. It is intended to ensure both consistency and increased flexibility of decision-making in line with the content and substance of the existing policy. This should benefit all those seeking to build in the countryside, including non-farming rural families. I will shortly be making a statement to the Assembly and would refer also to the DOE Oral Questions of 22 April 2013 (Question 2 AQO 3835/11-15) in this regard.

## Driver and Vehicle Agency, Coleraine

**Mr Weir** asked the Minister of the Environment what additional services the Driver and Vehicle Agency in Coleraine has provided over the last two years.

**(AQW 22297/11-15)**

**Mr Attwood:** In June 2011 the Driver & Vehicle Agency (DVA) introduced a new service to improve and streamline the process for upgrading a driving licence following a test pass. The new process – Automatic Driving Licence Issue (ADLI) means following a test pass and provided certain conditions are met, the Driving Examiner will issue an electronic notification detailing the test pass to the Driver Licensing Division who then automatically issue the upgraded licence to the customer. This simplified service means applicants do not have to send their test pass certificate and provisional licence for upgrade to the Agency and licences are issued more promptly. Approximately 30,000 applicants per year benefit from the improved service.

The DVA in Coleraine has provided other new or additional services over the last two years. As is widely known, there are ongoing discussions with DfT in relation to integration of services which would see additional services to NI customers. However, DfT has argued that integration means centralisation of services in Swansea, with the serious job impact on DVA. I oppose and resist this view, believe integration could be achieved with the protection of NI jobs. I will continue to make this case.

## Planning Applications: Approved

**Mr Wells** asked the Minister of the Environment what proportion of all planning applications were approved, in each of the last five years.

**(AQW 22331/11-15)**

**Mr Attwood:** In the period 1 April 2008 to end of 31 December 2012, a total of 79,568 planning applications have been approved out of a total 85,728 decisions representing a 92.8% approval rate.

Table 1 below details the number and proportion of applications approved, in each of the last five business years.

**Table 1 - The number of applications approved<sup>1</sup> between 2008/09 and Q3 of 2012/13**

	Approvals	Approval rate
2008/09	23,211	94.2%
2009/10	19,016	94.0%
2010/11	14,456	89.3%
2011/12	13,384	92.2%
2012/13 (Q1-Q3)	9,501	93.4%

### Notes:

- 1 Decided applications may not have been received in the same time period. Applications decided do not include withdrawn applications.
- 2 Q3 of 2012/13 is our latest published information.

### Northern Ireland Red Squirrel Forum: Funding

**Mr Weir** asked the Minister of the Environment to detail the level of funding provided to the Northern Ireland Red Squirrel Forum, in each of the last three years.

**(AQW 22369/11-15)**

**Mr Attwood:** The Northern Ireland Squirrel Forum (NISF) was established to bring together statutory and non-statutory organisations as well as representatives of Country Parks and local volunteer organisations dedicated to protecting the Red Squirrel in Northern Ireland. The Forum meets in Government maintained facilities and the Northern Ireland Environment Agency provides the Chair and Secretariat. The Agency provided a Natural Heritage Grant of £7540 to the Glens and Tollymore Red Squirrel Groups who applied to the Grant scheme on behalf of all the local squirrel groups for monitoring equipment during the 2011/12 round of funding.

### Driving Licences: Full

**Mr Wells** asked the Minister of the Environment how many people hold a full driving licence.

**(AQW 22406/11-15)**

**Mr Attwood:** The latest DOE Official Statistics reporting numbers of full driving licence holders by entitlement are detailed in the table below.

Figures have been sourced from the Driver & Vehicle Agency Compendium of Key Statistics Quarter Three 1 October 2012 to 31 December 2012 – Revised.

It should be noted that licence holders are counted in each category for which they have full entitlement, therefore adding the figures together does not give the number of people with a full driving licence as some drivers may have multiple driving licence category entitlements.

Licence Entitlement	Numbers of Full Driving Licence Holders
Private Cars/Light Vans	1,042,730
Motorcycles	108,955
Large Goods Vehicles	48,153
Passenger Carrying Vehicles	8,957

### Ballymena Borough Council: Adults with Special Needs

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 21701/11-15, what action he intends to take to address the fact that Ballymena Borough Council neither employs nor offers placements to adults with special needs.

**(AQW 22435/11-15)**

**Mr Attwood:** Ballymena Borough Council has advised that in answer to AQW 21701/11-15 it employed a very narrow interpretation of the term "special needs". Within a broader definition, which would include all persons with disabilities, (including physical, sensory, learning, mental health and hidden) Ballymena Borough Council has confirmed that it does employ and provide placements within these criteria.

Whilst there is no fixed number of posts, the Council further advised that it endeavours to support all requests for placements. I hope this corrects the perception created by the previous information from the Council. I know that the Council officials will want to have an inclusive approach to employment issues.

### Invoices Paid and Unpaid

**Mrs Cochrane** asked the Minister of the Environment to detail, for the period 1 April 2012 to 31 March 2013, (i) the total number of invoices paid by his Department and its respective arm's-length bodies; (ii) the number of invoices paid within thirty calendar days; (iii) the number of invoices paid within ten working days of receipt; (iv) how each of his Department's arm's-length bodies has performed against the 30-day payment performance targets; and (v) the number of invoices that remain unpaid.

**(AQW 22521/11-15)**

**Mr Attwood:** The table below provides the information requested.

DOE (INC ALB'S)	2012/13
Total number of invoices paid	29,202
Total number of invoices paid within thirty calendar days	28,672
Total number of invoices paid within ten working days of receipt	26,878

DOE (INC ALB'S)	2012/13
Performance of ALB'S against 30 day performance target:	
Local Government Staff Commission	97.4%
Northern Ireland Local Government Officers Superannuation Scheme	98%
Total number of invoices that remain unpaid	70

### Local Government Employees

**Mr Givan** asked the Minister of the Environment what requirements or flexibility exist for local government authorities to accommodate employees both present and future who conscientiously object to working on a Sunday or on other occasions of religious importance.

(AQW 22583/11-15)

**Mr Attwood:** Local councils are independent employers. The vast majority of employees in district councils are employed under the conditions set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service. The employment conditions of council employees are governed by the provisions contained in their contracts of employment which will include which days of the week they are required to work. There is no right for an employee to be excused from working in circumstances where it is required by and agreed in the contract of employment.

There are, however, no impediments to councils, as employers, exercising such flexibility as they see fit with regard to working on a Sunday or on other occasions of religious importance.

### Council Staff: Full-time and Part-time

**Lord Morrow** asked the Minister of the Environment how many (i) full-time; and (ii) part-time staff are employed by each council. (AQW 22585/11-15)

**Mr Attwood:** The information that you have requested is detailed in the table below. The figures provided have been taken from the councils 2011/ 2012 certified accounts and are currently the most up to date the department holds.

Council	Full time numbers employed	Part time numbers employed	Total number employed
Antrim	264	51	315
Ards	314	149	463
Armagh	245	261	506
Ballymena	245	66	311
Ballymoney	97	45	142
Banbridge	175	108	283
Belfast	2,092	445	2,537
Carrickfergus	163	52	215
Castlereagh	249	206	455
Coleraine	272	67	339
Cookstown	198	72	270
Craigavon *	449	129	578
Derry	486	111	597
Down	286	113	399
Dungannon	210	86	296
Fermanagh	279	68	347
Larne	159	52	211
Limavady	132	51	183
Lisburn	403	116	519
Magherafelt	145	25	170
Moyle	109	13	122

Council	Full time numbers employed	Part time numbers employed	Total number employed
Newry & Mourne	391	84	475
Newtownabbey	307	291	598
North Down	347	113	460
Omagh	254	131	385
Strabane	148	63	211
<b>Total</b>	<b>8,419</b>	<b>2,968</b>	<b>11,387</b>

\* uncertified accounts

### Councils: Minutes of Proceedings

**Mr Agnew** asked the Minister of the Environment to detail the accountability requirements on local councils to publish minutes of council proceedings in a timely manner.

(AQW 22611/11-15)

**Mr Attwood:** At present there is no statutory requirement on councils to publish minutes of council meetings. They are however required to make the minutes available for inspection by electors. I am committed to improving the transparency in the operation of councils and their decision-making as part of the local government reform programme. The Local Government Bill, to be introduced to the Assembly shortly, will provide that the new councils must make background papers, written records of meetings and any decisions available to the public unless they contain exempt information. A duty will be placed on councils to publish the minutes of meetings on their websites. It will be a matter for councils themselves to set out a timeframe for publication of this material as agreed by council members, but clearly if guidance and further prescription on this is required, I will consider the issue further.

### Community Benefits: Removal of References

**Mr Agnew** asked the Minister of the Environment to list the organisations, or individuals, that advocated the removal of references to community benefits from the draft PPS 18.

(AQW 22612/11-15)

**Mr Attwood:** In total, 90 separate consultation responses were received to the consultation on draft PPS 18. Of these, TCI Renewables, RES, Renewables UK (formerly BWEA), and Turley Associates while not opposed to the concept of community benefits, all sought the removal of such references within the context of the policy document. The Royal Town Planning Institute sought the delivery of community benefits through Article 40 agreements only.

In addition, Lisburn City Council, Carrickfergus Borough Council, SWAMP and NILGA (supported directly by Newry and Mourne and Coleraine District Councils) all expressed reservations about citing community benefits within the PPS.

I strongly support the principle that communities which play host to major or regionally significant development, such as wind farms, should derive long term and meaningful benefits from those developments.

I have instructed my officials to organise a Summit on community benefits which will take place on Wednesday 5 June. My intent is that the work of the Summit will inform subsequent guidance the Department may issue to developers and community groups in respect of delivering or securing community benefits.

### Levy: Single-use Carrier Bag

**Mr Weir** asked the Minister of the Environment what monitoring his Department will undertake on the impact of the plastic bag levy on small shops, including whether the levy is encouraging customers to go to larger shopping stores.

(AQW 22724/11-15)

**Mr Attwood:** The Department has established a Carrier Bag Levy Team (CBLT) to administer the carrier bag charging arrangements and ensure that sellers comply with the Regulations.

The Team includes a number of Customer Relations' Managers who will monitor compliance and investigate alleged breaches of the Regulations. This will be done mainly through visits to retail premises and the analysis of quarterly returns from sellers. The CBLT has built, and continues to build, relationships and work in partnership with both small and large retailers to provide education, advice and guidance on the levy. To ensure consistency and transparency the monitoring process of all retailers will be applied equally across Northern Ireland.

The Department is not aware of any information which would suggest the levy is encouraging customers to go to larger shopping stores.

### Levy: Single-use Plastic Bag

**Mr Frew** asked the Minister of the Environment for his assessment of the impact of the single-use plastic bag levy to date, and its implications for shops and businesses.

**(AQW 22874/11-15)**

**Mr Attwood:** The Levy is being administered and implemented by an established in-house Departmental team. The Carrier Bag Levy Team (CBLT) continues to work closely and in partnership with retailers across the country in educating and creating awareness of the Levy to ensure a high level of compliance is delivered.

Prior to, and since 8 April there has been significant correspondence and face to face interaction with retailers and the public and I am pleased with how the Levy has been both received and supported. I am also encouraged by early feedback informing of a noticeable shift in customer behaviour with significantly fewer single use bags being used and many shoppers bringing their own bags.

While my Department will not validate the first set of levy returns until the end of July 2013, officials have advised that many retailers both small and large have already informally advised of a reduction in usage of single use bags of between 75% and 98% which very much supports my efforts to bring about at least an 80% reduction in bag use.

I believe the levy introduction was behind the public mood, one of making contribution to addressing the issue of waste. The positive reaction of such a large number of customers and many retailers confirm this.

### Levy: Single-use Carrier Bag

**Mr McDevitt** asked the Minister of the Environment for an update on the operation of the single-use carrier bag levy.

**(AQO 4039/11-15)**

**Mr Attwood:** The Levy is being administered and implemented by an established in-house Departmental team. The Carrier Bag Levy Team (CBLT) continues to work closely and in partnership with retailers across the country in educating and creating awareness of the Levy to ensure a high level of compliance is delivered.

Prior to, and since 8 April there has been significant correspondence and face to face interaction with retailers and the public and I am very pleased with how the Levy has been both received and supported. I am also encouraged by early feedback informing of a noticeable shift in customer behaviour with significantly fewer single use bags being used and many shoppers bringing their own bags.

While my Department will validate, the first set of levy returns until the end of July 2013, officials have advised that many retailers both small and large have already informed of a reduction in usage of single use bags of between 75% and 98% which is very much in supporting my efforts to bring about at least an 80% reduction in bag use.

### Areas of Special Scientific Interest

**Mr Wells** asked the Minister of the Environment how many Areas of Special Scientific Interest have been declared.

**(AQO 4034/11-15)**

**Mr Attwood:** To date the Northern Ireland Environment Agency has declared a total of 360 Areas of Special Scientific Interest, 6.7% of the NI land mass, 104,861 acres. The ambition was to have 440 by 2016. At the current rate of 15 per year (a PFG commitment and met in 2011/12 and 2012/13), DOE will fall short of the ambition. I will continue to assess the issue.

### Lisburn and Castlereagh Councils: Merger

**Mr Spratt** asked the Minister of the Environment, given that he has secured funding to support councils through the change management process, to outline his plans for the Lisburn and Castlereagh cluster, which will have to manage the merger of their two councils as well as the modification of their boundaries with Belfast City Council area.

**(AQO 4035/11-15)**

**Mr Attwood:** The Department wrote to all Council Chief Executives on 17 April 2013, including Lisburn and Castlereagh, encouraging Councils to utilise the funding on a cluster basis, primarily for Change Manager appointments. This is to enable Change Managers to provide integral support in the implementation of the reform programme at a local level. There is however some flexibility if clusters want to use the funding for other change management functions, if they think this is more appropriate, but this must be justified to the Department on business grounds.

Lisburn and Castlereagh may be in a different position, given the modifications to their boundaries with areas transferring into Belfast, but all councils are to some extent having to manage mergers with constituent councils. Therefore, I will expect Lisburn and Castlereagh to demonstrate clear commitment to taking the change forward by developing and implementing detailed plans for convergence.

In the meantime, I will continue to support all council clusters by ensuring best use of the Executive's funding package and will soon place Transition Committees on a statutory footing to strengthen their roles. I will also hold the chairs of all Transition Committees to account on a regular basis through the Regional Transition Committee structures.

## Shadow Councils

**Mr McCarthy** asked the Minister of the Environment what will be the functions of the shadow councils before they formally take over on 1 April 2015.

**(AQO 4037/11-15)**

**Mr Attwood:** Following the next set of local government elections in 2014, the eleven newly-elected councils will exist in shadow form until 31 March 2015. The intention is that the new councils will use this shadow period to build upon the work of the Statutory Transition Committees in preparing to take on their full range of responsibilities and functions from 1 April 2015.

During the shadow period, the 26 existing councils and their members will continue to be responsible for service delivery to the ratepayer (for example, waste collection; registration of births, deaths and marriages; leisure centres etc.). The newly elected members of the new councils will, during the shadow period, do the necessary preparatory work to adopt their full range of powers and responsibilities on 1 April 2015. This will include key tasks such as agreeing a corporate and business plan for the new council, agreeing a budget and striking of the rate for the first financial year of the new council.

The detail of the role of the new councils during the shadow period will be subject to a full public consultation later this year.

## Rural Dwellers: Non-farming

**Mr Milne** asked the Minister of the Environment for an update on his Department's plans to improve the prospects of non-farming rural dwellers, who wish to live in the countryside, obtaining planning permission.

**(AQO 4038/11-15)**

**Mr Attwood:** My rolling review into the operation of PPS21 'Sustainable Development in the Countryside' has considered the issue of non-farming rural dwellers. As part of the review I met with former members of the Independent Working Group established by the previous Executive to examine this issue. Their views will be reflected in the review.

I made clear at the outset of my review that it was not a fundamental review of PPS21 policies. It is, however, intended to ensure both consistency and increased flexibility of decision-making in line with the content and substance of the existing policy. This should benefit all those seeking to build in the countryside, including non-farming rural families.

I would ask you to note that whilst PPS21 does not include a policy specifically for non-farming rural dwellers, almost all of its provisions provide opportunities for them. These include policies for the conversion and reuse of non-residential buildings as dwellings; replacement dwellings; new dwellings within an existing cluster or ribbon of buildings; social and affordable housing schemes; development within designated Dispersed Rural Communities; and a dwelling to meet compelling personal or domestic circumstances.

I will shortly be making a statement to the Assembly with the conclusions of the review to date.

## Driver and Vehicle Agency

**Mrs D Kelly** asked the Minister of the Environment for an update on any discussions with the UK Government around Driver and Vehicle Agency jobs in Coleraine.

**(AQO 4040/11-15)**

**Mr Attwood:** As you know, vehicle licensing is delivered in Northern Ireland by the Driver & Vehicle Agency (DVA), under an agreement between the Department of the Environment and the Department for Transport. The Driver Vehicle Licensing Agency (DVLA), located in Swansea, is responsible for vehicle licensing services across the UK, and is nearing completion of a project to integrate the separate computer systems in Britain and the North, to produce an integrated system capable of meeting the vehicle licensing needs of customers across the UK.

As part of the implementation of this integrated computer system, the DVLA has proposed centralising all of the work not done online or in Post Offices in Swansea and terminating the agreement with DVA.

Since I became aware of this proposal, I have been in regular contact at a Ministerial level with the Department of Transport setting out clearly my strong view that the integration of the computer system, whilst improving the services for customers, should not lead to the centralisation of jobs in Swansea at the expense of jobs in the North.

The First Minister and deputy First Minister raised the issue of the threat to DVA jobs at a meeting with the Prime Minister on 26 March and provided Mr Cameron with a copy of my letter to them of 25 March, which outlined, in particular, my concerns surrounding the lack of effective consultation on the proposals to centralise work in Swansea. The Prime Minister undertook to consider the implications of the centralisation proposals.

I met the Secretary of State for Northern Ireland on 11 April 2013 and set out the inadequacies in the consultation process in relation to DVLA's proposal. I also pointed out the lack of any assessment of the impact of the proposed changes on Northern Ireland, in particular on Coleraine. I reminded the Secretary of State of the dossier that I supplied to Transport Ministers that sets out the wider social and economic impact of the loss 320 jobs. I also emphasised that a decision to cut these jobs was unacceptable and would be inconsistent with ongoing discussions between London and the Executive on an economic pact. The Secretary of State undertook to discuss the issues with the Transport Minister.

On 7 May 2013, I had a further meeting with Stephen Hammond, the Minister in the Department for Transport responsible for vehicle licensing. At this meeting, I once again challenged the lack of effective and meaningful consultation with stakeholders

in the North and the absence of any assessment of the potential impact of DVLA's centralisation proposals on staff and the social and economic conditions.

Mr Hammond informed that, at this late stage, he was still waiting to see the impact assessments from DVLA, which he would receive shortly and fully consider before making a decision. I sought assurances that these assessments would be shared with me, before he takes them into account, in order to be assured that these have been properly compiled and, where appropriate, challenge any conclusions reached.

I also reminded Mr Hammond of the wider social, economic and political context and of the disproportionate impact that the loss of 320 jobs would have on the Northern Ireland economy, particularly on Coleraine.

Since becoming Minister I have made – repeatedly and robustly – the case for retention of all DVA jobs in NI. I believe the quality of the DVA NI service and its staff, the circumstances in NI, the hugely disproportionate impact on Coleraine and the North West, the flawed approach of DfT on consultation and assessment of impact (etc) mean the campaign to save the jobs will be pursued relentlessly.

## Department of Finance and Personnel

### Strategic Investment Board: Asset Management Unit

**Mr D Bradley** asked the Minister of Finance and Personnel, pursuant to AQW 17631/11-15, to detail the £3.39m in assets that his Department has identified to the asset management unit of the Strategic Investment Board, broken down by year.

**(AQW 21452/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** DFP has completed the following asset sales during the period:

- FY12/13            1a Belt Road, Londonderry            £0.496
- FY13/14            2-14 George Street, Ballymena        £0.12m

The following buildings are currently being marketed for sale:

- Northland House, Frederick Street, Belfast;
- Mall West, Armagh (as part of a DSD urban regeneration scheme);
- 21 Hospital Road, Omagh.

Work on estate consolidation is continuing with a view to enabling a number of other assets to be brought to market in FY14/15 and beyond.

### EU Sources: Funding

**Mr McGlone** asked the Minister of Finance and Personnel to detail the amount of funding that has been received from any EU sources in each of the last 10 years.

**(AQW 21495/11-15)**

**Mr Wilson:** Details of EU structural funding received in the last 10 years through NI Government departments is detailed in the table below.

#### EU STRUCTURAL FUND RECEIPTS IN £M STERLING

Year	ERDF	ESF	EAGGF	FIFG	Total
2002/03	74.088	39.958	0.000	0.000	114.046
2003/04	127.185	2.844	1.754	3.734	135.517
2004/05	29.360	43.545	15.981	4.783	93.669
2005/06	196.497	60.269	27.202	1.594	285.562
2006/07	124.850	90.258	12.585	2.624	230.317
2007/08	45.707	54.423	10.474	0.948	111.552
2008/09	16.974	1.705	5.779	3.930	28.388
2009/10	28.984	13.947	2.768	0.506	46.205
2010/11	52.880	19.425	4.662	0.000	76.967
2011/12	53.052	0.000	0.000	0.148	53.200
<b>Total</b>	<b>749.577</b>	<b>326.374</b>	<b>81.205</b>	<b>18.267</b>	<b>1,175.423</b>



### Extreme Weather: Garden Centres

**Mr McNarry** asked the Minister of Finance and Personnel what consideration his Department has given, or intends to give, for the losses suffered by garden centres during the recent extreme winter weather, given the refusal of insurers to insure greenhouses and polytunnels, many of which were severely damaged.

**(AQW 21496/11-15)**

**Mr Wilson:** The only conceivable way my Department could provide help is through the rating system but for the reasons I have outlined below I do not think this is appropriate or helpful. If a compelling case can be made that financial support is justified then this would be a matter for the Executive to consider and respond.

So far as the rating system is concerned, nursery grounds and market gardens are treated as agricultural land for rating purposes and therefore are not rated. Polytunnels and greenhouses on such land are normally treated likewise. However, commercial garden centres and structures on them are subject to business rates.

In any case, my Department currently has no authority to offer special help to particular business sectors through the rating system and any change to this position would require new primary legislation to be passed through the Assembly, which would not deliver help to anyone within a reasonable time period.

If specific garden centres are struggling with their rates they should contact LPS and discuss the possibility of an extended payment plan to help them through this difficult period.

### Extreme Weather: Garden Centres and Nurseries

**Mr McNarry** asked the Minister of Finance and Personnel whether he will consider rate rebates for garden centres and nurseries that have suffered financial losses during the recent extreme winter weather.

**(AQW 21498/11-15)**

**Mr Wilson:** The only conceivable way my Department could provide help is through the rating system but for the reasons I have outlined below I do not think this is appropriate or helpful. If a compelling case can be made that financial support is justified then this would be a matter for the Executive to consider and respond.

So far as the rating system is concerned, nursery grounds and market gardens are treated as agricultural land for rating purposes and therefore are not rated. Polytunnels and greenhouses on such land are normally treated likewise. However, commercial garden centres and structures on them are subject to business rates.

In any case, my Department currently has no authority to offer special help to particular business sectors through the rating system and any change to this position would require new primary legislation to be passed through the Assembly, which would not deliver help to anyone within a reasonable time period.

If specific garden centres are struggling with their rates they should contact LPS and discuss the possibility of an extended payment plan to help them through this difficult period.

### European Funding Receipts

**Mr McKay** asked the Minister of Finance and Personnel to detail the proportion of European Funding receipts allocated locally.

**(AQW 21952/11-15)**

**Mr Wilson:** The table overleaf details the proportion of the 2007-13 European Structural Fund Programmes which has been allocated for local delivery which falls within my departmental responsibility.

The PEACE III and INTERREG IVA Programmes are cross-border cooperation programmes, and the allocations presented in respect of these programmes are joint UK / Ireland allocations. The local delivery allocation under INTERREG IVA may increase pending the outcome of a current project assessment process.

Programme	Total budget (£ million)	Local delivery element	Local delivery allocation (£ million)	Proportion allocated through local delivery
PEACE III Programme	289	Local peace and reconciliation Action Plans	89	30.8%
INTERREG IVA Programme	223	Projects led by Local Authority based partnerships	52	23.4%

An exchange rate of £1=€1.15 has been used.

### Unemployed: Financial Assistance

**Ms McGahan** asked the Minister of Finance and Personnel what financial measures there are to assist people who were previously self-employed but are now unemployed because of the economic down turn.

**(AQW 22032/11-15)**

**Mr Wilson:** The Executive has a number of measures in place to assist those who have become unemployed as a consequence of the downturn, including those who might have been previously self-employed. These include a range of Department of Employment and Learning (DEL) and Invest NI initiatives designed to both help such individuals overcome any barriers to work they may face and to promote greater employment opportunities in Northern Ireland.

These include Steps to Work which is DEL's main adult return to work programme which is flexibly designed to assist participants find and sustain employment. DEL support also includes an adviser service in each Jobs and Benefits office/ JobCentre which can provide assistance on a wide range of issues. Job search is further facilitated by the DEL's vacancy services being available online while DEL also provides an all-age careers service which provides impartial information, advice and guidance to adults throughout Northern Ireland.

A broad range of support is also available from Invest NI. For example, Invest NI's Regional Start Initiative provides support and guidance to those people who may be thinking of running their own business. Invest NI is also encouraging social enterprises in regions where there have traditionally been few and supporting new social economy businesses with growth potential. While the aim of Invest NI's Jobs Fund is to create jobs quickly with a guiding principle that they should help individuals get a job from which they will gain appropriate experience to enable them over time to apply for a better job.

My Department has also sought to maximise the training and employment opportunities that procurement spend can deliver for the unemployed through the inclusion of social clauses in government contracts.

### **Northern Ireland Civil Service: Equal Pay Entitlement Claims**

**Mrs Cochrane** asked the Minister of Finance and Personnel how many expressions of concern his Department received from civil servants, who retired between 1974 and 2003, with regards to Northern Ireland Civil Service equal pay entitlement claims.

**(AQW 22217/11-15)**

**Mr Wilson:** Whilst a large volume of interest has been generated around the NICS equal pay settlement, the information requested is not readily available and could only be collected at disproportionate costs. However my officials have advised that they have no specific recollection of expressions of concern from staff who retired between 1974 and 2003.

### **Multiple Deprivation Measures**

**Mr McAleer** asked the Minister of Finance and Personnel for his assessment of the accuracy of the current methodology used to measure poverty and deprivation in rural areas; and whether he has any plans to revise the current methodology for assessing multiple deprivation.

**(AQW 22353/11-15)**

**Mr Wilson:** The Northern Ireland Multiple Deprivation Measure (NIMDM) 2010 is the current official measure of spatial deprivation in Northern Ireland and is the most robust spatial measure of deprivation for Northern Ireland.

In order to provide a relative deprivation measure for all of Northern Ireland, data were collected in a consistent form. Where any bias was identified the indicator was either omitted or corrected for this effect.

NIMDM 2010 is based on an internationally agreed methodology developed by the Social Disadvantage Research Centre at the University of Oxford. NIMDM 2010 was overseen by a Steering Group including representatives from the Department of Agriculture and Rural Development and the Rural Development Council. A full public consultation was undertaken and any concerns addressed.

As the NIMDM 2010 includes results across 5,022 Output Areas in Northern Ireland, this gives a highly detailed picture of spatial deprivation. It may be more appropriate when assessing deprivation in rural areas to focus on the Output Area results.

Subject to inter-departmental agreement, a review of the NIMDM 2010 is expected to start in 2014/15.

### **North Down: Young People Not in Education, Employment or Training**

**Mr Weir** asked the Minister of Finance and Personnel how many young people in North Down are not in education, employment or training.

**(AQW 22370/11-15)**

**Mr Wilson:** Estimates of young people not in employment, education or training are sourced to the Labour Force Survey (LFS). However, these estimates are not available at parliamentary constituency level, as the LFS sample size and design does not support the production of sufficiently reliable estimates of this type at constituency level.

For information, during the period October - December 2012, the LFS estimated that there were 51,000 (23.1%) 16-24 year olds in Northern Ireland who were not in employment, Government supported training or full-time education.

### **Faulty Cavity Wall Insulation**

**Mr Durkan** asked the Minister of Finance and Personnel what regulation is in place to identify and resolve faulty cavity wall insulation to ensure that no families are subjected fuel poverty.

**(AQW 22396/11-15)**

**Mr Wilson:** There is no regulation to identify faulty cavity wall insulation. However, when a fault is identified, Regulation 19 of the Building Regulations (Northern Ireland) 2012 provides a district council with the power to issue a contravention notice within a specified period requiring the fault to be rectified.

### Business Rates: Major Towns and Cities

**Mr McNarry** asked the Minister of Finance and Personnel what reduction there has been in the business rates collected in major towns and cities over the past four years.

**(AQW 22420/11-15)**

**Mr Wilson:** Information is not available on business rates collection in major towns and cities in Northern Ireland as the information is collated at District Council and ward area level only and at domestic and non-domestic level only.

The total non-domestic rates collected in Northern Ireland has increased from £533.6 million in 2009/10 (the earliest year for which comparable information is available) to £574.7 million in 2011/12 (the latest year for which comparable information is available). This is an increase of £41.1 million (or 7.7%).

### Suicide from Depression

**Mr P Ramsey** asked the Minister of Finance and Personnel to detail the number of cases in which depression was known to be a factor in the 278 recorded suicides in 2012, broken down by (i) age; and (ii) Health and Social Care Trust area.

**(AQW 22484/11-15)**

**Mr Wilson:** Detailed provisional figures for deaths from suicide<sup>1</sup> in 2012 will be published on 21 May 2013.

Death statistics on suicide are based on a coroner's certificate. The coroner's certificate states the pathological cause of death (e.g. 'toxicity', 'hanging') as determined at post mortem. It is very unusual for the coroner to write "depression" on a death certificate. Since 2008 only one suicide has been recorded where depression<sup>2</sup> was listed as an associated cause of death.

- 1 The International Statistical Classification of Diseases, Injuries and Causes of Death codes used are 'Suicide and self-inflicted injury' X60-X84 and Y87.0 and 'Undetermined injury' are Y10-Y34 and Y87.
- 2 The International Statistical Classification of Diseases, Injuries and Causes of Death codes used for 'Mild depressive episode' and 'Recurrent depressive disorder' are F32 and F33.

### Asthma Deaths

**Mrs D Kelly** asked the Minister of Finance and Personnel, pursuant to AQW 22197/11-15, how many deaths as a result of asthma were recorded in the last two years, broken down by (i) gender; and (ii) age.

**(AQW 22525/11-15)**

**Mr Wilson:** The tables overleaf detail the number of deaths registered in Northern Ireland, by (i) gender and (ii) age, where asthma<sup>1</sup> has been recorded as the primary cause of death in 2010 and 2011.

Provisional figures for 2012 will be available in late May 2013.

<sup>1</sup> International Classification of Diseases, Tenth Revision (ICD-10).

**Table (i): Asthma1 Deaths Registered in Northern Ireland by Gender, 2010-2011**

Gender	Registration Year	
	2010	2011
Male	7	10
Female	27	23
<b>NI Total</b>	<b>34</b>	<b>33</b>

**Table (ii): Asthma1 Deaths Registered in Northern Ireland by Age, 2010-2011**

Age Group	Registration Year	
	2010	2011
0-14	-	-
15-24	-	2
25-34	1	-
35-44	1	-

Age Group	Registration Year	
	2010	2011
45-54	-	2
55-64	3	2
65-74	7	5
75-84	13	9
85+	9	13
<b>NI Total</b>	<b>34</b>	<b>33</b>

1 Asthma deaths were defined using the International Classification of Diseases, Tenth Revision (ICD-10), code J45.

### Economic Indicators: Review

**Mr Flanagan** asked the Minister of Finance and Personnel whether he plans to carry out a review of economic indicators. (AQW 22542/11-15)

**Mr Wilson:** The Northern Ireland Statistics and Research Agency (NISRA) produces a range of economic indicators in line with the statutory Code of Practice for Official Statistics. These are subject to assessment by the UK Statistics Authority and those assessed to date have either been designated or are in the process of being designated as complying with the standards of the Code of Practice. Designation means that the statistics meet identified user needs; are produced, managed and disseminated to high standards; and are well explained.

NISRA also engages with users of official statistics to inform their ongoing development, as required by the Code.

### Civil Service Staff: Agency Workers Regulations

**Mr Swann** asked the Minister of Finance and Personnel what steps are being taken to ensure that agency workers employed by the Civil Service are employed in accordance with the agency workers regulations. (AQW 22632/11-15)

**Mr Wilson:** The procurement of a new Agency Workers contract in 2011 coincided with the introduction of the new Agency Workers Regulations in Northern Ireland and a major requirement of those bidding for the contract was to demonstrate processes and procedures that would ensure compliance with the new Agency Workers Regulations.

In addition to this, my Department produced a User Protocol which set out, among other things, pay rates for contract workers (applicable after 12 weeks) which were equal to salary rates for new appointees to the NICS. Corporate HR within my Department monitors the services provided by the successful contractors and in addition provides advice and guidance to other departments on how to operate the Protocol.

### Agency Workers Regulations: 12-week Qualifying Period

**Mr Swann** asked the Minister of Finance and Personnel whether agency workers in the Civil Service are required to undertake a 12-week qualifying period each time they are assigned to a new Department; and whether this situation meets the requirements of the agency workers regulations. (AQW 22633/11-15)

**Mr Wilson:** The 12 week qualifying period under the Agency Workers regulations is triggered by working in the same job with the same hirer for 12 calendar weeks. The NICS regards all departments within the NICS as the same 'hirer' and therefore movement from one department to another would not by itself trigger a new qualifying period. However, under the Agency Workers Regulations a new qualifying period begins where the Agency Worker remains with the same hirer but is in a substantively different role.

### Civil Service Equal Pay

**Mr Hussey** asked the Minister of Finance and Personnel what action he has taken to find a solution for people with unresolved issues stemming from the Civil Service equal pay issue. (AQW 22647/11-15)

**Mr Wilson:** I have taken no action to extend the NICS equal pay settlement to those who have no legal entitlement to it.

### Defamation Bill

**Mr McKay** asked the Minister of Finance and Personnel why he has withdrawn legislative proposals to deal with defamation. (AQW 22728/11-15)

**Mr Wilson:** On 14 June 2012 the Department wrote to the Clerk of the Committee for Finance and Personnel in respect of this matter. I refer the Member to that letter, which is attached.

### **Ramada Hotel, Portrush: NAMA**

**Mrs Hale** asked the Minister of Finance and Personnel, in light of the decision by the National Assets Management Agency to put the Ramada Hotel, Portrush into administration at the start of the tourist season, for his assessment of the National Assets Management Agency taking decisions which could damage the economy.

**(AQO 4051/11-15)**

**Mr Wilson:** Clearly the placing of the Ramada Hotel into administration is difficult for all involved including the staff and those in the local business community with links to the hotel. While it wouldn't be appropriate for me to comment on the specifics of this particular case, it is my hope that the administrator will find a way to keep the business going and to protect the economic activity that is associated with that.

More generally, it is true that NAMA has acquired a significant amount of loans and assets in Northern Ireland and it is an added factor we have to deal with. However, it is important to also recognise that the creation of NAMA was a necessary step to restore liquidity and confidence in the Irish financial system. While I was initially concerned about the impact it would have locally, NAMA has kept to its commitments on avoiding a 'firesale'.

Indeed I believe NAMA is playing a positive role in Northern Ireland in making finance available to debtors seeking to develop assets and for potential buyers of commercial property. Something that is very helpful at a time when bank finance can be difficult to secure for such investment.

### **Public Service Pensions Bill**

**Dr McDonnell** asked the Minister of Finance and Personnel for his assessment of the discussions his officials have had with trades unions on the Public Service Pensions Bill.

**(AQO 4048/11-15)**

**Mr Wilson:** Discussions at meetings of the Public Service Pensions Bill Collective Consultation Group jointly chaired by DFP and NIC-ICTU have been open and transparent. Officials have provided timely and relevant information on the background and rationale for the pension reform policies agreed by the NI Executive and which the Public Service Pensions Bill is intended to give effect to. Pension reform is a complex area and our aim has been to provide full and adequate detail on the reform proposals in order to enable TUS to make a full and informed response.

One output of the consultation process to date has been that NIC-ICTU has provided a central response to the Departmental consultation on proposals for pension reform on behalf of all trade unions impacted by the Bill. This is a welcome step. There are issues in the consultation process which remain unresolved. But we have also told TUS that we want to progress consultation with the aim of reaching agreement and full consideration is being given to the views expressed in ongoing discussions to further this aim.

### **Small Business Rate Relief Scheme**

**Mr Newton** asked the Minister of Finance and Personnel how many businesses have benefited from the small business rate relief scheme since its inception.

**(AQO 4052/11-15)**

**Mr Wilson:** Since the Small Business Rate Relief scheme commenced in April 2010, a total of 30,271 properties have attracted relief (as at 30th April 2013). This includes the additional properties which have benefitted from the extension of the Scheme from 1st April 2013 to include those with a Net Annual Value of £12,001 to £15,000.

The figures available relate to properties rather than businesses since it is the value of the property which determines eligibility for Small Business Rate Relief. These figures are not the same as the number of ratepayers who have benefitted since ratepayers in a particular property may change over time. Also, ratepayers may have three properties and qualify for the Relief. The Relief is awarded automatically, thus there is no application burden on business.

### **Rates: Empty Properties**

**Mr Spratt** asked the Minister of Finance and Personnel how Land and Property Services plans to resolve the issues around obtaining the details of the ownership of empty properties to allow rates bills to be issued and debts recovered.

**(AQO 4050/11-15)**

**Mr Wilson:** LPS obtains ownership information from a number of sources, primarily under my Department's information gathering powers. LPS also continues to use a number of internal data sources for obtaining ownership information, including the Land Register and Valuation List. LPS also carries out a number of property visits and continues to use the services of an external data intelligence trace service in an effort to establish ownership details.

The data sources available to LPS has supported the collection of ownership details for circa 8,000 empty properties since April 2012.

## Treasury Discussions

**Mr Byrne** asked the Minister of Finance and Personnel what issues he has discussed with the Treasury in the past three months. (AQO 4053/11-15)

**Mr Wilson:** My officials are in ongoing discussions with HM Treasury on a range of issues, some of which are occasionally elevated to Ministerial level.

Issues that have been discussed with HM Treasury over the last three months include the Carrier Bag Levy; G8 costs; Welfare Reform; the implications for Northern Ireland of the UK 2013 Budget; and preparations for the 2015-16 UK Spending Round.

## Department of Health, Social Services and Public Safety

### Mid Ulster Hospital

**Mr Milne** asked the Minister of Health, Social Services and Public Safety what plans he has to improve and increase services in the Mid-Ulster Hospital. (AQW 22276/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The future development of services at the Mid Ulster Hospital is a matter for the Northern Health and Social Care Trust. The Northern Trust has advised that it plans to provide a health and community care 'village' on the Mid Ulster Hospital site. This will accommodate integrated community teams and provide facilities for additional community clinics, allowing the expansion at local level of services such as the Eating Disorders service, Mental Health Home Treatment service, Addictions service and Family Planning service, among others. There will also be a rehabilitation area for the Acquired Brain Injury service, the respiratory service, heart failure service and cardiac rehabilitation service and long term conditions physiotherapy service.

### Communication Disabilities

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, in light of the census finding that 30,000 people have a communication disability, what funding and services are directed at meeting their needs; and how his Department proposes to respond to the census finding. (AQW 22295/11-15)

**Mr Poots:** The 30,000 figure from the 2011 census data refers to communication difficulty.

These conditions also span every programme of care within the health and social care sector. Health and social care trusts do not record communication disabilities in isolation and therefore cannot provide information specific to this vast range of conditions. Therefore a comprehensive answer could only be provided at disproportionate cost.

While the census provides useful information which can help inform the policy-development process, it is not used specifically to determine Departmental policy or HSC commissioning plans.

### Health and Social Care Trusts: Service and Budgets Agreements

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety on which date the Health and Social Care Board issued their Service and Budgets Agreements to each Health and Social Care Trust in the (i) 2009/10; (ii) 2010/11; (iii) 2011/12; (iv) 2012/13; and (v) 2013/14 financial years. (AQW 22304/11-15)

**Mr Poots:** The table below details

- the date on which the Health and Social Care Board (HSCB) issued their Service and Budget Agreements (SBA) to each Health and Social Care Trust and
- the value of each Health and Social Care Trust's Service and Budget Agreement.

Information for the current financial year 2013/14 has not yet been finalised and is therefore not available.

#### Belfast Health and Social Care Trust

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	30-Jun-09	16-Feb-11	02-Dec-11	10-Oct-12
Value of contract	£848,445,255	£916,414,000	£968,847,000	£992,266,912

**South Eastern Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	26-Jun-09	11-Feb-11	30-Nov-11	12-Oct-12
Value of contract	£391,185,802	£417,851,000	£436,548,000	£450,366,000

**Northern Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	23-Nov-09	11-Feb-11	30-Nov-11	10-Oct-12
Value of contract	£448,152,990	£503,250,000	£520,163,000	£528,630,000

**Southern Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	26-Jun-09	11-Feb-11	30-Nov-11	10-Oct-12
Value of contract	£402,083,192	£436,770,000	£458,481,000	£466,433,000

**Western Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	30-Jun-09	16-Feb-11	30-Nov-11	10-Oct-12
Value of contract	£401,622,144	£413,668,000	£435,024,000	£458,422,000

**Northern Ireland Ambulance Service Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	23-Jul-09	28-Feb-11	20-Dec-11	13-Mar-13
Value of contract	£51,966,848	£53,607,769	£56,211,938	£55,996,355

\* Source: Health and Social Care Board.

**Health and Social Care Trusts: Service and Budgets Agreements**

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what was the value of each Health and Social Care Trust's Service and Budget Agreement in the (i) 2009/10; (ii) 2010/11; (iii) 2011/12; (iv) 2012/13; and (v) 2013/14 financial years.

**(AQW 22306/11-15)**

**Mr Poots:** The table below details

- c) the date on which the Health and Social Care Board (HSCB) issued their Service and Budget Agreements (SBA) to each Health and Social Care Trust and
- d) the value of each Health and Social Care Trust's Service and Budget Agreement.

Information for the current financial year 2013/14 has not yet been finalised and is therefore not available.

**Belfast Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	30-Jun-09	16-Feb-11	02-Dec-11	10-Oct-12
Value of contract	£848,445,255	£916,414,000	£968,847,000	£992,266,912

**South Eastern Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	26-Jun-09	11-Feb-11	30-Nov-11	12-Oct-12
Value of contract	£391,185,802	£417,851,000	£436,548,000	£450,366,000

**Northern Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	23-Nov-09	11-Feb-11	30-Nov-11	10-Oct-12
Value of contract	£448,152,990	£503,250,000	£520,163,000	£528,630,000

**Southern Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	26-Jun-09	11-Feb-11	30-Nov-11	10-Oct-12
Value of contract	£402,083,192	£436,770,000	£458,481,000	£466,433,000

**Western Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	30-Jun-09	16-Feb-11	30-Nov-11	10-Oct-12
Value of contract	£401,622,144	£413,668,000	£435,024,000	£458,422,000

**Northern Ireland Ambulance Service  
Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	23-Jul-09	28-Feb-11	20-Dec-11	13-Mar-13
Value of contract	£51,966,848	£53,607,769	£56,211,938	£55,996,355

\* Source: Health and Social Care Board.

**Health and Social Care Trusts: Non-recurrent Funding**

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what was the additional non-recurrent funding awarded to each Health and Social Care Trust in the (i) 2009/10; (ii) 2010/11; (iii) 2011/12; (iv) 2012/13; and (v) 2013/14 financial years; and for a breakdown of the funding awarded in each year.

**(AQW 22307/11-15)**

**Mr Poots:** Information on additional non-recurrent funding allocated to each Health and Social Care Trust for 2012/13 is set out in the table below.

HSC Trust	Belfast	Northern	South Eastern	Southern	Western	Total
	£m	£m	£m	£m	£m	£m
Elective Care	24	6	6	5	4	45
Transforming Your Care	4	3	3	3	3	16
Funding for AHP, Nurse training & Clinical Excellence Awards	30	2	2	1	2	37
Other Funding <sup>(1)</sup>	32	11	15	17	9	84
<b>Total</b>	<b>90</b>	<b>22</b>	<b>26</b>	<b>26</b>	<b>18</b>	<b>182</b>

**Source:** Health & Social Care Board

**Note (1)** – Includes out of hours services, extra contractual referrals, winter pressures, pseudomonas

Information for 2013/14 is not yet available whilst information for 2009/10, 2010/11 and 2011/12 can only be provided at disproportionate cost.

**Skeagh House: Closure**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety (i) whether an engineer was brought in to assess Skeagh House before or since the closure of the home; (ii) when the assessment was made; and (iii) if no assessment was carried out, whether he will now ensure that one is undertaken.

**(AQW 22347/11-15)**



**Mr Poots:** Following the apparent landslip in March 2013 to the rear of houses constructed on the hill above Skeagh House, the Southern Trust engaged a Structural Engineer to monitor the situation, review reports provided by the Developer's geo-technical specialists and provide on-going advice to the Trust.

In addition to this, The Trust has engaged its own geo-technical specialist to undertake a full assessment of the situation.

### Skeagh House: Staff

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many (i) full-time; (ii) part-time; and (iii) temporary staff have been (a) employed; and (b) recruited by Skeagh House, in each of the last five years.

**(AQW 22348/11-15)**

**Mr Poots:** The staffing and recruitment levels requested are shown in the tables below. These figures have been supplied by the Southern Health and Social Care Trust, and have not been verified by the Department.

a) i) and ii) Number of permanent full-time and part-time staff employed at Skeagh House in each of the last five financial years:

Position as at:	Full-time	Part-time (HC and WTE)
31st March 2013	7	19 (11.01 WTE)
31st March 2012	7	20 (11.99 WTE)
31st March 2011	9	18 (11.10 WTE)
31st March 2010	10	21 (12.95 WTE)
31st March 2009	12	26 (16.65 WTE)

a) iii) Number of temporary full-time and part-time staff employed at Skeagh House in each of the last five financial years:

Position as at:	Full-time	Part-time (HC and WTE)
31st March 2013	1	1 (0.80 WTE)
31st March 2012	1	1 (0.80 WTE)
31st March 2011	1	1 (0.80 WTE)
31st March 2010	0	1 (0.80 WTE)
31st March 2009	0	1 (0.86 WTE)

b) i) and ii) Number of new permanent full-time and part-time staff recruited to Skeagh House in each of the last five financial years.

Year	Full-time	Part-time (HC and WTE)
2012-2013	0	1 (0.67 WTE)
2011-2012	0	0
2010-2011	0	0
2009-2010	0	0
2008-2009	0	0

b) iii) Number of new temporary full-time and part-time staff recruited to Skeagh House in each of the last five financial years.

Year	Full-time	Part-time (HC and WTE)
2012-2013	0	0
2011-2012	0	1 (0.67 WTE)
2010-2011	1	0
2009-2010	0	0
2008-2009	0	0

#### Notes:

- 1 New staff recruitment does not account for all of the variation in staff in post. Staffing levels may also increase/decrease due to transferred staff, promotions, etc.
- 2 Bank staff are excluded.

In addition, the Southern Health and Social Care Trust have supplied the following paragraph:

In 2008, following consultation on the closure of two Statutory Residential Homes, it was agreed to reduce permanent places across the five Statutory Residential homes from 138 to 90 permanent beds in line with identified need. Since 2008 the number of permanent residents has reduced from 112 to 74 across the 5 Trust Residential Homes, which reflects decreasing demand for this service. It is important to note there was no policy to cease admissions during this period. This resulted in the need for reduced staff complement, in line with RQIA staff ratio requirements.

### Community-based Care Packages

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety to detail the different levels of community-based care packages which will be put in place to replace accommodation in older peoples care homes; and what measures will be applied to standardise these packages.

**(AQW 22385/11-15)**

**Mr Poots:** HSC Trusts are investing in flexible and responsive models of care in the community. There are a range of alternatives to statutory residential care including Supported Living accommodation or 'housing with care', Re-ablement services, Self-directed support, assistive technology and domiciliary care packages. Trusts have been developing these services for a number of years and will continue to do so to meet the assessed needs of any individual. Work will also continue on promoting health and wellbeing of older people and prevention of ill-health.

Residential Care will continue to be available where this is assessed as the best model of care to meet an individual's need.

### Care of the Elderly

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety whether his Department has a generic definition of care of the elderly.

**(AQW 22386/11-15)**

**Mr Poots:** My Department does not have a generic definition for elderly care.

The term can be used in a number of ways to describe interventions that meet the medical, social, rehabilitation, psychological/ psychiatric and other needs of people who are typically aged over 65 years.

### Communication Devices

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many people rely on communication devices, such as voice boxes, to communicate.

**(AQW 22398/11-15)**

**Mr Poots:** Community Information Branch (CIB) in the Department can provide information on the number of patients fitted with a hearing aid. During quarter ending 31 December 2012, 3,910\* patients were fitted with a hearing aid in Northern Ireland.

\*Source: AUD1 information return

Information on the number of people who avail of other communication devices is not held centrally and could only be provided at a disproportionate cost.

### Royal Belfast Hospital for Sick Children: Clark Clinic

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to list the dates on which he has visited, or plans to visit, the Clark Clinic of the Royal Belfast Hospital for Sick Children, prior to taking any decision on the future of paediatric cardiac surgery in Belfast.

**(AQW 22402/11-15)**

**Mr Poots:** I recently visited the Clark Clinic and over the past few months I have met many parents and paediatric cardiologists from the Belfast Health and Social Care Trust to hear their concerns about the future commissioning of paediatric congenital cardiac surgical services for the population of Northern Ireland. I wish to place on the record again my appreciation for the services provided by the staff of the Clark Clinic and their dedication to meeting the needs of these vulnerable children.

### Community-based Care Packages

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety to outline his plans for elderly patients who need full-time medical support or supervision and care under community based care packages in a Health and Social Care Trust area where all the elderly care homes have been closed.

**(AQW 22417/11-15)**

**Mr Poots:** Older people living at home, in nursing or residential care receive medical care from their local GP and this will continue to be provided.

The GP works in partnership with a range of primary and community care services to enable older people to live independently in the community. These services include:

- District Nurses
- Domiciliary Care
- Social Workers
- Long-Term Conditions Case Managers
- Primary Care Teams
- Allied Health Professionals
- Community Mental Health Teams
- Reablement Service

At present, someone who needs intensive or full time medical input is likely to be in hospital rather than the community and this will continue to be the case.

### Care Homes: Closure

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety what objective test of need has been applied in Health and Social Care Trust areas where elderly care homes are planned for closure.

**(AQW 22418/11-15)**

**Mr Poots:** I have asked the HSCB to develop a set of regional criteria around closure of homes as part of the new process for consultation which, I announced on 3 May. I will expect these criteria to cover key social and economic considerations – like the care needs of residents in homes and the availability of replacement services locally.

At an individual level, the individual health and social care needs of all older people are assessed using the Northern Ireland Single Assessment Tool (NISAT), which is designed to capture information required for holistic, person-centred care.

The completed multi-disciplinary assessment will enable the older person and their family, in conjunction with HSC staff, to plan services for them.

### Paediatric Heart Patients

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety what emergency cover will exist locally for paediatric heart patients should all paediatric coronary care move to Dublin.

**(AQW 22419/11-15)**

**Mr Poots:** Emergency cover for paediatric cardiology patients from Northern Ireland is currently and will continue to be provided by the paediatric cardiology team in the Royal Belfast Hospital for Sick Children. The only component of the services currently provided in Belfast that it is proposed will move to Dublin under the preferred option put forward by the Paediatric Congenital Cardiac Services Working Group is the surgical/interventional element of care.

### Beech Hall Centre, West Belfast

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety what services are available at the Beech Hall Centre in west Belfast.

**(AQW 22428/11-15)**

**Mr Poots:** I am advised by the Belfast Health and Social Care Trust that the following services are available at Beech Hall Health and Wellbeing Centre: Family and Child Care; Health Visiting, School Nursing; Child Health; and Dental Services.

In addition to these services, there is also a range of clinics operating from the building. These include Mental Health Services; Allied Health Professionals Services; Speech and Language Therapy Services; Podiatry Services; Physiotherapy Services; Occupational Therapy Services; Dietetics; Clinical Psychology; Auditory Implant Centre; Sexual Health and Reproduction; and Community Pediatrics.

### Ovarian Cancer

**Ms Lo** asked the Minister of Health, Social Services and Public Safety what his Department is doing to encourage GPs to avail themselves of free online learning on the recognition and initial management of ovarian cancer.

**(AQW 22429/11-15)**

**Mr Poots:** The Health and Social Care Board (HSCB) and Public Health Agency (PHA) are currently working closely with specialists and GPs from across the 5 Health and Social Care Trusts to develop an agreed management pathway for patients suspected of having ovarian cancer.

The HSCB anticipates that the pathway will be distributed to GPs across Northern Ireland shortly, after it has been agreed by the key stakeholders. As part of this process, the HSCB and PHA will explore the extent to which GPs utilise elearning sites such as the one available through the Royal College of General Practitioners and will, as appropriate, raise the awareness of this valuable resource.

Developing an agreed pathway for suspected ovarian cancer will improve patient experience by reducing delays in identification of disease, streamlining access to investigations such as ultrasound examination, and specialist review. The pathway will incorporate NICE guidance on the symptoms and signs of ovarian cancer.

## Cancer Patients Awaiting Scans: Backlog

**Ms Lo** asked the Minister of Health, Social Services and Public Safety what action his Department is taking to meet the need for more oncologists and scanning equipment in order to address the backlog of cancer patients who are awaiting scans.

**(AQW 22430/11-15)**

**Mr Poots:** The Health and Social Care Board and Public Health Agency are progressing work on an oncology workforce plan which aims to take account of the future needs of oncology services. There are currently a number of vacancies (4 from the current planned workforce of 31) and every step is being taken to fill them.

The Health and Social Care Board is also reviewing the current and future MRI needs with a view to a managed increase in core capacity over a number of years. My Department is currently considering: four business cases for additional MRI scanners; and, several business cases have also been submitted for replacement scanners. The model underpinning the proposed expansion in diagnostics is informed by experience within the UK of improving access to MRI in order to drive improved cancer outcomes.

## Adult Mental Health Services

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety whether he will direct part of the £13m investment in adult mental health services towards the development of community services for the agriculture sector, in order to support early intervention.

**(AQW 22433/11-15)**

**Mr Poots:** The £13m investment in Adult Mental Health to 2015 is being delivered on a capitation basis across the 5 Trusts. This approach ensures a fair distribution of new services across both rural and urban localities.

Among the priority areas for the DHSSPS and HSCB/PHA is the further development of Psychological Therapies in Primary Care during 2013-14. This has the expressed aim of providing effective intervention at an early stage in the management of common mental health conditions.

## Muckamore Abbey Hospital

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many patients are in Muckamore Abbey Hospital.

**(AQW 22439/11-15)**

**Mr Poots:** I refer the member to answer given to AQW 21858/11-15.

## Muckamore Abbey Hospital

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many staff work in Muckamore Abbey Hospital.

**(AQW 22440/11-15)**

**Mr Poots:** Staffing levels at Muckamore Abbey Hospital as at 31st March 2013, broken down by Occupational Group, are shown in the table below.

Occupational Group	Headcount	WTE
Admin & Clerical	40	32.36
Estates Services	12	12.00
Support Services	124	88.56
Qualified Nursing	157	144.20
Nurse Support	232	201.90
Social Services	29	27.19
Professional & Technical	9	8.51
Medical & Dental	17	15.27
<b>Total</b>	<b>620</b>	<b>529.99</b>

### Notes

- 1 Figures have been obtained directly from the Belfast Health and Social Care Trust, and have not been verified by the Department.

## Northern Health and Social Care Trust: Multi-agency Support Teams for Schools

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 5092/11-15 and AQW 5093/11-15, to list the additional primary schools that have applied to, and been serviced by, the multi-agency support teams for schools in the Northern Health and Social Care Trust area since December 2011, broken down by council area. (AQW 22473/11-15)

**Mr Poots:** I am advised by the Northern Health and Social Care Trust that nine additional primary schools have applied to the Multi-Agency Support Teams for Schools since December 2011 and that 12 new schools are supported by the Multi-Agency Support Teams since December 2011.

The schools are listed by District Council areas in the table below. [see Tab A attached].

### Tab A

#### Antrim District Council Area (NEELB)

New schools supported by MASTS since December 2011	New schools to the MASTS waiting list since December 2011
0	0

#### Ballymena District Council Area (NEELB)

New schools supported by MASTS since December 2011	New schools to the MASTS waiting list since December 2011
Buick Memorial PS & NU	
1	0

#### Ballymoney District Council Area (NEELB)

New schools who are supported by MASTS since December 2011	New schools to the MASTS waiting list since December 2011
St Joseph's PS & NU, Dunloy	
1	0

#### Carrickfergus District Council Area (NEELB)

New schools supported by MASTS since December 2011	New schools to the MASTS waiting list since December 2011
0	0

#### Coleraine District Council Area (NEELB)

New schools supported by MASTS since December 2011	New schools to the MASTS waiting list since December 2011
Carhill Integrated PS Macosquin PS	DH Christie Memorial PS St Colum's PS, Portstewart
2	2

#### Cookstown District Council Area (SELB)

New schools supported by MASTS since December 2011	New schools to the MASTS waiting list since December 2011
Donaghey PS Lissan PS Sacred Heart PS, Rock	Phoenix Integrated PS
3	1

**Larne District Council Area (NEELB)**

<b>New schools supported by MASTS since December 2011</b>	<b>New schools to the MASTS waiting list since December 2011</b>
Mullaghdubh PS	Cairncastle PS Glynn PS Seaview PS, Glenarm St Anthony's PS, Larne
1	4

**Magherafelt District Council Area (NEELB)**

<b>New schools supported by MASTS since December 2011</b>	<b>New schools to the MASTS waiting list since December 2011</b>
Gaelscoil Na Speirini PS, Draperstown Maghera PS	
2	0

**Moyle District Council Area (NEELB)**

<b>New schools supported by MASTS since December 2011</b>	<b>New schools to the MASTS waiting list since December 2011</b>
Barnish PS	
1	0

**Newtownabbey District Council Area (NEELB)**

<b>New schools supported by MASTS since December 2011</b>	<b>New schools to the MASTS waiting list since December 2011</b>
Ballyclare NS	St Mary's-on-the-Hill PS, Newtownabbey Whiteabbey PS
1	2

**Summary**

<b>Total new schools supported by MASTS since December 2011</b>	<b>Total new schools to the MASTS waiting list since December 2011</b>
12	9

**Northern Health and Social Care Trust: Multi-agency Support Teams for Schools**

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 5090/11-15, whether the review of the multi-agency support teams for schools service within the Northern Health and Social Care Trust area has been completed; and whether there are any plans to expand the service to other primary schools.

**(AQW 22474/11-15)**

**Mr Poots:** The Review of the Multi-Agency Support Team Service (MASTS) to primary schools is a regional review, undertaken by the Public Health Agency, and is not specific to the Northern Health and Social Care Trust.

The review is well underway and the regional direction, and any further expansion of the MASTS service, will be considered when the outcomes of the review are delivered.

**National Institute for Health and Clinical Excellence: Guidance on Fertility**

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety, given the National Institute for Health and Clinical Excellence guidance on fertility issued in March 2013, how much it would cost to move from one to two full treatment cycles.

**(AQW 22480/11-15)**

**Mr Poots:** My Department is reviewing clinical guidance CG156 in the local legal and policy context, and is assessing the financial impact of implementing this guidance in Northern Ireland.

## Self-harm: Depression

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety to detail the number of cases in which depression was known to be a factor in self-harm in 2012, broken down by (i) age; and (ii) Health and Social Care Trust area. (AQW 22485/11-15)

**Mr Poots:** Information on the number of cases in which depression was known to be a factor in self harm is not available.

## Private Care Home Referrals

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety what criteria Health and Social Care Trusts use to refer people to private care homes. (AQW 22515/11-15)

**Mr Poots:** Circular HSC (ECCU) 1/2010 - Care Management, Provision of Services and Charging Guidance was issued by the Department to HSC Trusts and emphasises the importance of client choice in selecting a residential/ nursing home for their placement. The circular states that HSC Trusts must provide clients with a directory of all residential and nursing homes in the local area that are registered with the Regulation Quality Improvement Authority.

HSC Trusts are required to arrange for care in a client's preferred home where possible; however, the guidance also states that Trusts must contract for placements at the most competitive rate available for accommodation which it considers suitable for meeting the service user's need, and reminds the HSC of its overriding duty to procure quality services at a price which represents value for money. The individual will carry the cost differential in the case of their choosing a dearer placement than the Trust can obtain for their level of care need (including, for example, places that provide them with non –care related extras) that would justify a third party top up. However, where there is a resettlement from a statutory home that is closing Trusts will cover this cost differential.

## Paid and Unpaid Invoices

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety to detail, for the period 1 April 2012 to 31 March 2013, (i) the total number of invoices paid by his Department and its respective arm's-length bodies; (ii) the number of invoices paid within thirty calendar days; (iii) the number of invoices paid within ten working days of receipt; (iv) how each of his Department's arm's-length bodies has performed against the 30-day payment performance targets; and (v) the number of invoices that remain unpaid. (AQW 22518/11-15)

**Mr Poots:** The performance of the Department and its arm's-length bodies (ALBs) in relation to the payment of invoices for the 2012/13 year is shown in the table below.

Department's Arm's-Length Bodies (ALBs)

### Prompt Payment 1 April 2012 to 31 March 2013

DHSSPS/ALB	Total Invoices paid	No. Paid within 30 calendar days	% Paid within 30 calendar days	% Paid within 30 days or other agreed terms (3)	No. Paid within 10 working days (2)	No of invoices in system but unpaid at 31 March 2013
DHSSPS Core Department	4,219	3,978	94.3	94.3	3,514	7
Northern Trust	144,344	122,459	84.8	92.4	64,211	Not available (1)
Belfast Trust	365,366	278,869	76.3	86.0	141,411	26,050
Western Trust	119,570	108,549	90.8	95.2	76,188	2,245
South Eastern Trust	148,914	129,599	87.0	93.2	74,183	Not available(1)
NIAS	14,690	11,826	80.5	91.9	3,467	Not available(1)
Southern Trust	123,324	103,353	83.8	92.5	59,689	Not available(1)
HSCB	12,407	10,941	88.2	94.7	2,427	1,295
BSO	23,516	20,177	85.8	93.0	5,139	1,575
NIBTS	2,934	2,825	96.3	96.6	2,131	126
NIFRS	12,163	11,370	93.5	95.9	9,535	357

DHSSPS/ALB	Total Invoices paid	No. Paid within 30 calendar days	% Paid within 30 calendar days	% Paid within 30 days or other agreed terms (3)	No. Paid within 10 working days (2)	No of invoices in system but unpaid at 31 March 2013
NIGALA	544	513	94.3	97.1	157	34
NIMDTA	2,535	2,424	95.6	95.6	1,669	52
NIPEC	270	241	89.3	93.3	91	16
NISCC	1,080	960	88.9	93.8	221	35
PCC	1,194	1,113	93.2	96.9	299	58
PHA	6,484	6,089	93.9	97.5	1,120	417
RQIA	948	845	89.1	95.8	214	183

**Notes:**

- (1) Only Western and Belfast, which have gone live with the new FPL system, are able to provide details of invoices in system but unpaid at 31 March 2013.
- (2) The 10 day performance figures for BSO, HSCB, PHA, PCC, NIGALA, NIPEC, NISCC and RQIA relate to the period from 1 November 2012 when new finance payment systems were introduced. Figures for these bodies prior to 1 November can only be obtained at disproportionate cost.
- (3) The majority of payments made by the Department's ALBs are made under the terms and conditions of the Business Services Organisation (BSO) Procurement and Logistics Service (PaLS) contracts, which state that payment is due at the end of the month following the month in which the invoice or goods and services are received, whichever is the later. For 2012/13 the Department therefore monitored ALB's prompt payment performance against the "30 days or other agreed terms" duty and it is against this duty that they report in their annual accounts.

**Suicide: Depression**

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety whether depression was known to be a factor in any suicides from 2007 to 2013.

**(AQW 22531/11-15)**

**Mr Poots:** Figures on the number of registered suicides in 2013 are not yet available. Without examining records on each of the 1,664 deaths by suicide registered from 2007 to 2012, it is not possible to say whether depression was a known factor in any suicides over this period. However, there is extensive research evidence indicating that depression is one of the major risk factors for suicide.

The Northern Ireland National Confidential Inquiry report into Suicide and Homicide by People with Mental Illness, published in 2011, examined longitudinal trends in suicide and homicide over the period 2000 to 2008. One of the findings from this study is that 30% of all suicides were by people who had been in contact with mental health services in the 12 months prior to their deaths and, in this group, 36% (one hundred and eighty-eight) of the patients had a primary diagnosis of affective disorder (bipolar disorder and depression).

**Social Services: Background Checks**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety (i) under which legislation or regulations social services can require that all members of a family, including uncles, aunts, cousins and grandparents coming into contact with a child have background checks; (ii) how these are conducted; and (iii) by which organisation.

**(AQW 22560/11-15)**

**Mr Poots:**

- (i) There is no legislation that requires background checks on extended family members solely on the basis that they will come into contact with a child.

However, background checks may be requested on other family members who are living in a household where certain types of home-based care or work is taking place. The Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979 and the Police Act 1997(Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008 enable criminal record checks to be carried out on other members of a household, and in certain circumstances those working at a home or where home based care is taking place. These checks may be carried out for the purposes of assessing the suitability of an individual to undertake certain types of home-based work or care with children, including childminding and day care and providing care as a foster parent. Criminal record checks may also be requested on



other household members when assessing the suitability of a prospective adoptive parent and when placing looked after children with their parents. Checks on other household members will include checks on other family members, including extended family members, if they are living, or likely to be living, in the home where the care is taking place. As well as the facility to check, there are a number of pieces of secondary legislation which require criminal record information on other household members. These are:

- The Child Minding and Day Care (Applications for Registration) Regulations (Northern Ireland) 1996;
- The Foster Placement (Children) Regulations (Northern Ireland) 1996;
- The Children (Private Arrangements for Fostering) Regulations (Northern Ireland) 1996; and
- The Placement of Children with Parents etc Regulations (Northern Ireland) 1996.

In addition, Health and Social Care Trusts will check their own systems for information on other household members for the types of home-based care outlined above.

- (ii) The criminal record checks are conducted by AccessNI.
- (iii) Applications for criminal record checks are made by the Health and Social Care Trust responsible for the registration and inspection of child minders and day care providers and for children who are in their care.

## Orthopaedic Posts

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety why proposed future consultant orthopaedic posts specialising in foot and ankle surgery have been frozen.

**(AQW 22562/11-15)**

**Mr Poots:** The commissioning of services is a matter for the Health and Social Care Board in conjunction with the Public Health Agency. The Health and Social Care Board has advised that during the development of orthopaedic investment proposals the Belfast Health and Social Care (HSC) Trust was asked by the commissioner, not to prioritise consultants who specialise in foot and ankle surgery. This was in anticipation of the establishment of a podiatric surgical service in Northern Ireland from 2014/15. There will also be investment in three additional consultants for the Belfast HSC Trust with interests in upper limb and knee joints.

## Surgical Podiatry

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety whether Surgical Podiatry is to take on the management of all foot and ankle conditions, including surgery.

**(AQW 22563/11-15)**

**Mr Poots:** Podiatric surgeons are podiatrists who specialise in the surgical management of foot and ankle conditions and therefore work to a defined range of procedures. There is a defined list of procedures which the service must be capable of delivering and these are contained in the Health and Social Care Board's commissioning specification which will shortly be issued to Health and Social Care Trusts. The procedures reflect current practice in the UK.

## Foot and Ankle Surgery

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety whether any new foot and ankle surgery service commissioned will be subject to an open and transparent process involving all stakeholders.

**(AQW 22564/11-15)**

**Mr Poots:** The Health and Social Care Board has advised that the podiatric service will be commissioned in an open and transparent manner involving relevant stakeholders.

## Orthopaedic Patients

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety for his assessment of the need to manage orthopaedic patients with foot and ankle problems within a multidisciplinary team that includes consultant orthopaedic surgeons, podiatrists and surgical podiatrists as well as specialist physiotherapists, orthotists and tissue viability practitioners.

**(AQW 22566/11-15)**

**Mr Poots:** The implementation of podiatric surgery provides a significant opportunity to transform the way some foot and ankle surgical services are provided. This service should not be seen as a replacement for consultant led services, rather as a supplement to those services. The Health and Social Care Board's commissioning specification, which will shortly be issued to Health and Social Care Trusts, will make it clear that podiatric surgery team members should be active participants in multi-disciplinary teamwork across their organisation. This relationship should be based on mutual respect and recognition. The objective should be that consultant led and podiatric surgery services complement one another for the benefit of patients.

## Residential Care Homes

**Mr Allister** asked the Minister of Health, Social Services and Public Safety where, within Transforming Your Care, is the closure of residential care homes restricted to 50 percent.

**(AQW 22593/11-15)**

**Mr Poots:** In the consultation document published on 9th October 2012 on service change proposals “Transforming Your Care: Vision to Action” in Section 4.3 dealing with “Older People”, it stated that “During the next 3 to 5 years the current number of statutory residential homes, is likely to be reduced by at least 50% across Northern Ireland. The pattern will vary across areas”. This figure was indicative of the degree of change expected.

The policy of “home is the hub of care” is clear but the pace of change and the management of transition needs to be consulted upon. I want to ensure that the voice of older people is heard and that is why I announced on 3 May that the HSC Board will lead on a process of consultation.

## Residential Homes: Closure

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to identify, and place in the Assembly Library, the research from within Northern Ireland which demonstrates the absence of a detrimental effect on the life and health prospects of residents arising from the closure of their residential home.

**(AQW 22594/11-15)**

**Mr Poots:** The impact of relocation on the health of frail elderly people is always a cause for concern. However, whilst the causes of closure can be many and varied, there is much past experience in achieving successful closure both in Northern Ireland and in Great Britain.

Published UK academic literature reviews on this topic are limited. Recent publications would indicate that a proactive and managed approach to meeting the needs of older people is a key element to success and to reducing stress for individual residents and staff.

For example, I would draw your attention to the findings within An Evaluation of Modernisation of Older People’s Services In Birmingham – Final report and Achieving Closure: Good Practice Guide in Supporting Older People during Residential Care Home Closures. This latter report was produced by the University of Birmingham and the Association of Directors of Adult Social Services, in association with the Social Care Institute for Excellence (SCIE).

The DHSSPS formally recognises SCIE as producing best practice guidance for social care.

## Residential Homes: Closure

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how he reconciles his statement in the Assembly on 19 March 2013 that closures of residential homes would be restricted to 50% within three to five years, with the published plans of Health and Social Care Trusts for 100% closures on a more imminent timescale.

**(AQW 22595/11-15)**

**Mr Poots:** In my Statement to the House on 19 March 2013 on the outcome of the consultation on the service change proposals contained in “transforming Your Care: Vision to Action” I said that, “I propose to reduce the number of statutory residential homes by around 50% over the next three to five years.”

I explained in my statement to the NI Assembly on the 7th May 2013 that the pace of change needs to be planned in a co-ordinated way across all the trusts. I saw that this was not clear. Therefore, on Friday 3 May I called a halt to individual trusts consulting on proposed closures in their areas. I have asked the HSC Board to lead on a new process for consulting and implementing change working closely with trusts to co-ordinate a regional approach on residential care homes

## Residential Homes: Statutory

**Mr Allister** asked the Minister of Health, Social Services and Public Safety where the shortfall in respite beds and intermediate care beds that is currently available in statutory residential homes, will be made up in the event of the closure of these homes.

**(AQW 22596/11-15)**

**Mr Poots:** I have already suspended the process whereby Trusts were planning to consult on closure of statutory residential care homes for older people in their area.

The HSC Board will lead on the development of a new process for consultation and engagement. It will work with local HSC Trusts to promote best practice in the assessment of need, consultation and communication.

Consultation on change will still be necessary but it will occur at a pace that will allow more time for engagement with individuals, families, community and staff. It will also be taken forward within the wider policy context of improving the quality of care for all older people. This includes the provision of appropriate models of respite/short breaks and intermediate care.

## Residential Homes: Private Sector

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, in light of the experience of the collapse of Southern Cross in Great Britain in 2011, for his assessment of a policy that would see all residential care home provision moving into the private sector.

**(AQW 22597/11-15)**

**Mr Poots:** The driving force behind Transforming Your Care is the aim to deliver better outcomes and choice for everyone, with the individual at the heart of the model of care. I want to ensure that older people receive the best care possible, within available resources, and in an environment that meets their care needs. There has been a decline in the need for residential options as we move to support more people at home.

We enjoy a successful mixed economy of care with the vast majority of residential care home provision already in the independent and voluntary sector. In terms of residential care, the statutory sector currently provides less than 25% of residential packages. Nursing Home provision here has evolved outside the statutory sector.

My decision on 3 May that HSCB will take a regional approach to the process of consultation will allow appropriate attention to be paid to the wider market implications of reductions in "in house" provision.

## Residential Homes: Closure

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether he will suspend any decisions around the closure of residential homes and put in place a robust consultation process.

**(AQW 22598/11-15)**

**Mr Poots:** My overall aim is to improve the quality of care for all older people in Northern Ireland. It is regrettable to me that the positive intentions of our policy became lost in the distressing sequence of events that transpired over the last two weeks.

I do not want to cause any anxiety to older people or their relatives. I have already suspended the process whereby some Trusts were planning to consult on the closure of statutory elderly residential care homes in their area.

I have asked the HSC Board to lead on a new process for local consultation and engagement. The HSC Board will work closely with local Trusts, and there will be more time to engage with individuals, families, community and staff.

Consultation on change will still be necessary, but is likely to be over a longer period of time.

## Private Medical Insurance: Health and Social Care Trust Staff

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety how many employees in each Health and Social Care Trust have private medical insurance that is paid for, either partially or in full, from the public purse; and at what cost.

**(AQW 22609/11-15)**

**Mr Poots:** Each of the Health and Social Care Trusts have confirmed that none of their employees have private medical insurance that is paid for, either partially or in full, from the public purse.

## Northern Health and Social Care Trust: Chief Executive

**Mr Allister** asked the Minister of Health, Social Services and Public Safety when the post in the Health and Social Care Board, to which the former chief executive of the Northern Health and Social Care Trust has been transferred, was advertised; and what is the salary package for this post.

**(AQW 22617/11-15)**

**Mr Poots:** The post of Regional Director of eHealth and External Collaboration to which Mr Donaghy has been appointed was not advertised. The post was developed to enhance the strategic leadership in the high priority area of eHealth and external collaboration.

Following this move Mr Donaghy will maintain his existing terms and conditions of service including his salary.

## Foot and Ankle Surgery

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety how any new foot and ankle surgery activity will be regulated.

**(AQW 22623/11-15)**

**Mr Poots:** Podiatric surgeons are regulated by the Health and Care Professions Council (HCPC). The service will also come under the clinical governance arrangements of the providing Trust as is the case with other services.

## Trachea, Bronchus and Lung Cancer Deaths

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22082/11-15, given that the rate of trachea, bronchus and lung cancer deaths among females has increased by more than 20 percent in the last ten years, what action is being taken to ensure a reduction in these rates.

**(AQW 22630/11-15)**

**Mr Poots:** The increase in lung cancer deaths among females is due largely to the numbers of young women who started smoking in the 1960s and 1970s, in comparison with earlier generations. These women are now in their fifties and sixties and many are being diagnosed with lung cancer and other tobacco related cancers.

Smoking is a leading factor in around 90% of lung cancer cases and is also a contributory factor in a number of other types of cancer. A reduction in smoking prevalence is, therefore, a key priority for my Department. The Tobacco Control Strategy 2012-2022 aims to: prevent people from starting to smoke; support smokers to quit; and protect the population from tobacco-related harm. Ongoing action includes: delivery of smoking cessation services; development of legislation aimed primarily at preventing young people from taking up smoking; and public awareness-raising campaigns on the harm caused by tobacco use.

Early detection of lung cancer greatly increases the chances for successful treatment. Although symptoms can be quite general people with any of the following should see their GP as soon as possible.

- A cough that doesn't go away after three weeks.
- Coughing more often and more severely than usual.
- Coughing up blood.
- Shortness of breath.
- Feeling weak or more tired than usual.
- Losing weight without knowing why.
- Pain in the ribcage and/or shoulder.
- Chest infections that won't go away, even with antibiotics.
- Hoarseness

In order to promote early detection of cancer, the Public Health Agency plans to deliver a new publicity campaign next year. The campaign will focus on improving public knowledge and awareness of the early signs and symptoms of cancer, and will encourage those with specific symptoms to seek medical advice as soon as possible.

The UK National Screening Committee has advised that screening for lung cancer should not be offered at present.

## Donaghadee Health Centre

**Mr Weir** asked the Minister of Health, Social Services and Public Safety whether he has any plans to upgrade facilities at Donaghadee Health Centre.

**(AQW 22642/11-15)**

**Mr Poots:** The Trust has spent £40,000 in 2012/13 to refurbish Donaghadee Health Centre. There are no plans to further upgrade these premises at present.

## eHealth and External Collaboration: Regional Director

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety (i) when the process began for the appointment of Sean Donaghy to the Health and Social Care Board as Regional Director of eHealth and external collaboration; (ii) on which date the post first became available; and (iii) on which date the decision to appoint Mr Donaghy was taken.

**(AQW 22650/11-15)**

**Mr Poots:** There have been discussions between my Department, the HSC Board and the PHA for some time about the need to devote resources to enhance the strategic leadership in this important area of high priority work.

In view of the developments taking place at the Northern Trust Mr Donaghy had agreed to step aside. This new post offered suitable alternative employment to which he could move and his appointment to this new post as regional Director of eHealth and External Collaboration at the HSC Board was based on mutual agreement.

The decision to appoint Mr Donaghy was made on 1 May.

## Salary Differences

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety what is the difference in the salary scale for the post of Chief Executive of the Northern Health and Social Care Trust and the regional director of eHealth and external collaboration in the Health and Social Care Board.

**(AQW 22651/11-15)**

**Mr Poots:** The post of Regional Director of eHealth and External Collaboration in the Health and Social Care Board is a new post which has been developed to enhance the strategic leadership in the high priority area of eHealth and external collaboration.

Following his move to this new post Mr Donaghy will maintain his existing terms and conditions including salary.

### South Antrim: Small Care Homes in Residential Areas

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety what action he has taken, since the adjournment debate on 12 February 2013 on small care homes in residential areas in South Antrim, regarding the guidelines for consultation with residents and the other matters raised in the debate.

(AQW 22693/11-15)

**Mr Poots:** The Guidelines on Consultation of Care Homes in Residential Areas in South Antrim are a matter for the Department for Social Development, which regulates housing associations and sets the criteria for community consultation on all new social housing schemes.

As I indicated in the Adjournment Debate on 12 February 2013 however, I want people who have a learning disability to be fully integrated into our communities with all of the support required to meet their assessed needs.

I am continuing to encourage colleagues and public representatives to engage with members of local communities to alleviate concerns and encourage participation, so that individuals are better informed with regard to those people with a learning disability who may be placed in their area, in line with Delivering the Bamford Vision and Transforming Your Care.

Effective consultation is about information and problem resolution and for the views of all stakeholders to be heard so that the process can be advanced.

### Health and Social Care Trusts: Ambulances

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety to detail the number of ambulances in the Health Service fleet, broken down by age; and whether there are any plans to replace any of the ambulances.

(AQW 22700/11-15)

**Mr Poots:** An age profile of the Northern Ireland Ambulance Service (NIAS) fleet, as at 31st March 2013, is detailed below for each vehicle type:

Age of Vehicle (Years)	Vehicle Type			
	A&E Ambulance	Non-Emergency Patient Care Service Vehicle	Rapid Response Vehicle	Other (Officer Cars, Emergency Planning etc)
0-1	2	6	0	0
1-2	36	21	8	3
2-3	8	37	7	5
3-4	34	4	7	9
4-5	17	25	7	5
5-6	0	8	9	10
6-7	18	3	2	2
7-8	0	1	1	1
8-9	1	0	1	11
9-10	0	0	0	0
10-11	0	0	0	3
11-12	0	0	0	1
<b>Total</b>	<b>116</b>	<b>105</b>	<b>42</b>	<b>50</b>

**Source:** Northern Ireland Ambulance Service (NIAS)

Currently, the NIAS has a fleet replacement programme in place that replaces its vehicles on a 5 year cycle, ensuring that a safe and reliable fleet is maintained.

Over the last 5 years my Department has invested almost £21.5m in the NIAS, of which £16m has been spent on its fleet. A further £6.5m is profiled to be spent on fleet over the next two years.

### Health and Social Care Trusts: Multiple Sclerosis Nurses

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety how many multiple sclerosis nurses are employed in each Health and Social Care Trust.

(AQW 22702/11-15)

**Mr Poots:** The number of dedicated Multiple Sclerosis (MS) nurses in each HSC Trust is shown in the table below.

HSC Trust	Headcount	Whole-time equivalent
Belfast	6	5.1
Northern	1	0.5
South Eastern	0	0.0
Southern	1	1.0
Western	2	1.5

**Source:** Health & Social Care Trusts

**Note:** A further Band 6 nurse (1.0 WTE) will start with the Belfast HSC Trust in July 2013.

### Care Home Residents

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to outline the process by which engagement will occur with statutory care home residents to ensure that their views are taken into consideration in any future decisions by Health and Social Care Trusts to close care homes.

**(AQW 22703/11-15)**

**Mr Poots:** I am putting in place a managed, HSCB-led regional oversight process that adheres to best practice in consultation and change management. I am confident that the oversight arrangements which I will put in place will assure us that residents views and wishes are being heard and accommodated where reasonably possible.

I have asked the HSCB to set clear criteria on which Trusts should base any proposal following on from such a consultation.

### Multiple Sclerosis Patients: Availability of Treatment

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety, in light of the Multiple Sclerosis Society report 'A lottery of treatment and care: MS Services across Northern Ireland and the UK', what steps he is taking to improve access to treatment for MS patients, especially to Tysabri and Fingolimod.

**(AQW 22719/11-15)**

**Mr Poots:** Health and Social Care is committed to ensuring that all suitable patients in Northern Ireland have timely access to effective, evidence-based specialist treatments for MS. Currently the range of specialist treatments for MS include: Copaxone, Rebiff 22, Rebiff 44, Betaferon, Avonex, Extavia, Tysabri and Fingolimod. All of these regimes are routinely commissioned by the Health and Social Care Board and therefore available to patients in Northern Ireland.

I am pleased to advise that Northern Ireland has the highest uptake rate for specialist MS drugs in the UK: at February 2013, there were over 1,350 people on active treatment. Significant annual investment is made every year in MS specialist drugs for patients in Northern Ireland and the current budget for the service is in excess of £9m. In 2012/13 over £1m of additional funding was made available to support the provision of additional MS drugs in Northern Ireland.

The Health and Social Care Board works closely with MS clinicians to support effective planning and commissioning of new regimes, and investment in 2013/14 will be in line with needs identified through this process.

### Day Case Procedures: Duplicate Bookings

**Mr Nesbitt** asked the Minister of Health, Social Services and Public Safety to detail the total number of duplicate bookings of day case procedures in health service hospitals and independent healthcare providers, in each of the last five years.

**(AQW 22754/11-15)**

**Mr Poots:** Information on the total number of duplicate bookings of day case procedures in Health Service hospitals and independent healthcare providers, in each of the last five years is not available.

Each of the five HSC Trusts have advised that processes are in place to ensure that patients are not booked for procedures with both a Health Service provider and an Independent Sector provider. As such duplicate bookings are rare and due to administrative error.

### Northern Ireland Fire and Rescue Service

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22170/11-15, why no appointment was made to the vacant post of director of performance planning and corporate affairs at the Northern Ireland Fire and Rescue Service.

**(AQW 22768/11-15)**

**Mr Poots:** NIFRS has advised that the interviewing Panel did not consider any of the candidates to be suitable for appointment.

## Deaf Children: Specialist Mental Health Provision

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety, given that deaf children are four times more likely to experience issues within their emotional health and well-being, what plans he has to develop further tiers two and three specialist mental health provision for deaf children.

**(AQW 22770/11-15)**

**Mr Poots:** The Health and Social Care Board (HSCB) and Trusts have commenced implementation of the Regional Service Model for CAMHS which my Department published in July 2012. The CAMHS Service Model aims to promote consistency in service provision across Northern Ireland. Improvements to services will include an increased focus on early intervention, better multi-disciplinary working and better collaboration with the community and voluntary, education and youth justice sectors.

The HSCB has recently invested an additional £2.27M (recurrent) in CAMHS, which in the main will be used to establish Primary Mental Health Teams (PMHT) and Crisis Resolution and Home Treatment Services (Tier 2) across all Trusts. Development of the PMHT in particular will extend provision directed towards prevention and early intervention and targeting particularly vulnerable groups of children, including children who are deaf. PMHT will liaise with Sensory Impairment teams and engage in assessment and joint working as well as raise awareness of issues regarding the mental health needs of children and young people who are deaf or with hearing difficulties.

Since 2011 each Trust has an identified lead practitioner within CAMHS whose role is to provide referral co-ordination liaison and support to children's and sensory impairment services in response to children who are deaf and are presenting with mental health difficulties. Funding is also provided for provision regionally of specialist assessment, consultation and advice (Tier 3) from Dr. Robert Walker, Consultant Psychiatrist and his team from Dudley and Walsall Primary Mental Health Trust which is one of four regional centres in England commissioned to provide a National Deaf Service for children up to 18 years and their families.

## Free Health Care

**Ms McGahan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22303/11-15, whether people, who are not entitled to free health care who show up at an accident and emergency department or a maternity unit are turned away if they do not have the means to pay for treatment.

**(AQW 22837/11-15)**

**Mr Poots:** Under the Provision of Health Services To Persons Not Ordinarily Resident Regulations 2005 treatment provided to any person (regardless of their status) in an Accident and Emergency department is exempt from charges. Furthermore maternity treatment will always be provided on an immediately, necessary basis ensuring that any person who requires maternity care at a maternity unit (even where such a person is non-entitled) will still receive it.

Maternity care should never be withheld pending payment, however, HSC Trusts are entitled to raise bills for maternity care provided to any person with non-entitled status.

## Social Care Funding

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety whether he proposes to introduce a cap on the cost of social care funding, similar to the proposed cap in England; and what discussions he has had with the Minister of Finance and Personnel on the matter.

**(AQW 22858/11-15)**

**Mr Poots:** I am aware of the intention of the Coalition government to introduce, in 2016, a cap of £72,000 on individual contributions to the cost of any social care received. As social care is a devolved matter this cap will apply in England only.

However, I recognise that this is an issue about which people feel strongly and that is why I have committed to a three stage process of reform in Northern Ireland. Stage One, a six month consultation on the discussion document "Who Cares?" The Future of Adult Care and Support in NI", concluded on 15 March 2013. The consultation was very successful, with 185 responses received and over 600 people attending public meetings and focus group events.

Once I have had the opportunity to consider the views and opinions of the people of Northern Ireland my Department will develop proposals for reform, which will include changes to how care and support is funded. Until then it would be inappropriate to decide whether a cap should be implemented in Northern Ireland.

My Department will work closely with other government departments, including the Department of Finance and Personnel, as we take the reform process forward.

## Lagan Search and Rescue

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety what steps his Department has taken to support Lagan Search and Rescue; and when the service will be fully operational.

**(AQW 23036/11-15)**

**Mr Poots:** Health and Social Care organisations in Northern Ireland have no responsibility for search and rescue services.

However, it is anticipated that NIFRS will be able to engage at Operational and Tactical levels with Lagan Search and Rescue on completion of outstanding issues which are beyond the control of my Department.

### **Dementia Strategy: Implementation**

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety for an update on the implementation of the dementia strategy.

**(AQW 23097/11-15)**

**Mr Poots:** The HSC Board and Public Health Agency jointly lead a regional group, which includes, people with dementia and their carers, to oversee implementation of the Dementia Strategy and its recommendations across NI. The group has drawn up an Action Plan which is used to report progress in the implementation of the strategy to the Department. The action plan contains 45 initiatives which are being progressed under various headings such as Reducing the Risk or Delaying the Onset of Dementia, Raising Awareness, Promoting Early Assessment and Diagnosis, Supporting People with Dementia and Supporting Carers. The HSCB has secured £1m, recurrent funding, to help with the implementation.

## **Department of Justice**

### **Offender Levy**

**Lord Morrow** asked the Minister of Justice how much has been accrued through the offender levy since its introduction; and which agencies have benefited from the funding, and to what extent.

**(AQW 22231/11-15)**

**Mr Ford (The Minister of Justice):** Since its introduction in June 2012, the levy initiative has generated £55,000. Of this total, £35,000 has so far been provided to local groups working in the community, channelled through the Police and Community Safety Partnerships, in support of a range of victim related initiatives.

### **Firearm Certificate Conditions**

**Lord Morrow** asked the Minister of Justice how many people are currently in the court system on charges connected to failing to comply with the conditions of a firearm certificate, broken down by court division.

**(AQW 22235/11-15)**

**Mr Ford:** There are no cases currently before the courts for the offence of failing to comply with the conditions of a firearm certificate.

### **Northern Ireland Legal Services Commission**

**Mr Allister** asked the Minister of Justice why the pay scales of staff in the Northern Ireland Legal Services Commission are no longer in line with those in the Northern Ireland Civil Service; and what steps are being taken to address this issue.

**(AQW 22254/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission (NILSC) is a discrete bargaining unit for pay purposes with pay remits approved through the Department of Justice and the Department of Finance and Personnel.

The NILSC presently has 3 pay remits outstanding covering the periods 2010/11, 2011/12 and 2012/13. The last agreed pay settlement for NILSC covered the period 2006/07 to 2008/09; at that time pay scales within the NILSC were analogous to those in the Northern Ireland Civil Service. No agreement was reached in 2009/10 pay settlement negotiations and in July 2011 the NILSC imposed a 2.6% pay award for that period which, at the time, resulted in the introduction of LSC specific pay scales from August 2009.

My officials will continue to work with the NILSC to address the outstanding issues and to ensure that, when completed, any agreed Pay Strategy is passed to DFP for financial approval.

### **Legal Aid System: Abuse**

**Mrs Dobson** asked the Minister of Justice what steps he is taking to prevent the continued abuse of the legal aid system; and whether there are limits on the level of aid provided to claimants.

**(AQW 22279/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission (the Commission) is required to apply the statutory criteria set out in the Legal Aid legislation to all applications for Civil Legal Aid and to fund those applications which satisfy that criteria.

There is no limit on the number of occasions on which an individual can apply or be granted Civil Legal Aid. This means that, provided an applicant can satisfy the statutory tests for obtaining Civil Legal Aid, there is no limit on the level of aid which can be provided to applicants. Fees in respect of each case in which Civil Legal Aid is granted will be paid by the Commission based on the payment arrangements which are in place for the particular type of case.



Under the provisions of the Access to Justice (Northern Ireland) Order 2003, the Commission will introduce a Funding Code which will revise and strengthen the criteria for the granting of Civil Legal Aid.

Criminal Legal Aid is granted by the court where an individual's means are insufficient to pay for his own legal representation and it is in the interests of justice that he should be represented. As is the case with Civil Legal Aid, there is no limit on the number of occasions on which an individual facing criminal charges can apply and be granted Criminal Legal Aid. The vast majority of fees paid to legal representatives in criminal cases are fixed and are prescribed in Rules.

The Commission is required to protect the public funds it administers. The Commission participates in the National Fraud Initiative and shares information provided to it with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud.

The Commission has a Counter Fraud team to investigate any allegations or suspicion of fraudulent activity in the legal aid system. The Commission treats any allegations or information of fraudulent activity very seriously and will implement a thorough investigation. The outcomes of such investigations can have a wide range of outcomes from finding no evidence of fraudulent activity to referral to the Police Service of Northern Ireland.

The Commission is developing a statutory Registration Scheme for all suppliers of publicly funded legal services. This means that all providers wishing to provide publicly funded legal services will have to register with the Commission and adhere to a Code of Practice. The Code of Practice will set out the suppliers' duties to the Commission. Suppliers will have to demonstrate compliance with the Code of Practice thereby enhancing the Commission's controls and visibility in the expenditure of public funds.

## Taxing Masters

**Mr Agnew** asked the Minister of Justice whether it is the practice for taxing masters to adjudicate adverse legal costs awards in camera and for the determinations, of legal costs, not to be published and accessible for public viewing.

**(AQW 22282/11-15)**

**Mr Ford:** Where a provisional taxation assessment by the Taxing Master is not accepted, a hearing will be arranged for the parties to attend. This hearing is open to the public. The taxation outcome is not routinely published, public access to records is dependent on the type of case being assessed and whether any Data Protection issues apply.

## Professional Standards Unit

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 17980/11-15, whether he proposes to employ former police officers in the professional standards unit, as recommended in the Pearson team report of 9 June 2009.

**(AQW 22288/11-15)**

**Mr Ford:** I refer the Member to my response to AQW/18261/11-15.

## Criminal Justice System for Offenders and Witnesses: Speech and Language Support

**Mr Allister** asked the Minister of Justice what speech and language support exists within the criminal justice system for offenders and witnesses; and what funding is set aside to assist young offenders with communication difficulties.

**(AQW 22290/11-15)**

**Mr Ford:** I am committed to ensuring that vulnerable people, including those with speech and language difficulties, are better supported throughout the criminal justice system. My Department introduced the Registered Intermediaries pilot scheme in May 2013, to support victims, witnesses and defendants in communicating more effectively when giving evidence in police custody and at court.

The Youth Justice Agency (YJA), working in partnership with the Royal College of Speech and Language Therapists (RCSLT), is piloting 'the Box', an e-learning tool enabling staff to identify young people experiencing communication difficulties and ensure that they receive appropriate support. In recognition of this work, the YJA won the National Partner Award category of the RCSLT's Giving Voice Awards in November 2012.

Within the criminal justice system support for young people with communication difficulties is normally provided from within existing resources. However, additional assistance is provided for young people through the PSNI-Mindwise 'Linked- In' project, being piloted in Belfast, Antrim and Londonderry. Linked-In provides tailored support to young people and young adults in contact with the PSNI, including assistance with speech, language and communication difficulties. The project was awarded £488,863 funding through the Big Lottery's Empowering Young People Programme.

Within custody, the Northern Ireland Prison Service (NIPS) provides a range of programmes addressing prisoners' speech, language and communication needs. Prisoners are screened on committal to identify indicators of speech, language and communication difficulties. Those requiring support are offered an appropriate course, delivered in a method best suited to their learning style. Funding for such courses is met from within existing learning and skills provision.

## Court Divisions

**Lord Morrow** asked the Minister of Justice whether all court divisions align with corresponding policing districts.  
(AQW 22319/11-15)

**Mr Ford:** County Court Divisions and Petty Sessions Districts reflect existing local government districts and do not directly align with corresponding policing districts.

## Magistrates Court Cases: Non-contested Preliminary Enquiries

**Lord Morrow** asked the Minister of Justice whether he has given consideration to abolishing non-contested preliminary enquiries at magistrate court cases transferring to crown court, in which approximately £800 in legal aid is paid, in most instances, for a defence solicitor or a barrister to appear, and state that no contrary submission is being offered on behalf of their client.

(AQW 22357/11-15)

**Mr Ford:** As advised in my answer to AQW/15563/ 11-15, I intend to legislate in the 'Faster, Fairer Justice' Bill to reform committal proceedings. In particular, the Bill will propose the abolition of the use of oral evidence and cross examination of witnesses at committal and provide for the transfer of certain cases directly to the Crown Court, without first holding a preliminary inquiry. I also intend to make provision for the direct transfer of cases where the accused indicates their guilt prior to committal.

## Prison Governor: Theft Convictions since 2000

**Lord Morrow** asked the Minister of Justice whether a prison governor has been convicted of theft since 2000, and to detail (i) the date of conviction and sentence imposed; (ii) whether the governor was dismissed on a disciplinary charge of gross misconduct; (iii) the date of dismissal; and (iv) whether the person was retired on health grounds and received a relevant pension.

(AQW 22358/11-15)

**Mr Ford:** The information requested has been withheld as disclosure would be contrary to the Data Protection Act 1998.

## Change Managers: Code of Conduct and Discipline

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 20595/11-15, whether any change managers have been consulted, or provided input or opinion, on the proposed new code of conduct and discipline.

(AQW 22361/11-15)

**Mr Ford:** The Change Managers have not been consulted, nor have they provided input or opinions, in relation to the new Code of Conduct and Discipline.

## Enforcement of Judgements Office

**Mr Campbell** asked the Minister of Justice how many homes were repossessed as a result of the Enforcement of Judgements Office in 2012, compared to 2008.

(AQW 22366/11-15)

**Mr Ford:** The information is not available in the format sought. Repossession data includes domestic property, commercial property and land. The number of repossessions by the Enforcement of Judgments Office increased from 210 in 2008 to 1,121 in 2012.

## Northern Ireland Legal Services Commission

**Mr Allister** asked the Minister of Justice why the Northern Ireland Legal Services Commission has not addressed pay progression for staff, separately from the issue of pay increases.

(AQW 22408/11-15)

**Mr Ford:** The Northern Ireland Legal Services Commission (NILSC) is an executive Non Departmental Public Body (NDPB) and, on devolution in April 2010, it became an arms length body of the Department of Justice. As an executive NDPB, the NILSC is a separate bargaining unit for the purposes of terms and conditions of service including pay.

The NILSC presently has three pay remits outstanding covering the periods 2010/11, 201 1/12 and 2012/13 (with the pay progression element for its 2009/10 pay settlement also outstanding).

The NILSC submitted a Pay Strategy Business Case to the Department of Justice on 22 January 2013 for consideration. A number of queries are still to be resolved between the NILSC and my officials.

My Department will continue to work with NILSC to address the outstanding issues, including pay progression. When completed, any agreed Pay Strategy will be passed to DFP for financial approval.

## Permanent Staff

**Mr Allister** asked the Minister of Justice, in seeking legal advice on the subject of the contractual right of staff to pay progression, why a sample letter of offer in respect of temporary staff was used, rather than on letter of offer in respect of permanent staff; and to confirm whether permanent staff have a contractual right to pay progression.

**(AQW 22409/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission has sought legal advices on the contractual right of staff to pay progression. These advices have been shared with the Department of Justice and the NILSC is seeking to bring to a conclusion the ongoing pay discussions. As the legal advices provided are covered by legal professional privilege the Chief Executive has advised that he is not in a position to comment on the specific points raised.

## Rowan Sexual Assault Referral Centre

**Ms Lo** asked the Minister of Justice in relation to the Rowan sexual assault referral centre at Antrim Area Hospital, what progress his Department is making to ensure that independent sexual violence advisers or independent domestic violence advisers are part of the centre.

**(AQW 22425/11-15)**

**Mr Ford:** Work has been ongoing with my Department, the Department of Health Social Services and Public Safety and the Police Service for Northern Ireland to define and develop the roles of the Independent Domestic Violence Advisor (IDVA) Service and the Independent Sexual Violence Advisor (ISVA) Service. The business case for the IDVA service has recently been approved and work to source a service provider is underway. A similar process will be required for the ISVA service.

It is expected that the IDVA and ISVA roles will evolve as the Rowan becomes more embedded within Northern Ireland.

## Sexual Offences Prevention Orders: Breach

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21645/11-15, to outline how this person was charged with assault on 7 October 2012 when he was not released from his custodial sentence until 8 October 2012.

**(AQW 22432/11-15)**

**Mr Ford:** Whilst Mr Townsend was involved in an incident at Hydebank Wood on the 7 October the incident was not reported until after his release from custody.

## Sexual Offences Prevention Orders

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21379/11-15, in relation to part (v) of the question, whether the individual has breached any terms of release and/or sexual offences prevention orders on any occasion since his release.

**(AQW 22436/11-15)**

**Mr Ford:** Mr McCabe is not the subject of a Sexual Offences Prevention Order. He is in contravention of the terms of his court imposed licence by removing himself from his specified address and from supervision. As a consequence, the court granted the Probation Board's application for a warrant for his arrest to face breach proceedings before the court. He has subsequently been arrested by PSNI.

## Magilligan Prison

**Mr Campbell** asked the Minister of Justice when he expects work to commence on the new build of Magilligan Prison.

**(AQW 22450/11-15)**

**Mr Ford:** Following my update to the Assembly on 19 March 2013, Northern Ireland Prison Service officials continue their work in developing the plans for all the projects included in the Estate Strategy including that of the rebuilding of Magilligan. Until the outcome of this exercise is concluded, I am not able to provide exact details as to when works at Magilligan will commence.

## Prisoners: Pay and Privileges

**Miss M McIlveen** asked the Minister of Justice to outline the guidance issued on the requisite level of (i) behaviour; and (ii) the work that should be completed by prisoners in return for pay and privileges; and to what extent decisions on this are discretionary.

**(AQW 22454/11-15)**

**Mr Ford:** The Northern Ireland Prison Service is committed to developing and embedding opportunities for prisoners that contribute to effective resettlement and rehabilitation. An important aspect of this is managed through the Progressive Regimes and Earned Privileges Scheme (PREPS).

PREPS privileges and incentives are allocated according to three different regime levels - Standard, Enhanced and Basic. PREPS underlines the Prison Service's investment in preparing prisoners for release by encouraging, motivating, supporting and rewarding them for:

- working to an agreed Offender Management plan to address their offending behaviour and in preparation for release;

- demonstrating good behaviour within the prison and compliance with prison rules;
- demonstrating respectful relationships with staff, other professionals, visitors and prisoners;
- remaining drug and alcohol free;
- engaging in activities and work opportunities as identified in their plan; and
- reducing their risk of reoffending.

There is no automatic entitlement to privileges since these may be granted or removed depending on the regime level attained by the prisoner.

PREPS is operated consistently and is delivered equitably to all prisoners irrespective of their gender, religious belief, political opinion, racial group, disability, age, marital status or sexual orientation to comply with their statutory equality duty set out in section 75 of the Northern Ireland Act 1998 and the Human Rights Act 1998.

### **Prisoners: Pay and Privileges**

**Miss M McIlveen** asked the Minister of Justice whether there are plans to introduce changes to prisoner pay and privileges similar to changes to the incentives and earned privileges schemes announced for England and Wales.

**(AQW 22455/11-15)**

**Mr Ford:** A Comprehensive review of the current Northern Ireland Prison Service (NIPS) Progressive Regime and Earned Privileges (PREPS) Policy is being taken forward and will examine prisoner payment structures for each regime level with the intention of making the PREPS system even more incentive and motivational based. The current PREPS system used by NIPS is however largely incentive-based with prisoners only progressing to enhanced status who meet the standards outlined in my answer to AQW/22454/11-15.

NIPS will continue to monitor developments in neighbouring jurisdictions. However, it is intended to develop the best scheme for Northern Ireland. There are no plans to introduce changes to prisoner pay and privileges similar to changes announced for England and Wales.

### **Northern Ireland Legal Services Commission: Staff**

**Mr Allister** asked the Minister of Justice whether equal pay arrangements, as applied in the Northern Ireland Civil Service, have been implemented for staff of the Northern Ireland Legal Services Commission and if not, to outline the reasons for this.

**(AQW 22482/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission was established as an executive Non Departmental Public Body (NDPB) in 2003 under Article 3 of the Access to Justice (Northern Ireland) Order 2003. Upon devolution in April 2010 the NILSC became an arms length body of the Department of Justice.

Employees of the NILSC are not part of the Northern Ireland Civil Service (NICS) and are therefore not on the same pay arrangements or pay scales as civil servants. Staff in NILSC have no entitlement to the NICS equal pay settlement.

The NILSC is a separate bargaining unit for the purposes of terms and conditions of service including pay. NILSC employees are paid by reference to NILGOSC pay scales and are covered by the NILCOSC pension scheme for superannuation purposes.

### **Fermanagh/Tyrone Court Division: Young Conference Orders**

**Lord Morrow** asked the Minister of Justice how many juvenile offenders were given young conference orders in Fermanagh/Tyrone Court Division in each of the last two years and of these, how many reoffended (i) during the duration of the young conference order; and (ii) on completion of the Order.

**(AQW 22490/11-15)**

**Mr Ford:** There were 52 Youth Conference Orders (YCOs) granted in the Fermanagh/Tyrone Court Division during calendar year 2011 and 64 in 2012.

The reoffending information requested is not yet available. Reoffending rates are calculated on the basis of tracking a group of individuals for a period of one year after the completion of a disposal. As the YCOs can

themselves be up to one year in length, insufficient time has elapsed to enable 2011 or 2012 reoffending rates to be calculated.

### **Londonderry Magistrates Court: Contested Domestic Violence Cases**

**Lord Morrow** asked the Minister of Justice for his assessment of the pilot listing arrangement at Londonderry Magistrates Court for contested domestic violence cases and to outline whether he plans to introduce this in other court divisions, particularly in areas where there are high incidences of domestic violence cases.

**(AQW 22493/11-15)**

**Mr Ford:** The current pilot listing arrangement at Londonderry Magistrates' Court is undergoing independent evaluation by the University of Ulster and it is anticipated that initial results will be available by October 2013.

Any decision to extend the pilot listing arrangements to other court venues will be informed by this evaluation report in consultation with the judiciary and with input from other key stakeholders.

### Enforcement of Judgements Office: Repossessed Houses

**Mr Weir** asked the Minister of Justice how many houses have been repossessed as a result of the Enforcement of Judgements Office in the last 12 months, broken down by constituency.

**(AQW 22509/11-15)**

**Mr Ford:** The information is not available in the format sought. Repossession data includes domestic property, commercial property and land.

Information based on the correspondence address of the debtor is available and set out in the table below, this may not always be the same address as the property to be repossessed.

ASSEMBLY AREA	Number of Repossessions by Correspondence Address in 2012
Belfast East	39
Belfast North	58
Belfast South	59
Belfast West	64
East Antrim	56
East Londonderry	63
Fermanagh & Tyrone	63
Foyle	67
LaganValley	67
Mid Ulster	56
Newry & Armagh	103
North Antrim	58
North Down	56
South Antrim	53
South Down	73
Strangford	52
Upper Bann	62
West Tyrone	61
Outside Northern Ireland	11
<b>Total</b>	<b>1,121</b>

**Note:** Each repossession is allocated a unique reference number and therefore any involving a landlord and multiple properties are individually counted.

### Probation Board: Administrative Personnel

**Mr Agnew** asked the Minister of Justice for an update on the proposals to change the terms and conditions of Probation Board administrative personnel to bring them in line with those of the Northern Ireland Civil Service; and to outline when he expects this process to be completed as well as the reasons for the delay.

**(AQW 22550/11-15)**

**Mr Ford:** Work has been ongoing between Probation Board for Northern Ireland (PBNI) and the Department of Justice (DOJ) to develop a new pay strategy for these staff and to obtain the necessary approvals from the Department of Finance and Personnel (DFP) to implement it. Unfortunately the process involved to achieve this has proven to be particularly complex and as a result very time consuming.

DFP approved the business case relating to the administration staff in October 2012. PBNI was subsequently required to prepare and submit a number of pay remits to cover the period from 2010 for DOJ and DFP approval.

This process is ongoing with a number of queries having been raised by DFP on the documentation received.

This matter is now in its final stages. Every effort continues to be made by the Department, working closely with PBNI, to bring this issue to a satisfactory conclusion.

### Television Licence Fee

**Mr Campbell** asked the Minister of Justice how many people, on average, were in prison in (i) 2007; and (ii) 2012 as a result of failure to pay a television licence fee.

**(AQW 22580/11-15)**

**Mr Ford:** It is impossible to provide the average number of persons who were in prison solely as a result of failure to pay a television licence fee. Prisoners in custody for this offence are often on remand or serving concurrent sentences for other offences.

Taking this into consideration, in 2007 the average number of persons serving a sentence for non payment of fines was one out of 146. This number rose to one out of 104 prisoners in 2012.

### Jury Service: Eligibility Criteria

**Mrs Dobson** asked the Minister of Justice, pursuant to AQW 21728/11-15, how the eligibility criteria for jury service differs between Northern Ireland and the rest of the United Kingdom; and for his assessment of the risk posed to the economy by the current criteria.

**(AQW 22603/11-15)**

**Mr Ford:** In Northern Ireland, all persons on the electoral register aged between 18 and 70 are qualified for jury service, except those categories of person that are specified as disqualified or ineligible. In addition, there are categories of person that are specified as excusable as of right. The same eligibility criteria apply in England and Wales, except that there are no categories of person specified as ineligible (save for mentally disordered persons) or excusable as of right. In Scotland, all persons aged 18 and over are qualified for jury service, and there are similar categories of person specified as disqualified, ineligible and excusable as of right as in Northern Ireland.

I am unaware of any study that has quantified the economic impact of jury service in Northern Ireland or elsewhere, but I do not consider that the current criteria pose any significant risk to the economy, given the very small number of working days lost relative to the total number of days worked in Northern Ireland.

### Civil Service: Equal Pay

**Mr Hussey** asked the Minister of Justice what action he has taken, in conjunction with the Minister of Finance and Personnel, to find a solution for current and former staff from his Department and its arm's-length bodies with unresolved issues stemming from the Civil Service equal pay issue.

**(AQW 22648/11-15)**

**Mr Ford:** The County Court decision on 7 March established that the NICS equal pay settlement applied only to periods of service in the 11 NICS departments. It did not apply to bodies such as the Northern Ireland Office (NIO) and PANI/PSNI who had lawfully received a delegation for pay matters which was still in effect during the relevant time period.

Therefore staff in the Department of Justice who were former members of the NIO prior to devolution as well as those in PSNI support grades have no legal entitlement to have the terms of the settlement applied to them. However, settlement payments for individuals with periods of eligible service in NICS departments are still available should individuals wish to avail of them.

In the circumstances there is no further action being taken in respect of the equal pay issue.

### Contiguous Policing Districts and Court Divisions

**Mr Weir** asked the Minister of Justice to outline any plans to ensure that policing districts and court divisions are contiguous.

**(AQW 22666/11-15)**

**Mr Ford:** I have no plans to make court boundaries contiguous with policing districts. Rather, I intend to bring forward legislation to create a single jurisdiction for Northern Ireland for County Court and Magistrates' Court business. This will allow court business to be managed with greater flexibility. A Bill to bring about this change will be introduced into the Assembly later this year.

In the meantime, I am introducing secondary legislation which will temporarily merge some court districts in order to allow greater flexibility in the management of court business during the period of the G8 Summit to be held in Co. Fermanagh next month.

### Northern Ireland Legal Services Commission

**Mr Allister** asked the Minister of Justice when staff in the NI Legal Services Commission were last awarded a pay increase.

**(AQW 22735/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission (NILSC) is a discrete bargaining unit for pay purposes with pay remits approved through the Department of Justice and the Department of Finance and Personnel.

The last agreed pay settlement for NILSC covered the period 2006/07 to 2008/09. No agreement was reached in 2009/10 pay settlement negotiations and in July 2011 the NILSC imposed a 2.6% pay award for that period which, at the time, resulted in the introduction of NILSC specific pay scales from August 2009.

The NILSC presently has three pay remits outstanding covering the periods 2010/11, 2011/12 and 2012/13. My officials will continue to work with the NILSC to address the outstanding issues and to ensure that, when completed, any agreed Pay Strategy is passed to DFP for financial approval.

### **Imprisonment for Failure to Pay Fines**

**Mr Campbell** asked the Minister of Justice how many people have served a period of imprisonment for failure to pay fines, apart from for television licence offences, in (i) 2007; and (ii) 2012.

**(AQW 22739/11-15)**

**Mr Ford:** The numbers of people who have served a period of imprisonment for failure to pay fines, apart from television licences, are 1824 in 2007 and 2444 in 2012.

### **Probation Board: Administrative Personnel**

**Ms McCorley** asked the Minister of Justice for an update on the business case submitted to his Department in 2010 that recommended administrative personnel in the Probation Board have their employment terms transferred to Civil Service terms and conditions.

**(AQW 22822/11-15)**

**Mr Ford:** Work has been ongoing between Probation Board for Northern Ireland (PBNI) and the Department of Justice (DOJ) to develop a new pay strategy for these staff and to obtain the necessary approvals from the Department of Finance and Personnel (DFP) to implement it. Unfortunately the process involved to achieve this has proven to be particularly complex and as a result very time consuming.

DFP approved the business case relating to the administration staff in October 2012. PBNI was subsequently required to prepare and submit a number of pay remits to cover the period from 2010 for Department of Justice (DOJ) and DFP approval. This process is ongoing with a number of queries having been raised by DFP on the documentation received.

This matter is now in its final stages. Every effort continues to be made by the Department, working closely with PBNI, to bring this issue to a satisfactory conclusion.

### **Animal Cruelty Offences**

**Mr Weir** asked the Minister of Justice what plans his Department has to increase sentencing tariffs for people convicted of animal cruelty offences.

**(AQW 22841/11-15)**

**Mr Ford:** As Minister of Justice my role is to ensure that any proposals from Departments for new offences or penalties sit appropriately within the existing framework of criminal sanctions. In that context the Department of Agriculture and Rural Development has policy responsibility for tackling animal cruelty.

Within the legislative framework, sentencing in individual cases is a matter for the judiciary. In this regard, sentencing guidelines have recently been published for animal offences, including cruelty offences, heard in Magistrates' Courts.

### **Londonderry's Walls: Security Gates**

**Mr Hussey** asked the Minister of Justice what assurance he can give that the security gates on Londonderry's walls, close to the Fountain estate, will not be removed without the prior consent of residents and community leaders.

**(AQW 22856/11-15)**

**Mr Ford:** There are five gates at the Walls in Derry that are locked overnight. These are adjacent to the Fountain Estate at Bishop Street. I can give an assurance that, in line with general practice, the views of residents and others will be sought should the future of these gates be considered.

### **Maghaberry Prison: Roe 1 and Roe 2 Accommodation Units**

**Mr P Ramsey** asked the Minister of Justice whether his Department accepts the outcome of the Steele Review regarding Maghaberry Prison and why Roe 1 and Roe 2 accommodation units are not being used specifically for separated prisoners as outlined in the Review report.

**(AQW 22895/11-15)**

**Mr Ford:** I am satisfied that the findings of the Steele Review 2003, relating to separation of paramilitary prisoners, have been implemented at Maghaberry Prison.

Roe 1 and Roe 2 currently house sentenced and remand prisoners. The review did not specify this accommodation for separated prisoners.

### **PSNI Serious Organised Crime Branch: Seized Assets**

**Mr D McIlveen** asked the Minister of Justice for his assessment of the impact on the circa £25,000,000 of seized assets currently held by PSNI serious organised crime branch, if the National Crime Agency is not introduced as planned on the second week of October 2013.

**(AQW 22995/11-15)**

**Mr Ford:** I believe the figure referred to is £23,400,000 which is an approximate gross amount relating to Northern Ireland civil recovery cases that are currently under investigation or currently in litigation by the Serious Organised Crime Agency (SOCA).

As things stand, when the National Crime Agency (NCA) is established it will take over responsibility for civil recovery cases from SOCA in England, Wales and Northern Ireland, but its work will be limited in Northern Ireland to non-devolved cases.

Work is ongoing to ensure that we have a mechanism of civil recovery in Northern Ireland to tackle the assets of organised criminals.

### **G8 Summit**

**Mr Frew** asked the Minister of Justice to detail (i) what agreements or discussions has he or departmental officials had in connection to the G8 summit and the placing of a moratorium on all road works and contracts over the period of the summit; (ii) whether this moratorium will be confined to strategic areas and routes that may be used; and (iii) the length of time the moratorium will be in place and the rationale for this.

**(AQW 23008/11-15)**

**Mr Ford:** The moratorium on road works over the period of the G8 Summit is not a matter for the Department of Justice.

You may wish to direct your question to the Department for Regional Development.

### **Lagan Search and Rescue**

**Mr Hussey** asked the Minister of Justice to detail what steps have been taken to support Lagan Search and Rescue and when he expects the service to become fully operational.

**(AQW 23010/11-15)**

**Mr Ford:** The Department of Justice has responsibility for the policy and strategy for land-based and inland water search and rescue (SAR) in Northern Ireland. However, this does not extend to funding or support of the voluntary groups.

The Department is about to initiate a review of the framework arrangements for search and rescue in Northern Ireland, which is expected to be completed by the end of 2013.

Decisions on the operational status of voluntary search and rescue organisations are a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board.

You may therefore wish to direct your question to the PSNI.

### **Operation Loft: Debriefing**

**Mr Irwin** asked the Minister of Justice, pursuant to AQW 22115/11-15, for an update on the debriefing recently held in association with Operation Loft, in particular, any details of discussions on the possibility of insider information being passed to suspects.

**(AQW 23057/11-15)**

**Mr Ford:** It would not be appropriate to release the detail of any operational debrief as to do so might impact on future operations or investigations.

## **Department for Regional Development**

### **Penalty Charge Notices**

**Mr Dallat** asked the Minister for Regional Development to detail the number of penalty charge notices issued by each council in the last three years; and how many of these are still outstanding.

**(AQW 22130/11-15)**

**Mr Kennedy (The Minister for Regional Development):** Details of PCNs issued in each district council area in each of the last three years and the number outstanding as at 29 April 2013 are as follows:-



Council	PCNs 2010/11	Outstanding At 29/4/13	PCNs 2011/12	Outstanding At 29/4/13	PCNs 2012/13	Outstanding At 29/4/13
Antrim	1061	72	1526	105	1332	131
Ards	4067	172	3923	204	3232	265
Armagh	2687	215	2706	245	2984	337
Ballymena	4592	201	6587	319	4551	349
Ballymoney	1166	54	1341	81	1125	99
Banbridge	1078	59	1747	76	3102	193
Belfast *	36873	2361	36572	2484	28871	2878
Carrickfergus	1345	77	1645	87	1201	88
Coleraine	3884	205	4151	225	4804	381
Cookstown	1988	91	1796	77	1535	110
Craigavon	3668	212	3841	209	7107	588
Derry	10892	1612	11436	1691	9504	1737
Down	2756	157	2965	183	3220	292
Dungannon	2139	117	2528	177	2104	217
Fermanagh	7153	940	6497	853	5453	855
Larne	709	33	1396	78	1169	70
Limavady	1057	77	1361	74	1188	92
Lisburn	10318	552	7718	452	6824	570
Magherafelt	2329	120	2371	119	1809	148
Moyle	349	22	268	22	408	42
Newry & Mourne	5636	581	9031	983	5724	866
N'townabbey	622	21	609	24	567	30
North Down	5021	199	5068	276	4511	329
Omagh	4597	319	5219	398	4041	449
Strabane	2582	430	2674	475	2084	427
<b>Total</b>	<b>118569</b>	<b>8899</b>	<b>124976</b>	<b>9917</b>	<b>108450</b>	<b>11543</b>

\* Belfast includes Castlereagh

### Ulsterbus: Rural Network Coverage

**Mrs D Kelly** asked the Minister for Regional Development to detail the rural network coverage by Ulsterbus, excluding the coverage provided by the school bus network.

(AQW 22191/11-15)

**Mr Kennedy:** Ulsterbus provides a comprehensive rural network of bus services throughout Northern Ireland as well as cross-border services into the Republic of Ireland. The periods of operation and frequency of individual services are continually reviewed and maintained to meet optimum customer demand. This remains largely the same throughout the year, albeit the frequency of some routes is reduced (as one would reasonably expect) to reflect reduced demand, largely as a result of school holidays.

In addition Translink receive support from the Rural Transport Fund, which is administered by my Department, to provide rural services that would not be economically viable without a level of subvention. Currently support from the Fund supports 38 bus routes across Northern Ireland with annual patronage of around 170,000 passenger journeys.

### Illegal Monuments

**Mr Ross** asked the Minister for Regional Development how many illegal monuments have been identified by his Department, in each of the last two years.

(AQW 22239/11-15)

**Mr Kennedy:** My Department's policy, which has been approved by previous Ministers, is that it does not endorse, or support, the unauthorised use of departmental property for any purpose. The Department must also take into account the safety of those who are asked to undertake the removal and the risk of escalating the problem.

In the last two years, officials have identified four illegal monuments on property which is owned by Roads Service.

Given these circumstances, like my predecessors Mr Conor Murphy MP, Mr Gregory Campbell MP and Mr Peter Robinson, I am unable to instruct my officials to remove terrorist commemorations on departmental controlled or associated property, unless such structures pose a danger to road users, or there is clear indication that removing them would have widespread local support

Unauthorised memorials on the property of the Department's arms-length bodies are matters for the Boards of those organisations.

## Illegal Monuments

**Mr Ross** asked the Minister for Regional Development what plans he has to ensure that illegal monuments are removed.  
(AQW 22240/11-15)

**Mr Kennedy:** My Department's policy, which has been approved by previous Ministers, is that it does not endorse, or support, the unauthorised use of departmental property for any purpose. The Department must also take into account the safety of those who are asked to undertake the removal and the risk of escalating the problem.

Given these circumstances, like my predecessors Mr Conor Murphy, Mr Gregory Campbell and Mr Peter Robinson, I am not in a position to advise of plans to ensure illegal monuments are removed.

## Asbestos Water Pipes

**Mr Weir** asked the Minister for Regional Development which roads in the (i) Ards; and (ii) North Down Borough Council areas are served by asbestos water pipes.

(AQW 22247/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water that the roads listed in the table below are served or partially served by asbestos cement water mains.

(i) Ards Borough Council

Road Name	Town
Abbey Close	Greyabbey
Abbey Road	Millisle
Abbot Crescent	Newtownards
Alexandra Road	Donaghadee
Ardminnan Road	Portaferry
Ardnavey Park	Comber
Ardview Park	Killinchy
Ardview Road	Killinchy
Back Road	Ballyhalbert
Bairdstown Road	Ballywalter
Balliggan Road	Kircubbin
Ballyblack Road	Portaferry
Ballyblack Road East	Carrowdore
Ballybunden Road	Comber
Ballycastle Road	Newtownards
Ballydoonan Road	Greyabbey
Ballydorn Road	Killinchy
Ballydrain Road	Comber
Ballyeasborough Road	Portavogie
Ballyfounder Road	Portaferry

<b>Road Name</b>	<b>Town</b>
Ballygelagh Road	Kircubbin
Ballylighorn Road	Comber
Ballygowan Road	Comber
Ballyhaft Road	Newtownards
Ballyhaskin Road	Ballywalter
Ballyhay Road	Donaghadee
Ballyhemlin Road	Kircubbin
Ballyhenry Road	Comber
Ballymaleddy Road	Comber
Ballyrawer Avenue	Carrowdore
Ballyreagh Road	Newtownards
Ballyrolly Cottages	Millisle
Ballyvester Road	Donaghadee
Ballywalter Road	Greyabbey
Bar Hall Road	Portaferry
Barn Hill	Donaghadee
Bayview Road	Killinchy
Beechvale Road	Killinchy
Belair Avenue	Newtownards
Belfast Road	Newtownards
Bennetts Avenue	Donaghadee
Blackstaff Road	Kircubbin
Bowtown Road	Newtownards
Brae Park	Ballygowan
Brooklands Road	Newtownards
Bruce Avenue	Comber
Bush Road	Ballyhalbert
Cannyreagh Road	Donaghadee
Cardy Road	Greyabbey
Cardy Road East	Greyabbey
Carrickmannon Road	Ballygowan
Castle Manor	Carrowdore
Castle Meadows	Newtownards
Castle Place	Carrowdore
Cherryvalley Crescent	Comber
Cherryvalley Drive	Comber
Church Hill	Killinchy
Church Lane	Donaghadee
Church Road	Newtownards
Church Street	Portaferry
Churchill Park	Killinchy

<b>Road Name</b>	<b>Town</b>
Cloughey Road	Portaferry
Coastguard Cottages	Ballyhalbert
Cook Street	Portaferry
Cotton Road	Bangor
Cuan Gardens	Greyabbey
Cunningburn Road	Newtownards
De Wind Drive	Comber
Deer Park Road	Portaferry
Donaghadee Road	Newtownards
Drumardan Road	Cloughey
Drumfad Road	Millisle
Drumhirk Avenue	Newtownards
Drumhirk Way	Newtownards
Drumreagh Road	Ballygowan
Dunevly Road	Newtownards
Dunover Road	Greyabbey
Dunover Road North	Carrowdore
East Street	Donaghadee
Finlays Road	Newtownards
Florida Road	Comber
Ganaway Road	Ballywalter
Generals Walk	Donaghadee
Glastry Road	Kircubbin
Gloucester Avenue	Donaghadee
Grangee Road	Carrowdore
Green Road	Bangor
Greengraves Road	Dundonald
Greenlea Crescent	Newtownards
Gregstown Park	Newtownards
Greyabbey Road	Greyabbey
Greystone Road	Ballywalter
Harbour Road	Ballyhalbert
High Bangor Road	Groomsport
High Street	Donaghadee
Hillsborough Road	Moneyreagh
Hogstown Road	Donaghadee
Hunters Lane	Donaghadee
Inishargy Road	Kircubbin
Islandhill Road	Millisle
Kempe Stones Road	Newtownards
Kilbright Road	Millisle

<b>Road Name</b>	<b>Town</b>
Kilcarn Road	Ballygowan
Killaughey Road	Donaghadee
Killinakin Road	Killinchy
Killinchy Road	Comber
Kilmood Church Road	Killinchy
Kylestone Road	Donaghadee
Lawson Park	Portavogie
Lemons Road	Portavogie
Leslie Hill	Donaghadee
Leslie Hill Crescent	Donaghadee
Lisbane Road	Kircubbin
Lisbarnet Road	Killinchy
Longlands Road	Comber
Loughdoo Road	Portaferry
Main Street	Killinchy
Manor Road	Comber
Manse Road	Ballygowan
Millisle Road	Donaghadee
Moat Road	Ballyhalbert
Mountain Road	Newtownards
Movilla Road	Donaghadee
Murdocks Lane	Bangor
New Line	Ballygowan
New Road	Carrowdore
Newcastle Road	Portaferry
Newtownards Road	Donaghadee
Nursery Road	Kircubbin
Old Ballygowan Road	Comber
Park Crescent	Comber
Park Way	Comber
Pattons Grove	Newtownards
Portaferry Road	Cloughey
Portavogie Road	Ballyhalbert
Quarry Road	Greyabbey
Ringcreevy Road	Comber
Roddans Road	Kircubbin
Rowreagh Road	Newtownards
Sandylands	Ballyhalbert
Shore Road	Portaferry
Springfield Gardens	Portavogie
Springfield Road	Portavogie

Road Name	Town
Station Road	Saintfield
Stockbridge Road	Donaghadee
Strangford View	Killinchy
Stump Road	Greyabbey
The Brae	Ballygowan
The Chase	Donaghadee
The Cranagh	Donaghadee
The Square	Portaferry
Tullykevin Road	Newtownards
Tullymally Road	Portaferry
Tullynagee Road	Killinchy
Tullynakill Road	Comber
Upper Ballygelagh Road	Newtownards
Upper Crescent	Comber
Upper Gransha Road	Donaghadee
Vestry Road	Ballygowan
Wallace Gardens	Comber
Wallace Park	Comber
Warren Avenue	Donaghadee
Warren Drive	Donaghadee
Warren Gardens	Donaghadee
Warren Lane	Donaghadee
Warren Road	Donaghadee
Warren Villas	Donaghadee
Westmount Park	Newtownards
Whitecherry Lane	Killinchy
Whitechurch Road	Ballywalter
Woburn Road	Millisle

## (ii) North Down Borough Council

Road Name	Town
Abbey Drive	Bangor
Abbey Hill Drive	Bangor
Abbey Park	Bangor
Ashley Drive	Bangor
Ballycrochan Avenue	Bangor
Ballycrochan Park	Bangor
Ballycrochan Road	Bangor
Ballymaconnell Road	Bangor
Bangor Road	Groomsport
Belfast Road	Bangor

<b>Road Name</b>	<b>Town</b>
Burnside Park	Crawfordsburn
Cedar Grove	Holywood
Cherrymount Park	Bangor
Chippendale Avenue	Bangor
Churchill Crescent	Bangor
Churchill Park	Bangor
Churchland Close	Holywood
Clarehill Lane	Holywood
Coastguard Lane	Groomsport
Cooleen Gardens	Crawfordsburn
Cootehall Park	Crawfordsburn
Cootehall Road	Crawfordsburn
Crawfordsburn Road	Bangor
Demesne Road	Holywood
Drumhirk Avenue	Bangor
Drumhirk Way	Newtownards
Firmount Crescent	Holywood
Gibson's Lane	Bangor
Green Road	Bangor
Groomsport Road	Bangor
Groomsport Road Roundabout	Bangor
Hawe Road	Bangor
High Bangor Road	Groomsport
Jackson's Road	Holywood
Killaire Park	Bangor
Kinnegar Close	Holywood
Kinnegar Court	Holywood
Kinnegar Drive	Holywood
Kylestone Road	Groomsport
Meadow Grove	Crawfordsburn
Meadow Park	Crawfordsburn
Meadow Park North	Crawfordsburn
Meadow Way	Crawfordsburn
Newtownards Road	Newtownards
Old Holywood Road	Holywood
Orlock Road	Groomsport
Wellington Park	Bangor

There is not a specific programme to replace asbestos cement mains and they will be replaced over time as part of NIW's normal water mains rehabilitation programme.

## Bus Users: Visually Impaired

**Mr Weir** asked the Minister for Regional Development what consideration is being given to introducing audio announcements in buses to aid people who are visually impaired.

**(AQW 22250/11-15)**

**Mr Kennedy:** Last year the Department, in conjunction with Guide Dogs and Translink, completed the evaluation of a pilot project involving the provision of audio visual systems on a Metro bus service and at bus stops. The evaluation highlighted the benefits of audio visual systems for all passengers but particularly for people with visual impairments and older people. An unsuccessful bid was previously made for resources to implement audio visual systems on buses. However, the Department and Translink, will continue to explore potential funding for the provision of audio visual systems on the bus network, including any additional solutions that could be provided through advances in technology, particularly through the use of smart phones.

## Bus Users: Visually Impaired

**Mr Weir** asked the Minister for Regional Development what steps are being taken to improve access to bus transport for people who are visually impaired.

**(AQW 22251/11-15)**

**Mr Kennedy:** My Department is proactive in seeking measures to improve access to all public transport, including bus services, through the implementation of the Accessible Transport Strategy. The latest Action Plan for 2012-2015 to deliver the strategy includes a task to identify and assess barriers to travel faced by disabled people which includes people who are visually impaired.

Last year my Department, in conjunction with Guide Dogs and Translink, completed the evaluation of a pilot project involving the provision of audio visual systems on a Metro bus service and at bus stops. The evaluation highlighted the benefits of audio visual systems for all passengers and particularly for people with visual impairments and older people.

An unsuccessful bid was previously made for audio visual systems on buses and the Department is continuing to pursue sources of possible funding. Additionally, the Department will explore solutions that could be provided through advances in technology, particularly with the use of smart phones.

Discussions have taken place between officials from my Department and The Royal National Institute for the Blind (RNIB) to discuss the merits of developing a Northern Ireland Travel Aid to alert drivers to a passenger's possible need for assistance.

Translink have been working in conjunction with the RNIB on the Northern Ireland Vision Strategy and hope to achieve centre of excellence accreditation for Lisburn Bus and Rail centres. If successful, it is intended to roll this out throughout Translink's companies. Translink are currently working with Guide Dogs to help facilitate guide dog travel training on buses and trains.

Translink staff receive training in respect of providing assistance to persons with disabilities, particularly those with visual and hearing disabilities. This subject is also covered on mandatory internal Certificate of Professional Competence driver training days.

## Public Inquiry System

**Mr Allister** asked the Minister for Regional Development, given the findings of the judicial review challenge to the A5 road scheme, whether he will conduct a review of the adequacy of the public inquiry system and the approach of inspectors, in light of the Inquiry's failure to properly address issues, such as those under the habitats directive, as exposed by the judicial review.

**(AQW 22365/11-15)**

**Mr Kennedy:** My Department appoints an independent Inspector, or Inspectors if required, to take charge of public inquiries. The Inspector is responsible for the orderly conduct of the inquiry and is appointed to hear all representations/objections in respect of the proposed scheme, impartially consider them and make recommendations to the Department.

In the Judicial Review, the A5 Western Transport Corridor (A5WTC) project was challenged on twelve grounds, only one of which was successful. In upholding the one ground, which related to the Habitats Directive and the need for an Appropriate Assessment, the Judge gave greater weight to the argument based on the Loughs Agency's submission to the public inquiry hearing than to the views of the Northern Ireland Environment Agency (NIEA) and the National Parks and Wildlife Service (NPWS) of the Republic of Ireland. Both of these statutory consultees agreed with the project consultants that an Appropriate Assessment was not required.

With regard to the Public Inquiry into the A5WTC, the Inspectors accepted the commitment given by my Department in relation to concerns raised by the Loughs Agency and saw no reason to consider any further recommendations. While expressing concerns, Loughs Agency did not suggest that an Appropriate Assessment was required.

In light of the issues raised at the Inquiry and the Inspectors' comments, as well as the subsequent legal challenge and findings of the court, my Department will be reviewing its processes to ensure that any lessons learned can and will be applied to other roads projects. However, I do not consider it necessary to carry out a review of the A5WTC Public Inquiry process which resulted in over 100 recommendations, the majority of which were accepted.



## Dunhill Road, Coleraine

**Mr Campbell** asked the Minister for Regional Development to outline the nature of the proposed works at the Dunhill Road, Coleraine which will necessitate road diversions for over a six-month period.

(AQW 22367/11-15)

**Mr Kennedy:** Northern Ireland Electricity (NIE) works are currently ongoing at Dunhill Road to facilitate the installation of a high voltage underground electricity cable that will serve the proposed Dunmore Wind Farm. The works, which are expected to be completed by mid-November, require the installation of approximately 9km of 33kv cable along the existing hard shoulders and verge of the A37 Dunhill Road, between the electricity sub-station at Power Station Road and the top of Coleraine Mountain Road at Springwell Forest. My Department has agreed traffic management plans with NIE to minimise disruption to the travelling public. This plan restricts the contractor's working hours, allowing traffic to flow unhindered in both directions during the morning and evening peak hours. At other times, short lane closures will be necessary and these will be controlled by manually operated Stop/Go signs. No works will be undertaken during public or bank holidays and no traffic diversions are required.

I should explain that utilities do have a statutory right under their enabling legislation, to install equipment in a public road. Under The Street Works (NI) Order 1995, they also have a duty to co-operate with the Department in the interests of safety, to minimise inconvenience and to protect the structure of a street.

Due to the scale of the operation and NIE technical restrictions associated with the laying of a cable of this nature, my officials are satisfied that appropriate measures have been taken to ensure the works programme is efficient and the period of construction is minimised to limit disruption.

## Vehicles Damage: Badly Maintained Roads

**Mr McNarry** asked the Minister for Regional Development what payments his Department has made in compensation to drivers whose vehicles have been damaged by badly maintained roads, in the past two years.

(AQW 22391/11-15)

**Mr Kennedy:** My Department does not maintain details of compensation payments to drivers specifically in relation to damage to vehicles arising from badly maintained roads.

## Roads Service: Preliminary Adoption Certificate

**Miss M McIlveen** asked the Minister for Regional Development which developments in the Strangford constituency have been issued with a preliminary adoption certificate by Roads Service, in the last 12 months.

(AQW 22393/11-15)

**Mr Kennedy:** Developments in the Strangford constituency, where preliminary certificates have been issued from 1 April 2012, are listed below:

- 70-90 Bangor Road, Newtownards
- Aldergrange, Manse Road, Newtownards
- Bartleys Grange, Greyabbey

## Roads Service: Final Adoption Certificate

**Miss M McIlveen** asked the Minister for Regional Development which developments in the Strangford constituency have been issued with a final adoption certificate by Roads Service, in the last 12 months.

(AQW 22394/11-15)

**Mr Kennedy:** The developments in the Strangford Constituency which have been issued with a final adoption certificate since 1 April 2012, are listed below:

- |                                   |                               |
|-----------------------------------|-------------------------------|
| ■ Mount Pleasant, Newtownards     | ■ The Gables, Portaferry      |
| ■ 39/40 Bristol Park, Newtownards | ■ Seaview Court, Portavogie   |
| ■ Helensview Park, Newtownards    | ■ Millisle Road, Donaghadee   |
| ■ Turnstone, Newtownards          | ■ Cuan View, Lisbane          |
| ■ Lansdowne Road, Newtownards     | ■ Briarwood Park, Ballywalter |
| ■ 1-6 Upper Crescent, Comber      | ■ The Forge, Ballygowan       |
| ■ Crescent Mews, Comber           | ■ Crossgar Road, Ballynahinch |
| ■ Albion Court, Comber            | ■ Drummond Brae, Ballynahinch |

## Strangford: Article 11 Enforcement Notices

**Miss M McIlveen** asked the Minister for Regional Development which developments in the Strangford constituency have been issued with article 11 enforcement notices in the last 12 months; and to outline the action that has been taken.

(AQW 22395/11-15)

**Mr Kennedy:** Details of the developments in the Strangford Constituency where Article 11 enforcement notices have been issued from 1 April 2012 and an outline of the actions taken at those developments, are provided in the table below:

Article 11 Enforcement Notices	Action
Old Shore Road, Newtownards	Developer has recommenced work on site.
East Street Court, Newtownards	As a result of the Article 11 notice, Developer has agreed to complete the work.
Stanfield Court, Newtownards	Roads Service Contractor appointed to complete work.
South of Judes Crescent, Newtownards	Roads Service Contractor appointed to complete work.
Teal Rocks, Portaferry Road, Newtownards	Work completed awaiting NI Water clearance.
Briar Park, Ballywalter	Adopted 28 February 2013.
Princeton, Portavogie	As a result of the Article 11 notice, Developer has agreed to complete the work.
The Tides, Portavogie	As a result of the Article 11 notice, Developer has agreed to complete the work.
Fox Hollow, Ballygowan	Roads Service to appoint contractor to complete the work.
Ardmore Manor, Ballygowan	As a result of the Article 11 notice, Developer has agreed to complete the work.

### West Belfast: Traffic-calming Measures

**Ms S Ramsey** asked the Minister for Regional Development for an update on traffic-calming measures planned for the West Belfast constituency.

(AQW 22426/11-15)

**Mr Kennedy:** The Member will recall our meeting of 16 April 2013, when I gave an undertaking to provide an update on requests for a traffic calming scheme in Brooke Park.

Since our meeting, I have instructed officials in my Department's Roads Service to carry out a reassessment of Brooke Park, to see if local traffic conditions have changed significantly, since the previous assessment was carried out. I will advise the Member further once the assessment has been completed.

As I advised the Member, my Department assesses all requests for traffic calming measures on a systematic and consistent basis. This ensures the locations that will benefit most from such measures are treated first. Based on the prioritisation process, it is not envisaged that any schemes in the West Belfast constituency will be implemented during this financial year.

The detailed budget for subsequent years has not yet been finalised and it is therefore not possible to provide details of future works programmes at this time.

### Strangford: Outstanding Water Surety Bond

**Miss M McIlveen** asked the Minister for Regional Development which developments in the Strangford constituency have an outstanding water surety bond; and for how long each has been outstanding.

(AQW 22451/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that they hold 'sewer only' bond securities for 48 nr developments in the Strangford constituency where Developer entered into an Article 161 agreement including the provision of a bond security, for the adoption of sewers at a future date.

The adoption of completed sewerage systems is a Developer led process and the onus is on the Developer to advise NI Water when the development sewers have been completed to the prescribed construction standard. Where developers are still trading, the development is considered to be a live on-going development.

Year	Agree-ments including Bond Security	Sites Adopted	Agree-ments/ Bonds Currently Held	Preliminary Certifi-cates of Adoption issued	Enforce-ment procedures commenced	Developments in Strangford Constituency with sewer agreements and bonds
2007	6	4	2	2	0	Church Road, Moneyreagh Main Street, Carrowdore

Year	Agreements including Bond Security	Sites Adopted	Agreements/Bonds Currently Held	Preliminary Certificates of Adoption issued	Enforcement procedures commenced	Developments in Strangford Constituency with sewer agreements and bonds
2008	13	1	12	4	2*	McKenna Road, Kircubbin* Drumadoon Drive Dundonald Church Road Dundonald West Street, Newtownards Bridge St Comber Alder Grange Darragh Cross* Malcolmsons Ph1 N'ards Ballykeel Road, M'reagh Gleneagles Gdns D'donald Manor Lane Kilmood Forge Hill Close, S'field Ardnalvalley Park Ph1 Comber
2009	5	1	4	2	0	Queensfort Pk South, Carryduff akeview Ph 1, Newtownards Birch Lane, Belfast Rd, Saintfield Millmount Village Dundonald
2010	8	1	7	5	0	Millmount Ph2 Dundonald Old Dundonald Road, Dundonald Belfast Road, Saintfield Donaghadee Road, N'ards Millmount Ph 2 /2a Dundonald Millreagh, Phase 2 Carrowreagh Road, Dundonald -
2011	7	0	7	3	0	Dunsy Way Comber Mountpleasant Ph1 N'ards Olivers Close Ballygalget Old Grand Jury Lane, Saintfield Millmount Phase 3, Dundonald The Straits, Lisbane Greyabbey Road Ballywalter
2012	12	0	12	1	0	Kelly's Yard, Carryduff Old Coach Lane, Saintfield Newtownards Road Comber Rockfield, Crossgar Tullynagardy Rd Ph1, N'ards Annesfield Close, Killyleagh Ballyregan Road, Dundonald Millmount Ph 4 Dundonald Millmount Ph5 Dundonald St Andrews Ave Ballyhalbert Millers Lane, North Rd, N'Ards Glenbrook Road, Newtownards
2013	4	0	4	0	0	Killynure Road ph1 Carryduff Tullynagardy Road, N'Ards Millmount Village pt 2b/3a Dundonald Blenheim Drive, Newtownards
<b>Total</b>			<b>48</b>			

Street / sewer bond securities for developments pre April 2007 are held and administered by DRD Roads Services

### Strangford: Unadopted Roads

**Miss M McIlveen** asked the Minister for Regional Development to detail the unadopted roads in the Strangford constituency with an outstanding road bond, where housing have been occupied for more than one year.

(AQW 22452/11-15)

**Mr Kennedy:** Details of the unadopted roads in the Strangford constituency with an outstanding road bond, where housing have been occupied for more than one year, are listed below:

- Old Coach Way, Saintfield;
- Olivers Close, Ballygalget, Portaferry;
- 79-90 Bangor Road, Newtownards;
- Graysfield, Downpatrick Road, Crossgar;
- Shorelands, Main Road, Cloughey;
- Tullynagardy Road, Newtownards;
- Bartleys Grange, Ballywalter; and
- Aldergrange Avenue, Newtownards.

### Roads Service: Capital and Structural Maintenance

**Mr Lynch** asked the Minister for Regional Development how much has been spent by Roads Service on capital and structural maintenance in the Fermanagh District Council area, in each of the last three years.

(AQW 22466/11-15)

**Mr Kennedy:** Firstly, I should explain that Structural Maintenance includes capital and resource expenditure. Capital structural maintenance activities include resurfacing for roads and footways, surface dressing and structural drainage. Resource structural maintenance includes patching on roads and footways and refurbishment.

Details of expenditure in Fermanagh District Council for the various categories in the last three completed financial years are set out in the tables below:

**Table 1**

District Council	Description	£k		
		09-10	10-11	11-12
Fermanagh	Capital Structural Maintenance	3,664	5,467	7,541
	Resource Structural Maintenance	1,287	1,402	2,328
	<b>Total Structural Maintenance</b>	<b>4,951</b>	<b>6,869</b>	<b>9,869</b>

**Table 2**

District Council	Description	£k		
		09-10	10-11	11-12
Fermanagh	Capital Expenditure (including Structural Maintenance)	7,276	7,667	12,404
	Operational Resource Expenditure (including Structural Maintenance)	3,274	3,328	4,545
	<b>Total Capital and Operations</b>	<b>10,550</b>	<b>10,995</b>	<b>16,949</b>

By way of clarification, Roads Service does not routinely apportion its total budget for capital and maintenance expenditure equally across all district council areas. In particular, major road improvements are prioritised on a country-wide basis, not a district council basis. This takes account of a broad range of criteria, such as strategic planning policy, traffic flows, number of accidents, potential travel save times, environmental impact and value for money. In addition, whilst the actual spend on a major works scheme may be within one council area, the benefits of such schemes are not confined to the district council area, in which they are located.

### Article 11 Enforcement Notices

**Mr Weir** asked the Minister for Regional Development which developments in the North Down constituency have been issued with Article 11 enforcement notices in the last twelve months; and to outline the action that has been taken.

(AQW 22505/11-15)

**Mr Kennedy:** Details of developments in the North Down constituency, where Article 11 enforcement notices have been issued in the last 12 months, and actions taken are listed below:

Upritchard Court/Crescent, Bangor – An Article 11 enforcement notice dated 7 November 2012 was served on the developer, MAR Properties Ltd. The developer has responded to the enforcement notice and adoption of the streets will follow in the very near future.

Upritchard Court/Gardens, Bangor – An Article 11 enforcement notice dated 25 March 2013 was served on the developer, New Quay Developments Ltd. The developer has not responded to the enforcement notice and Roads Service will therefore undertake the necessary pre-adoption repairs. It is envisaged these repairs should be completed by the end of August 2013.

### Roads Service: Preliminary Adoption Certificate

**Mr Weir** asked the Minister for Regional Development which developments in the North Down constituency have been issued with a preliminary adoption certificate by Roads Service, in the last twelve months.

**(AQW 22507/11-15)**

**Mr Kennedy:** Details of developments in the North Down constituency, where preliminary certificates have been issued in the last twelve months, are listed below:

- Ballycrochan Road, Bangor;
- Bridge Road, Helens Bay;
- Gransha Road, Bangor;
- Myrtle Grove, The Beeches, Bangor;
- Old Belfast Road, Bangor;
- Pinewood, Groomsport Road, Bangor;
- Riverwood Vale, Bangor;
- Rossinver Gardens, Bangor; and
- Stonebridge Row, Green Road, Conlig.

### Roads Service: Final Adoption Certificate

**Mr Weir** asked the Minister for Regional Development which developments in the North Down constituency have been issued with a final adoption certificate by Roads Service, in the last twelve months.

**(AQW 22508/11-15)**

**Mr Kennedy:** Details of developments in the North Down constituency, which have been issued with a final adoption certificate in the last twelve months, are provided in the table below:

Location	Extent of Adoption
Ballycrochan Avenue, Bangor	187m of traditional carriageway, associated footway and turning head. 37m of shared surface carriageway associated service strip and turning head.
Ballymenoch Park, Holywood	97m of traditional carriageway and associated footway.
Breezemount Grove, Bangor	Breezemount Grove (at Community Centre): 289m <sup>2</sup> of carriageway and 82m of footway.
Bridge Road, Helens Bay	House No. 6A + 8: 29m of service verge and 5m of driveway entrance.
Brook Lane, Bangor	110m of traditional carriageway, associated footway and turning head.
Downshire Lane, Bangor	134m of traditional carriageway, associated footway, 26m <sup>2</sup> of grass/shrub forward sightline and turning head.
Rathgill Avenue, Bangor	No.2 – 2b: 95m of shared surface carriageway, associated service strip, hard margin, footway and 92m <sup>2</sup> of communal parking. Link between No. 18 – rear House No. 14 Arleigh Court: 3m of isolated footway. No. 28 – 38: 45m of shared surface carriageway, associated service strip, hard margin and turning head.
Rathgill Parade, Bangor	Rathgill Parade: 50m of traditional carriageway, associated footway (including storm drainage system), 57m of footway and 101m <sup>2</sup> of associated grass verge. Linen Road: 161m of carriageway, associated footway, 928m <sup>2</sup> grass area, 36m <sup>2</sup> of shrub centre island, 50m of traditional carriageway, associated footway, (including storm drainage system),
Stonebridge, Conlig	Stonebridge Avenue: 60m of traditional carriageway and associated footways. Stonebridge Drive: 108m of traditional carriageway and associated footways.
Victoria Mill, Bangor	55m of shared surface carriageway, associated footway, hard margin, turning head (including 1m <sup>2</sup> at atlas boxes), 1.5m <sup>2</sup> at street light No. 2 (including drainage system).

## Paid and Unpaid Invoices

**Mrs Cochrane** asked the Minister for Regional Development to detail, for the period 1 April 2012 to 31 March 2013, (i) the total number of invoices paid by his Department and its respective arm's-length bodies; (ii) the number of invoices paid within 30 calendar days; (iii) the number of invoices paid within ten working days of receipt; (iv) how each of his Department's arm's-length bodies has performed against the 30-day payment performance targets; and (v) the number of invoices that remain unpaid.

**(AQW 22522/11-15)**

**Mr Kennedy:** My Department's prompt payment performance for the period 1 April 2012 to 31 March 2013 is set out below:

Department and Arms Length Bodies	Number of Invoices Paid	Number of Invoices Paid within 30 Days	Number of Invoices Paid within 10 Days	30 Day Prompt Payment %	Number of Invoices unpaid (as at 31/03/13)
DRD	32,883	32,358	30,958	98.4%	135
Translink/NITHCo*	59,516	56,965	48,963	95.7%	1,070
NI Water	33,492	31,232	22,528	93.3%	845

\* Please note that Translink's payment system does not support the exact measurement of 10 day prompt payment. Therefore, the figure provided for the number of invoices paid within 10 days is the number of invoices approved for payment within 0-7 days from registration.

## Private Disabled Parking Spaces

**Mr Agnew** asked the Minister for Regional Development to detail (i) how his Department assesses whether there are sufficient private disabled parking spaces available for use; and (ii) whether his Department is aware of the problem of private disabled parking spaces being used by people who do not require them.

**(AQW 22551/11-15)**

**Mr Kennedy:** My Department is not responsible for the provision or assessment of private disabled parking spaces. Responsibility for such provision rests with the service provider.

However, officials are aware, from the Inclusive Mobility and Transport Advisory Committee's (IMTAC) recent Baywatch campaign, that bays are being abused. The campaign ran for three years, between 2006 and 2009, with the aim of gauging the level of abuse, and highlighting to service providers the difficulties arising from such abuse.

## Disabled Car Parking Spaces: Private Companies

**Mr Agnew** asked the Minister for Regional Development whether under EU equality law, private companies are required to provide disabled car parking spaces.

**(AQW 22553/11-15)**

**Mr Kennedy:** Under the Disability Discrimination Act (DDA) 1995, service providers must make reasonable adjustments so that a disabled person can use the service. If car parking facilities are provided, accessible bays should also be available for use by disabled people.

This need is reflected in the planning system, which requires developers to reserve an appropriate proportion of parking spaces, to meet the needs of disabled people.

## Pothole Repairs

**Mr McNarry** asked the Minister for Regional Development how much his Department has spent on repairing potholes in each of the last three years.

**(AQW 22568/11-15)**

**Mr Kennedy:** The information requested by the Member is not available, as my Department does not maintain an analysis of expenditure or statistics specifically relating to the repair of potholes.

## Pothole Repairs

**Mr McNarry** asked the Minister for Regional Development how much his Department will spend on repairing potholes over the next two years.

**(AQW 22569/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 22568/11-15

## Potholes Unrepaired

**Mr McNarry** asked the Minister for Regional Development for an estimate of the number of potholes that will remain unrepaired after the schedule of repairs over the next two years is complete.

**(AQW 22570/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 22568/11-15

## Reservoirs: Private and Public Ownership

**Mr Weir** asked the Minister for Regional Development to detail the reservoirs that are (i) used and under public ownership; (ii) unused and under public ownership; and (iii) under private ownership.

**(AQW 22592/11-15)**

**Mr Kennedy:** There are a total of 151 reservoirs in Northern Ireland. 76 are in public sector ownership, 65 are in private ownership and the ownership of 10 has not been established.

Of the 76 in Public Ownership, Northern Ireland Water owns 45, 23 of which are in use and 22 are not in use.

## Bus Turning Circle: Maintenance Costs

**Mr Weir** asked the Minister for Regional Development what is the average annual cost of maintenance of a bus turning circle.

**(AQW 22645/11-15)**

**Mr Kennedy:** Road defects and subsequent maintenance costs are recorded against individual stretches of road. As bus turning circles form part of the road, it is not possible to readily extract information on costs for individual areas, such as bus turning circles.

## Bangor Line: Victoria Park Railway Station

**Mr Agnew** asked the Minister for Regional Development what consideration has he given to reinstating the railway station at Victoria Park on the Bangor Line.

**(AQW 22656/11-15)**

**Mr Kennedy:** I am supportive of proposals to develop new halts to improve capacity on the rail network, where a viable passenger demand can be demonstrated and a positive business case can be made to justify the investment.

At the current time, Translink has no plans to reinstate the former halt at Victoria Park on the Belfast to Bangor railway line.

## Ballynahinch: Wastewater Treatment Works

**Mr Hamilton** asked the Minister for Regional Development for an update on the proposed work to upgrade the wastewater treatment works in Ballynahinch.

**(AQW 22669/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water that construction work on a £5 million upgrade to Ballynahinch Wastewater Treatment Works commenced in June 2012 and is currently 60% complete.

The work, which includes the construction of a new inlet works, storm water storage and primary sludge treatment facilities (including the addition of tertiary treatment to meet longer-term standards), is scheduled for completion in March 2014. However, it is anticipated that the Works will be fully compliant with the Northern Ireland Environment Agency's stipulated Registered Discharge Standard by December 2013.

## Ballygorian Road, Hilltown: Mains Extension

**Mrs McKeivitt** asked the Minister for Regional Development to provide a timescale for a mains extension to be carried out on the Ballygorian Road, Hilltown.

**(AQW 22682/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water that the planned water mains extension at Ballygorian Road, Hilltown will be undertaken as part of a larger project to replace 12 kilometres of water mains in the area.

Preliminary work on the project is well underway and is due to be completed in September 2013. Construction work is expected to commence in November 2013 subject to the statutory approvals and the availability of funding. The water main extension at Ballygorian Road will be undertaken first and is expected to be completed by the end of December 2013.

## Department for Social Development

### Carrickmore: Derelict and Vacant Sites

**Mr Byrne** asked the Minister for Social Development what proposals his Department has in conjunction with the Department of the Environment and Omagh District Council to deal with a number of derelict and vacant sites in Carrickmore.

(AQW 21446/11-15)

**Mr McCausland (The Minister for Social Development):** Carrickmore has a population of approximately 600 and is therefore defined as rural. Responsibility for the regeneration of rural areas lies with the Department for Agriculture and Rural Development.

### Universal Credit

**Mr Durkan** asked the Minister for Social Development how much it would cost his Department to provide claimants with the option, under universal credit, to have (i) split payments where there are no dependents in a household; (ii) payment to the primary carer in the case of dependents; and (iii) fortnightly payments.

(AQW 21993/11-15)

**Mr McCausland:** The Universal Credit process for the payment of twice monthly payments and split payment has not yet been fully defined. This is the subject of continuing consultations.

### Housing Association Properties: Underoccupancy Penalty

**Mr Copeland** asked the Minister for Social Development to detail the number of tenants living in housing association properties that will be exposed to the underoccupancy penalty, broken down by district housing area.

(AQW 22006/11-15)

**Mr McCausland:** The Housing Executive advises that the table below details the breakdown of working age Housing Benefit claimants that appear to be under occupying a Housing Association property, broken down by district housing area.

District/Council Area	Total under-occupied
Belfast	2736
Bangor	108
Newtownards	113
Castlereagh	69
Lisburn	521
Downpatrick	151
Banbridge	59
Newry	283
Armagh	61
Lurgan	121
Portadown	93
Dungannon	177
Fermanagh	152
Ballymena	60
Antrim	32
Newtownabbey	78
Carrickfergus	28
Larne	10
Ballycastle	22
Ballymoney	12
Coleraine	60
Londonderry	960



District/Council Area	Total under-occupied
Limavady	83
Magherafelt	36
Strabane	149
Omagh	71
Cookstown	21
<b>Total</b>	<b>6266</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Women's Aid: Craigavon/Banbridge

**Mrs Dobson** asked the Minister for Social Development to detail the level of Supporting People funding provided by the Northern Ireland Housing Executive to Women's Aid Craigavon/Banbridge in each of the last five years; and to explain the rationale behind the cessation of this funding.

**(AQW 22093/11-15)**

**Mr McCausland:** The level of Supporting People funding over the last five years to Women's Aid Craigavon & Banbridge is as follows;

- Year 08/09 = £160,875 plus a one off non recurrent payment of £16,000 (The non-recurring payment of £16k was a one-off payment to assist the organisation in upgrading its administration and funding deficits)
- Year 09/10 = £160,875
- Year 10/11 = £160,875
- Year 11/12 = £160,875
- Year 12/13 = £160.875

Total to date paid over last five years = £804,375 plus £16,000 non recurrent funding = £820,375

The decommissioning of services provided by Craigavon & Banbridge Women's Aid at Annagh House, Portadown was initiated by reports highlighting that Craigavon & Banbridge Women's Aid were not meeting minimum quality standards. During this period Supporting People attended 10 meetings with Craigavon & Banbridge

Women's Aid. The key reports and documents were as follows;

- Visit carried out 22/2/10 to determine staffing/occupancy and referrals,
- Performance visit carried out 9/6/10
- A validation report issued 14/4/11. This report highlighted that Craigavon & Banbridge Women's Aid were failing to meet minimum standards across the six core objectives of the Quality Assessment Framework (QAF)
- Craigavon & Banbridge Women's Aid validation progress visit report carried out 7/12/11.

In response to concerns highlighted Craigavon & Banbridge Women's Aid entered into a process of developing action plans to resolve the issues highlighted. The documents are as follows;

- 21/10/11 Submission issued by Craigavon & Banbridge Women's Aid to address issues / options and action planning
- 13/12/11 - Letter to Craigavon & Banbridge Women's Aid recognising improvements but expressing concerns regarding under occupancy
- 30/3/12 — Refuge Sustainability paper forwarded by Craigavon & Banbridge Women's Aid and carried out by Venture Network. Venture Network is a consultancy agency commissioned and paid for by Craigavon & Banbridge Women's Aid who provides support in the areas of strategy development, planning and facilitation (no request was made for the funding of this exercise from NIHE).
- 26/9/12 — Letter from Craigavon & Banbridge Women's Aid confirming working with Women's Aid Federation (NI) to carry out a detailed review of organisational practices, policies and procedures

Craigavon & Banbridge Women's Aid had been a member of Women's Aid Federation (NI). Together with Womens Aid Newry and Womens Aid Ballymena they put together the group to review governance, funding and sustainability of the organisation as well as other issues around support planning.

Following this stage of the process, Supporting People acknowledged an improvement in the quality of the service however there remained concerns around the long term viability of the scheme with regard to occupancy and throughput. Craigavon & Banbridge Women's Aid recognised that these issues would make the scheme unsustainable. There were also concerns about governance and these concerns were also expressed by the Women's Aid Federation (NI).

The needs assessment process is ongoing, however one of the main concerns for Craigavon & Banbridge Women's Aid related to significant under occupancy in Annagh House. Current analysis indicates an increase in the demand for floating support services as opposed to refuges in the area.

Craigavon & Banbridge Women's Aid then decided to look at 2 options, the first being closure and the second involved undertaking an intensive review process with Women's Aid Federation (NI). After a series of meetings with Craigavon & Banbridge Women's Aid, Women's Aid Federation (NI) and NIHE Supporting People it was agreed that it was not possible to keep the service open. Formal notification of closure was received by Supporting People on 15/2/13. The decision to cease funding was taken by the Northern Ireland Housing Executive following their analysis of a number of performance issues and reports.

All residents in Annagh House have successfully been relocated with the last resident moving out on 2/05/13. New service users will be signposted through Women's Aid Federation (NI), Domestic Violence Helpline and other existing Women's Aid groups.

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## Northern Ireland Housing Executive

**Mr Copeland** asked the Minister for Social Development what steps are being taken by his Department to consult tenants regarding the planning process to reform the Northern Ireland Housing Executive.  
(AQW 22172/11-15)

**Mr McCausland:** The planning phase for the Social Housing Reform Programme has been initiated. A programme team encompassing DSD staff, the Housing Executive and the Strategic Investment Board has been established. This team will consider my proposals for reform and develop an associated programme plan.

This exploration and development of the proposals cannot, and will not, be done in isolation. Regular engagement with key stakeholders (of which NIHE tenants are one) will take place throughout the programme. My officials are currently preparing a stakeholder engagement strategy and communications plan by which they will detail how and when tenants will be engaged as the Programme progresses.

In the coming weeks, I will be meeting with the Central Housing Community Network. This organisation was established in partnership with NIHE as a mechanism to ensure tenants have meaningful involvement with them. The Housing Community Network has indicated their willingness to act as a conduit between my Department, NIHE and tenants.

This meeting is the first step in direct engagement with tenants and their representatives; beginning discussions on how the process of engagement will work moving forward to ensure tenant views are built into proposal options.

## Decent Homes Standard

**Mr Copeland** asked the Minister for Social Development to detail the (i) percentage; and (ii) number of private rented sector properties that failed to meet the decent homes standard, in each of the last three years.  
(AQW 22173/11-15)

**Mr McCausland:** This information is not available in the requested format. However, the House Condition Survey figures relating to failure of the Decent Homes Standard for 2009 and 2011 are as follows:

- 2009 -17% (21,200) private rented sector properties
- 2011 -10% (12,800) private rented sector properties

It is important to note that the decent homes standard is not a statutory standard but an administrative standard which applies to social housing stock.

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## Housing Health and Safety Rating System: England and Wales

**Mr Copeland** asked the Minister for Social Development for an estimate of the number of private rented sector properties locally that would fail the fitness standards contained in the housing health and safety rating system in England and Wales.  
(AQW 22175/11-15)

**Mr McCausland:** According to the 2011 House Condition Survey the proportion of properties in the private rented sector in Northern Ireland which would fail the Housing Health & Safety Rating (i.e. has a category 1 hazard) is 7.5%, or 9,350 properties.

It should be noted that unfitness is not measured as part of the Housing Health & Safety Rating System.

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### Private Sector Landlords: Notice of Unfitness and Disrepair

**Mr Copeland** asked the Minister for Social Development how many private sector landlords were served with a (i) notice of unfitness; and (ii) notice of disrepair, in each of the last three years.

**(AQW 22176/11-15)**

**Mr McCausland:** The number of private sector landlords who were served with either a notice of unfitness or a notice of disrepair, by a council under the Private Tenancies Order 2006, in each of the last three years is detailed below:

Year	Notice of Unfitness	Notice of Disrepair
10/11	17	73
11/12	3	99
12/13	9	69

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### Housing Executive Properties: East Belfast and South Belfast

**Mr Maskey** asked the Minister for Social Development to detail the nature of any outstanding repairs and maintenance required on Housing Executive properties in the (i) East Belfast; and (ii) South Belfast constituencies.

**(AQW 22314/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, the tables below detail the nature of any outstanding repairs and maintenance required on Housing Executive properties in the Housing Executive's (i) East Belfast District Office; and (ii) South Belfast District Office areas. It should be noted that this information changes on a daily basis.

#### East Belfast

Job Type	Number Issued	Number Overdue
Change Of Tenancy	53	26
Disabled Showers	13	5
Other Disabled	35	20
Routine	640	307
Urgent/Emergency/Immediate Call Out	131	92

#### South Belfast

Job Type	Number Issued	Number Overdue
Change of Tenancy	33	4
Disabled Adaptations	10	1
Routine	425	28
Urgent/Emergency/Immediate Call Out	69	19

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### St Patrick's Barracks, Ballymena

**Mr Swann** asked the Minister for Social Development when families will be able to move into the houses in St Patrick's Barracks, Ballymena.

**(AQW 22341/11-15)**

**Mr McCausland:** Fold Housing Association anticipate that the newly refurbished housing on the St Patrick's Barracks site, Ballymena will be ready for occupation in time for the contract completion date of December 2013.

### Northern Ireland Executive: Financial Penalty

**Mr Copeland** asked the Minister for Social Development whether the Northern Ireland Executive has been issued with any financial penalties to date as a consequence of the delay in the passage of the Welfare Reform Bill.

**(AQW 22378/11-15)**

**Mr McCausland:** The Statement of Funding Policy, which governs how Northern Ireland is funded, makes clear that United Kingdom Ministers can make an adjustment to the Northern Ireland Block Departmental Expenditure Limit where the Northern Ireland Executive makes decisions on social security policy which differs from the rest of the United Kingdom and which results in additional costs to HM Treasury.

United Kingdom Ministers have highlighted their concerns about the passage of the Welfare Reform Bill (NI) 2012 and have reserved their position on any potential adjustment to the Northern Ireland Block Grant until the legislation has completed its passage through the Northern Ireland Assembly. At this time the Northern Ireland Executive has not therefore been issued with any financial penalty.

The level of any adjustment is ultimately a matter for United Kingdom Ministers however as the welfare reforms are already being implemented in Great Britain and further delays in the passage of the Welfare Reform Bill (NI) 2012 could lead to increased adjustments to the Northern Ireland Block Departmental Expenditure Limit.

### Northern Ireland Executive: Financial Penalty

**Mr Copeland** asked the Minister for Social Development to detail the last date by which the Welfare Reform Bill can receive Royal Assent before the Northern Ireland Executive has to pay a financial penalty for failure to implement the Bill.

**(AQW 22382/11-15)**

**Mr McCausland:** The Welfare Reform Act (GB) 2012 is already law in the rest of the United Kingdom with the reforms starting to go live from April 2013 onwards.

United Kingdom Ministers have already highlighted their concerns about the passage of the Welfare Reform Bill (NI) 2012 and have reserved their position with regard to any adjustment to the Northern Ireland Block Grant until the legislation has completed its passage through the Northern Ireland Assembly.

The level of any adjustment would ultimately be a matter for United Kingdom Ministers as the welfare reforms are already being implemented in Great Britain and the delay in implementation in Northern Ireland is resulting in additional costs being incurred by HM Treasury.

### West Belfast: Window Replacements

**Ms S Ramsey** asked the Minister for Social Development what plans the Housing Executive has to replace windows in the West Belfast constituency, broken down by district electoral area.

**(AQW 22427/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not routinely record data by electoral area. However, the Housing Executive has provided the table below showing its double glazing programme (2013/14) for its West Belfast, Shankill and Lisburn Dairy Farm District Office areas, that fall within the West Belfast constituency area:

Scheme Name	Dwellings	Latest Programme Date
Kenard/ Ramoan	166	01 Nov 13
Anderstonstown Ex Corp	202	01 Dec 13
Whiterock	150	01 Jan 14
Brooke/Greenane	164	01 Jan 14
Doon Road Flats/ Carrigart Avenue	130	01 Feb14
Glencairn	182	01 Nov 13
Lisburn Dairy Farm Windows Mop-up	89	06 Jan 14
<b>Total</b>	<b>1083</b>	

The Housing Executive advises that the dwelling numbers are indicative and will be confirmed at survey stage.

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### Strategic Regeneration Frameworks

**Mr Swann** asked the Minister for Social Development to detail the priorities under the Strategic Regeneration Frameworks that have received support from all Departments; and the priorities that have yet to receive support from all Departments.

**(AQW 22491/11-15)**

**Mr McCausland:** Since 2009 BRO, in conjunction with Belfast City Council and the Belfast Area Partnerships, undertook a process of engagement across government departments to communicate the aims of the Strategic Regeneration Frameworks

(SRF) and agree shared priorities. BCC has now incorporated the strategic themes from SRFs into their draft Masterplan Review for the city.

### Physical Regeneration Concept Master Plans

**Mr Swann** asked the Minister for Social Development to detail the timeframe for the adoption and implementation of the physical regeneration concept master plans for (i) lower Shankill; (ii) inner East Belfast; (iii) Shore Road/York Road; (iv) Crumlin Road; and (v) lower Falls.

**(AQW 22492/11-15)**

**Mr McCausland:** The physical regeneration concept master plans were commissioned following a recommendation within the renewing communities action plan to target areas with the worst dereliction, through a strategic approach. The aim of each master plan is to provide a vehicle to co-ordinate and orchestrate public sector investment and leverage in the private sector. However, the recent challenging economic times has meant that the master plans in their current form are not practical and further consideration is being given to how any final plans might look. Furthermore, following public consultation, the Department has adopted a new approach to area planning for the lower Shankill area and a working group, which has both community and statutory membership, is taking forward a revised plan. The timeframe for the publication of these Masterplans has not yet been decided.

### Paid and Unpaid Invoices

**Mrs Cochrane** asked the Minister for Social Development to detail, for the period 1 April 2012 to 31 March 2013, (i) the total number of invoices paid by his Department and its respective arm's-length bodies; (ii) the number of invoices paid within 30 calendar days; (iii) the number of invoices paid within 10 working days of receipt; (iv) how each of his Department's arm's-length bodies has performed against the 30-day payment performance targets; and (v) the number of invoices that remain unpaid.

**(AQW 22520/11-15)**

**Mr McCausland:** The Minister of for Social Development to detail, for the period 1 April 2012 to 31 March 2013, (i) the total number of invoices paid by his Department and its respective Arm's-Length Bodies; (ii) the number of invoices paid within thirty calendar days; (iii) the number of invoices paid within ten working days of receipt; (iv) how each of his Department's Arm's-Length Bodies has performed against the 30 Day Payment Performance Targets; and (v) the number of invoices that remain unpaid.

For ease of reference, the information is set out in table below:

Business Area	(i) Total number of invoices	(ii) Invoices paid within 30 days	(iii) Invoices paid within 10 days
Department	14,026	13,679	12,846
Housing Executive (iv)	591,249	571,312	499,552
ILEX, Urban Regeneration Company (iv)	846	838	680
Charity Commission for Northern Ireland (iv)	585	585	576

(v) The number of invoices that remain unpaid within the Department at the 31 March is 349. In relation to the Arm's-Length Bodies, the Housing Executive has 970 invoices that remain unpaid and ILEX has 28, while the Charity Commission has none.

### Boiler Installer Forms: Waiting Times

**Mr Flanagan** asked the Minister for Social Development to detail the current average waiting time for a boiler installer form to be (i) processed; and (ii) approved, by each district office.

**(AQW 22524/11-15)**

**Mr McCausland:** The average processing time between the receipt of a boiler installer form and the issue of a formal approval to commence boiler replacement works is currently 6 days across all Housing Executive Grants Offices.

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### Universal Credit Claimants

**Mr Durkan** asked the Minister for Social Development to detail the cost to his Department were split payments to be paid to universal credit claimants; and for an estimate of the cost of making this payment to a single person per household should the Welfare Reform Bill proceed as drafted.

**(AQW 22544/11-15)**

**Mr McCausland:** The process for splitting the Universal Credit payment between both parties in a household is the subject of continuing consultations. These consultations will inform the final eligibility criteria thereby enabling the development of the

related IT functionality. Our working assumption is that the IT functionality will be available by April 2014 to enable Universal Credit to be delivered in accordance with the agreed flexibilities.

### ATOS Assessment Process

**Mr McElduff** asked the Minister for Social Development whether he is aware of the growing concerns of medical professionals over the ATOS assessment process, in particular people presenting for assessment with mental health problems being allocated zero, or a low number of, points; and what training ATOS assessors receive to enable them to appropriately interpret the impact of mental illness on an individual's capacity for employment.

**(AQW 22554/11-15)**

**Mr McCausland:** The Work Capability Assessment process has been developed with the support of healthcare professionals and the involvement of a number of different charities. In accordance with the legislative requirement set out in Section 10 of the Welfare Reform Act (Northern Ireland) 2007 the Department has been involved in three reviews of the Work Capability Assessment process, the latest of which was laid before the Assembly in November 2012.

In addition to the wide and varied responses to the review's annual call for evidence, members of the British Medical Association and the Royal College of Psychiatrists have also been consulted and contributed to each review. A further independent review is planned for later in 2013.

Healthcare Professionals carrying out Work Capability Assessments receive mental health training relating to the mental health descriptors as part of their initial training programme.

A yearly training needs analysis is undertaken by Atos Healthcare who are contracted to undertake the Work Capability Assessment, and this is approved by the Social Security Agency. This informs the development of a professional development programme, which includes ongoing mental health training for Health Care Professionals.

Mental Health Champions are in place to support mental health training and provide appropriate advice. Part of their role is to provide specialist mental health training to the Health Care Professionals employed to undertake Work Capability Assessments.

### Boiler Replacement Scheme

**Mr Campbell** asked the Minister for Social Development how many homes in each Parliamentary constituency had their boiler replaced under the boiler replacement scheme by 31 March 2013.

**(AQW 22579/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not collate information by Parliamentary Constituency. However the table attached shows details of boiler replacement completions from September 2012 to the 31st March 2013 by District Council area.

District Council Area	Boiler Replacement Scheme Completions
Antrim Borough Council	114
Ards Borough Council	76
Armagh City & District Council	171
Ballymena Borough Council	261
Ballymoney Borough Council	111
Banbridge District Council	142
Belfast City Council	485
Carrickfergus Borough Council	49
Castlereagh Borough Council	100
Coleraine Borough Council	173
Cookstown District Council	89
Craigavon Borough Council	181
Derry City Council	225
Down District Council	72
Dungannon & South Tyrone BC	141
Fermanagh District Council	119
Larne Borough Council	94

District Council Area	Boiler Replacement Scheme Completions
Limavady Borough Council	85
Lisburn Borough Council	167
Magherafelt District Council	124
Moyle District Council	62
Newry & Mourne DC	352
Newtownabbey Borough Council	146
North Down Borough Council	82
Omagh District Council	140
Strabane District Council	59
<b>Total</b>	<b>3,820</b>

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### Benefits System: 'The benefit system is changing — you need to know'

**Mr Copeland** asked the Minister for Social Development why the information leaflet 'The benefit system is changing – you need to know' was published before the Welfare Reform Bill was passed by the Assembly.

(AQW 22607/11-15)

**Mr McCausland:** Since the introduction of the Welfare Reform Bill into the Assembly in October 2012, my Department has been researching levels of awareness amongst the general public on the different aspects of Welfare Reform. The initial findings from the published research were that up to 60% of people had not heard of or understood the details of the proposed reforms. I also received numerous representations from different bodies about the importance of informing people about the changes and indeed I came to this chamber on the 4th March and informed the Assembly about my plans to publish the leaflet and to distribute it to all homes in the Spring of 2013.

The Welfare Reform information leaflet, 'The benefit system is changing – What you need to know' was intended to inform the Northern Ireland public on the proposed changes which are being considered by the Northern Ireland Assembly.

The leaflet set out the main proposals, contained within the Bill, and outlined who might be affected if those proposals became law. It also told people where they could find further information and told them not to contact local Social Security or Housing Executive offices as they would be contacted if the reforms directly impacted on them. The leaflet also made it clear that the Northern Ireland Assembly has responsibility for approving Northern Ireland legislation in relation to welfare changes and that this process is still ongoing.

Following concerns expressed by the Social Development Committee I decided that the distribution of the leaflets should be stopped and that I would only issue further information about Welfare Reform once I was able to come back to the Assembly with my proposals for moving forward.

### Welfare Reform: Information Booklets

**Mr Durkan** asked the Minister for Social Development (i) how many welfare reform information booklets his Department has printed; (ii) what the cost was to have these printed; and (iii) how much it will cost to distribute the booklets.

(AQW 22629/11-15)

**Mr McCausland:**

- (i) 774,000 copies of the Welfare Reform Information Leaflet were printed.
- (ii) The cost of printing these Leaflets was £50,240.13.
- (iii) Distribution of the Leaflets has currently been put on hold however Royal Mail has estimated the cost for distribution to be £50,413.96.

### Banbridge District Council Area: Income-based Benefit

**Mrs Dobson** asked the Minister for Social Development how his Department identify and target social need in Banbridge; and to list the number of people in receipt of an income-based benefit in the Banbridge District Council Area.

(AQW 22641/11-15)

**Mr McCausland:**

- (i) My Department provides a wide range of support to individuals, families and households and communities through: the provision of decent and affordable housing; action to address fuel poverty; the delivery of child maintenance arrangements; comprehensive social security provisions, including the delivery of a major welfare reform agenda; and supporting the voluntary and community sector. My Department also supports area based interventions designed to target substantive concentrations of deprivation within settlements over a particular population threshold. These are all key to addressing poverty and social disadvantage and will help individuals, families and communities in the Banbridge District Council Area as they will throughout Northern Ireland.

It was through one of the area based interventions (Areas at Risk) that the Gilford area within Banbridge District Council was targeted for support from 2010 to 2013.

- (ii) As at November 2012 within the Banbridge District Council Area, there were 4,990 people in receipt of an income based benefit. The table below provides a breakdown by benefit.

Benefit	Number of People
Income Support	1,150
Pension Credit	2,290
JSA Income Related and Contributory and Income Related	950
ESA Income Related and Contributory and Income Related	610
<b>Total</b>	<b>4,990</b>

In addition to the benefits listed in the table above a total of 3,085 people were in receipt of Housing Benefit at 1st May 2013.

**Randalstown Main Streets: Funding and Upgrading**

**Mr Kinahan** asked the Minister for Social Development (i) to outline his plans for the funding and upgrading of the main streets in Randalstown; (ii) what funds are available; (iii) what actions are being taken to allocate these funds; and (iv) what are the timescales involved.

**(AQW 22691/11-15)**

**Mr McCausland:** My Department has been working with a range of stakeholders including the Randalstown Chamber of Trade for some time to take forward the next phase of environmental improvements for Randalstown town centre. The scheme has had to be delayed to enable the Department to deal with concerns raised on behalf of retailers through Randalstown Chamber of Trade. A number of options have been identified and these will be discussed with interested stakeholders.

Subject to a satisfactory appraisal being carried out to confirm a suitable option, the cost, sufficient funding and all necessary approvals being in place, it is expected that construction could commence by spring next year.

**Housing Executive: Underspend**

**Mr McQuillan** asked the Minister for Social Development to detail the Housing Executive's underspend in each of the last five years.

**(AQW 22697/11-15)**

**Mr McCausland:** The Housing Executive did not declare any year end underspends in the last 5 years.

However, during 2012/13 monitoring rounds the Housing Executive declared in-year easements totalling £31 million (£12 million Capital and £19 million Revenue).

The capital funding was reallocated within Housing to the Co-Ownership Housing Association budget to help bolster effective demand by assisting deposit-constrained first time buyers and those returning to the market struggling to purchase a home and also to help the wider economy.

The declared easement of £19 million revenue funding was due largely to significant procurement efficiencies achieved in-year as well as contractor difficulties which the Housing Executive experienced in 2012/13.

**Benefits System: Information Booklets**

**Mr Copeland** asked the Minister for Social Development to detail the total projected costs of (i) producing; and (ii) distributing the information leaflet 'The benefit system is changing – you need to know'.

**(AQW 22761/11-15)**

**Mr McCausland:**

- (iv) The total cost of producing the information leaflet was £50,240.13.
- (v) Royal Mail estimated the cost for distribution of the information leaflet to be £50,413.96.



## **Creggan, Derry: Social Housing Development**

**Ms Maeve McLaughlin** asked the Minister for Social Development to outline the rationale used for the implementation of service charges on the new 180-unit social housing development at Ballymagowan in the Creggan, Derry.

**(AQW 22762/11-15)**

**Mr McCausland:** Apex Housing Association has advised me that the planning permission received for the development of the Ballymagowan site included the provision of an urban park consisting of parkland, playing pitches, children's play area and allotments. The service charge being set by Apex is to help defray the cost of maintaining this area. The basic rent charge allows for the Association's housing management and maintenance costs but not the maintenance of extensive open space areas.

## **Universal Credit**

**Mr Durkan** asked the Minister for Social Development whether their Department is seeking to ensure that money is available to allow the payment of universal credit directly to the main carer.

**(AQW 22782/11-15)**

**Mr McCausland:** I recognise that in certain situations a single household payment of Universal Credit may lead to finances being controlled by one member of the household who does not have responsibility for managing household finances, in particular, adequately providing for the needs of children. In these circumstances, it may be appropriate to split the Universal Credit payment between the main carer and the other party in the household. Work is ongoing in this area.

## **Mesothelioma Support Scheme**

**Mrs Cochrane** asked the Minister for Social Development to outline his Department's plans to bring forward a legislative consent motion on the mesothelioma support scheme.

**(AQW 22836/11-15)**

**Mr McCausland:** Consideration is being given as to whether a Legislative Consent Motion in relation to the proposed mesothelioma support scheme is required and, if so, whether other Departments have an interest.

## **North and East Antrim: Farming Communities**

**Mr McMullan** asked the Minister for Social Development whether his Department has had any engagement with the farming communities in North and East Antrim, who were affected by the severe winter weather in March 2013, in relation to crisis loans or assistance that could be offered.

**(AQW 22883/11-15)**

**Mr McCausland:** There have been no specific engagement activities between my Department and the farming communities in North and East Antrim as a result of the severe weather in March this year. Under the Social Fund Scheme anyone aged 16 or over can apply for a Crisis Loan. Crisis Loans are designed to assist people who need to meet expenses in an emergency or as a consequence of a disaster. They are repayable interest free loans and can be paid where they are the only means of preventing a serious risk to health and safety.



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# Northern Ireland Assembly

Friday 24 May 2013

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### **Maze Conflict Transformation Centre**

**Mr Allister** asked the First Minister and deputy First Minister what is the estimated annual income flow and profit from the Maze conflict transformation centre once it is operational.

**(AQW 14210/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Information on the estimated annual income flow and profit from the Peace Building and Conflict Resolution Centre at Maze/Long Kesh is potentially commercially sensitive and would not be released at this time.

#### **China Trade Mission: November 2012**

**Mr Allister** asked the First Minister and deputy First Minister (i) to list the participants in the November 2012 China trade mission; (ii) to detail the number of Ministers, special advisers and civil servants involved; and (iii) to detail the cost to the public purse.

**(AQW 16801/11-15)**

**Mr P Robinson and Mr M McGuinness:** The information has been published on the OFMDFM website.

#### **North/South Ministerial Council: Education for Protestant Children**

**Mr Campbell** asked the First Minister and deputy First Minister, in light of the withdrawal of the ancillary grant to Protestant schools in the Republic of Ireland in 2009, whether they will consider the right to equal opportunity of education for Protestant children in the Republic of Ireland as an agenda item for the next meeting of the North/South Ministerial Council.

**(AQW 19647/11-15)**

**Mr P Robinson and Mr M McGuinness:** It is the role of the Ministers, with lead responsibility for an Area of Co-operation, to agree agendas for North/South Ministerial Council (NSMC) meetings in Sectoral Format.

The issue of 'Ancillary Grant to Protestant Schools' in the Republic of Ireland may fall within the NSMC 'Education' Area of Co-operation and the relevant department is the Department of Education (DE) and the Department of Education and Skills (DES) in the South.

#### **Trade Mission to China: Full Costs**

**Mr Nesbitt** asked the First Minister and deputy First Minister, pursuant to AQW 17445/11-15, when they will be in a position to provide the full costs of the recent trade mission to China.

**(AQW 20150/11-15)**

**Mr P Robinson and Mr M McGuinness:** The information has been published on the OFMDFM website.

#### **Victims Groups: Alleged Irregularities**

**Mr Allister** asked the First Minister and deputy First Minister (i) whether their Department, or any of its agencies, has ever lodged a complaint with the police in respect of alleged irregularities within victims groups; (ii) when such complaints were made; and (iii) against which groups.

**(AQW 22050/11-15)**

**Mr P Robinson and Mr M McGuinness:** We can confirm that one complaint was lodged with the PSNI by the Community Relations Council in August 2010 against the group SAVER/NAVER.

## Social Investment Fund

**Mrs D Kelly** asked the First Minister and deputy First Minister for an update on the social investment fund; and how much has been spent to date on (i) administration; (ii) project delivery; (iii) training; and (iv) consultation.

**(AQW 22198/11-15)**

**Mr P Robinson and Mr M McGuinness:** The first phase of the Social Investment Fund has been extended to March 2016 with £80 million ring-fenced to support area plan based delivery. Agreed area plans were received on 28 February and are currently being considered as part of a comprehensive appraisal process.

In relation to funding, this has all now been subsumed into the larger Delivering Social Change Fund. However, specifically in relation to area-based plan-related expenditure, spending to date on (i) administration; (ii) project delivery; (iii) training; and (iv) consultation is detailed in the table below:

Spend	Amount
Administration	Nil
Project delivery <sup>1</sup>	£382,735
Training	Nil
Consultation <sup>2</sup>	£18,246
<b>Total</b>	<b>£400,981</b>

Eighty-nine projects have been recommended by the steering groups and they are currently undergoing economic appraisal. We anticipate funding being released against those projects in the next few months.

1 Includes costs incurred in preparation for delivery such as provision of support to develop Area plans

2 Includes cost of public consultation and engagement and information sessions

## Ballykelly: Former Army Base

**Mr Campbell** asked the First Minister and deputy First Minister, pursuant to AQW 8222/11-15, to detail the (i) maintenance; (ii) security; (iii) utilities; and (iv) other costs in relation to the former Ballykelly Army Base from 7 October 2011 to 31 March 2013. **(AQW 22267/11-15)**

**Mr P Robinson and Mr M McGuinness:** The costs in relation to the former Ballykelly army base from 7 October 2011 to 31 March 2013 are as follows:-

	11/12	12/13	Total
(i) Maintenance	£96,041.30	£214,714.80	<b>£310,756.10</b>
(ii) Security	£139,778.14	£264,988.54	<b>£404,766.68</b>
(iii) Utilities	£101,762.16	£112,429.26	<b>£214,191.42</b>
(iv) Other costs	£7,593.49	£5,915.95	<b>£13,509.44</b>
		<b>Total</b>	<b>£943,223.64</b>

## Paid and Unpaid Invoices

**Mrs Cochrane** asked the First Minister and deputy First Minister to detail, for the period 1 April 2012 to 31 March 2013, (i) the total number of invoices paid by their Department and its respective arm's length bodies; (ii) the number of invoices paid within 30 calendar days; (iii) the number of invoices paid within 10 working days of receipt; (iv) how each of their Department's arm's-length bodies has performed against the 30-day payment performance targets; and (v) the number of invoices that remain unpaid. **(AQW 22624/11-15)**

**Mr P Robinson and Mr M McGuinness:** The table below details the unaudited prompt payment performance of the Department and its Non Departmental Public Bodies (NDPBs) for the period 1 April 2012 to 31 March 2013.

Name	(i) Total Invoices paid	(ii) Invoices Paid within 30 days	(iii) Invoices Paid within 10 days	(iv) NDPB Prompt Payment Performance	(v) Invoices currently outstanding from 2012/13
OFMDFM	6,075	5,854	5,162	96.36%	19
Commission for Victims and Survivors for Northern Ireland	676	670	555	99.11%	5

Name	(i) Total Invoices paid	(ii) Invoices Paid within 30 days	(iii) Invoices Paid within 10 days	(iv) NDPB Prompt Payment Performance	(v) Invoices currently outstanding from 2012/13
Commissioner for Children and Young People for Northern Ireland	340	332	285	97.65%	0
Commissioner for Older People for NI	326	325	288	99.69%	0
Community Relations Council for Northern Ireland	769	672	552	87.39%	2
Equality Commission for Northern Ireland	1167	1132	829	97.00%	0
Ilex Urban Regeneration Company Limited	846	838	680	99.05%	22
Maze Long Kesh Development Corporation	396	396	269	100.00%	0
Northern Ireland Judicial Appointments Commission	728	712	683	97.80%	3
Northern Ireland Memorial Fund	1691	1691	1691	100.00%	0
Strategic Investment Board	1018	994	872	97.64%	0
Victims and Survivors Service	711	481	226	67.65%	0

### Dealing with Legacies

**Mr McDevitt** asked the First Minister and deputy First Minister what action they have taken to find an agreed and comprehensive framework to deal with the legacies of the past.

**(AQO 3951/11-15)**

**Mr P Robinson and Mr M McGuinness:** We have recently announced the establishment of an all party group to consider and bring forward recommendations on a range of matters including dealing with the past.

We established the Commission for Victims and Survivors in May 2008 to promote an awareness of matters relating to the interests of victims and survivors and of the need to safeguard those interests.

One of the key objectives for the Commission is to advise Government and to contribute to the broader consideration of ways to deal with the past as an essential element of transition. The advice that the Commission has provided to us to date on this issue has been incorporated into the current Victims and Survivors programme, being implemented by the recently established Victims and Survivors Service over the next two years.

Within this CSR period we have significantly increased funding, totalling £50 million, to meet the needs of victims and survivors.

### Peace-building and Conflict Resolution Centre: Business Case

**Mr Nesbitt** asked the First Minister and deputy First Minister when the business case for the proposed peace-building and conflict resolution centre was completed.

**(AQW 22806/11-15)**

**Mr P Robinson and Mr M McGuinness:** The business case for the Peace Building and Conflict Resolution Centre was approved in November 2011.

### Peace-building and Conflict Resolution Centre: Income and Employment Generation

**Mr Nesbitt** asked the First Minister and deputy First Minister to detail the evidence, to which the deputy First Minister referred during Question Time on 7 May 2013, on the income and employment that will be generated by the proposed peace-building and conflict resolution centre.

**(AQW 22807/11-15)**

**Mr P Robinson and Mr M McGuinness:** The projections of 70 additional jobs and approximately £1 million per annum from visitor income and employment generated by the Peace Building and Conflict Resolution Centre were calculated in line with relevant guidance.

### **Peace-building and Conflict Resolution Centre: Committee for the Office of the First and deputy First Minister**

**Mr Nesbitt** asked the First Minister and deputy First Minister why the empirical evidence for the proposed peace-building and conflict resolution centre has not been brought before the Committee for the Office of the First Minister and deputy First Minister.

**(AQW 22808/11-15)**

**Mr P Robinson and Mr M McGuinness:** Officials and representatives from the Maze/Long Kesh Programme Delivery Unit and Maze/Long Kesh Development Corporation have provided evidence regularly to the Committee for the Office of the First Minister and deputy First Minister regarding the Peace Building and Conflict Resolution Centre (PBCRC), the latest appearance being on 6 March 2013.

From September 2010 the Committee also receives regular bi-monthly update reports on the regeneration of Maze/Long Kesh including detail on progress with the PBCRC.

### **Peace-building and Conflict Resolution Centre: Research**

**Mr Nesbitt** asked the First Minister and deputy First Minister, in relation to the research carried out by Colliers International on the proposed peace-building and conflict resolution centre, to detail (i) the cost of this research; (ii) the number of people surveyed; (iii) the jurisdictions visited; (iv) the religious breakdown of those surveyed; and (v) the proportion of people surveyed who were ex-prisoners or known former paramilitaries.

**(AQW 22809/11-15)**

**Mr P Robinson and Mr M McGuinness:**

- i The cost of the Colliers International report was £34,700.
- ii. The number of people surveyed was 1,007.
- iii. The jurisdiction for the survey was Northern Ireland.
- iv. The religious breakdown was 46% Protestant; 40% Catholic and 14% other -(did not express a religious background).
- v This information was not gathered as part of the survey.

### **Peace-building and Conflict Resolution Centre: Research**

**Mr Nesbitt** asked the First Minister and deputy First Minister to detail the research which has been commissioned into the proposed Peace Building and Conflict Resolution Centre.

**(AQW 22810/11-15)**

**Mr P Robinson and Mr M McGuinness:** Colliers International was commissioned to produce a visitor analysis report for the Peace Building and Conflict Resolution Centre at Maze/Long Kesh. The information contained in the report has commercial in confidence aspects that prevent it from being made public at this time.

### **Peace-building and Conflict Resolution Centre: Consultation Process**

**Mr Allister** asked the First Minister and deputy First Minister to detail the consultation process that took place on the proposal for a peace-building and conflict resolution centre at the Maze, including who was consulted, when the consultation took place, and the method of consultation.

**(AQW 22873/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Peace Building and Conflict Resolution Centre is being built at Maze/Long Kesh in accordance with Recommendation 3.3.12 of the All-party Maze Consultation Panel Report (February 2005).

Extensive consultations take place on an ongoing basis with many stakeholder groups, reference groups and local residents to obtain how their needs may best be met on the site.

### **Peace-building and Conflict Resolution Centre: Colliers International**

**Mr Nesbitt** asked the First Minister and deputy First Minister to list the questions that Colliers International was requested to ask in its research on the proposed peace-building and conflict resolution centre.

**(AQW 22914/11-15)**

**Mr P Robinson and Mr M McGuinness:** Colliers International was commissioned to produce a visitor analysis report for the Peace Building and Conflict Resolution Centre (PBCRC) at Maze/Long Kesh.

The information contained in the report, including the questions asked, is commercial-in-confidence. This prevents the information requested being made public at this time.

## Peace-building and Conflict Resolution Centre

**Mr Nesbitt** asked the First Minister and deputy First Minister to outline (i) the target for visitors to the proposed peace-building and conflict resolution centre, in each of its first five years; (ii) the income expected to be generated; and (iii) an estimate of any subvention required.

**(AQW 22917/11-15)**

**Mr P Robinson and Mr M McGuinness:** The information on visitor numbers and income generated through visitors, contract work and other services is potentially commercially sensitive and will not be released at this time.

## Peace-building and Conflict Resolution Centre: Participation of Schools

**Mr Nesbitt** asked the First Minister and deputy First Minister to outline the discussions or consultation they have had with the Minister of Education and the Council for the Curriculum, Examinations and Assessment on the participation of schools at the proposed peace-building and conflict resolution centre.

**(AQW 22921/11-15)**

**Mr P Robinson and Mr M McGuinness:** To date we have not corresponded with the Minister of Education about the Peace Building and Conflict Resolution Centre at Maze/Long Kesh.

Representatives from the Maze/Long Kesh Development Corporation met on two occasions, on 7 January and 16 February 2011, with the Council for Curriculum, Examinations and Assessment and delivered a preliminary overview of the Education, Research, Teaching and Learning work strand of the Peace Building and Conflict Resolution Centre.

## Special Enterprise Zones

**Mr P Ramsey** asked the First Minister and deputy First Minister for an update on plans to establish special enterprise zones.

**(AQW 22975/11-15)**

**Mr P Robinson and Mr M McGuinness:** We received correspondence from the Secretary of State on 28 March 2013 detailing some proposed economic measures for the local economy.

As you will be aware from statements made in the press by the Secretary of State, the economic package contains an expanded offer on Enterprise Zone tax allowances.

We are currently considering carefully the issue of special Enterprise Zones, but cannot discuss the detail until we have a chance to evaluate it, and its implications, in full.

## Peace-Building and Conflict Resolution Centre: Section 75 Obligations

**Mr Allister** asked the First Minister and deputy First Minister how, and when, their Department met its section 75 obligations in regard to its proposal for a peace-building and conflict resolution centre at the Maze.

**(AQW 22976/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Maze/Long Kesh Programme Delivery Unit completed an Equality Impact Assessment (EQIA) in May 2012.

## Unanswered Question: AQW 19647/11-15

**Mr Campbell** asked the First Minister and deputy First Minister when they will answer AQW 19647/11-15.

**(AQW 22978/11-15)**

**Mr P Robinson and Mr M McGuinness:** AQW 19647/11-15 was answered on 20 May 2013.

## Planning Appeals Commission: Appeals and Article 31 Hearings

**Mr Weir** asked the First Minister and deputy First Minister, pursuant to AQW 22646/11-15, how many of the appeals are awaiting a decision; and how many of these appeals have been waiting for longer than twelve months.

**(AQW 23050/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Planning Appeals Commission is an independent tribunal Non-Departmental Public Body. Given its status, we have asked its Chief Commissioner to provide a response directly to you.

## Victims and Survivors of Historical Institutional Abuse: Support Service

**Mr Eastwood** asked the First Minister and deputy First Minister when the tender will be awarded for the support service for victims and survivors of historical institutional abuse.

**(AQW 23071/11-15)**

**Mr P Robinson and Mr M McGuinness:** Work is still ongoing on the recent tender for a Service for Victims and Survivors. The results will be made known as soon as a final decision has been reached.

### **Victims and Survivors of Historical Institutional Abuse: Support Service**

**Mr Eastwood** asked the First Minister and deputy First Minister which organisations have submitted tenders for the support service for victims and survivors of historical institutional abuse.

**(AQW 23073/11-15)**

**Mr P Robinson and Mr M McGuinness:** The evaluation process for this competition is still ongoing and details cannot be released as submitted tenders are classified as 'Commercial in Confidence'.

### **Victims and Survivors of Historical Institutional Abuse: Support Service**

**Mr Eastwood** asked the First Minister and deputy First Minister why survivors and victims of institutional abuse were not involved in the preparation of the tender for the support service for victims and survivors of historical institutional abuse.

**(AQW 23074/11-15)**

**Mr P Robinson and Mr M McGuinness:** The tender specification for a support service was developed following discussions with victims and survivors through a number of consultation meetings arranged by the Historical Institutional Abuse Inter-departmental taskforce, which took place in March 2011.

### **Strategic Investment Board: Consultants**

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQW 21765/11-15, how much the Strategic Investment Board spent on consultants, in each year since 2007, broken down by project supported, including where the value of support was less than £100,000.

**(AQW 23135/11-15)**

**Mr P Robinson and Mr M McGuinness:** A copy of a detailed breakdown of consultancy expenditure by the Strategic Investment Board in each year since 2007 has been placed in the Assembly Library.

### **Grievance Cases and Whistle blowing Complaints**

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQW 16158/11-15, to list the arm's-length bodies against whom whistle-blowing allegations were made; and the recommendations arising from the subsequent investigations.

**(AQW 23137/11-15)**

**Mr P Robinson and Mr M McGuinness:** The three whistle blowing cases related to the Strategic Investment Board (SIB). Two were referred to SIB and one to OFMDFM and were investigated by the relevant Internal Auditors.

The 2009 case related to an alleged conflict of interest on the part of an SIB Adviser. The investigation concluded that there had been no misconduct but that the SIB Adviser was in breach of SIB's conflict of interest guidance which could have given rise to a perception of conflict of interest and recommended that steps were taken to prevent further conflicts of interest or perceived conflicts of interest and to brief relevant stakeholders on the outcome of investigations.

The 2011 case referred to SIB was in relation to the use made by a third party of funding provided by SIB. The subsequent internal audit report dismissed three out of four specific allegations. The fourth allegation related to non-compliance by the funding recipient with procurement procedures and the auditor made nine recommendations in relation to governance and procurement matters and review of the project to ensure that correct procurement procedures were in place for the future.

The 2011 case referred to OFMDFM related to the appointment of another adviser and possible conflict of interest. The investigation found no evidence of wrong doing by the adviser but made recommendations on enhanced governance and procurement measures for future appointments.

All the agreed recommendations of the audit reports have been implemented.

### **Victims and Survivors of Historical Institutional Abuse: Support Service**

**Mr Eastwood** asked the First Minister and deputy First Minister who, within their Department, is responsible for managing the tender process for the support service for victims and survivors of historical institutional abuse.

**(AQW 23146/11-15)**

**Mr P Robinson and Mr M McGuinness:** As is standard for the tendering process in departments, tendering for the support Service for Victims and Survivors of Historical Institutional Abuse is being managed by Central Procurement Directorate (CPD) in DFP. Officials in the Historical Institutional Abuse Sponsorship Division are liaising with CPD on this matter on behalf of the department.

### **All-party Talks: Irish and British Governments**

**Mr Eastwood** asked the First Minister and deputy First Minister whether the Irish and British Governments will be involved in the proposed all-party talks to deal with issues such as parades, flags and emblems, and the past.

**(AQW 23155/11-15)**



**Mr P Robinson and Mr M McGuinness:** All five Executive parties have been invited to put forward two nominees for the Working Group, which will also include the Junior Ministers. It will have an independent chairperson.

There is no plan to involve the British or Irish Governments in the group.

### Strategic Investment Board: Staff Costs

**Mr McGlone** asked the First Minister and deputy First Minister why there was an increase in the staff costs of the Strategic Investment Board in the latest monitoring round.

**(AQO 4059/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Strategic Investment Board plays a vital role in supporting the delivery of the challenging and ambitious goals set out in the Programme for Government and Investment Strategy against the background of a reduction in our block grant.

One of the ways in which the Strategic Investment Board supports the Executive is to provide specialist advisory and programme delivery staff not otherwise available within the public sector. This enables departments to have access to the professional input required to deliver projects and programmes on target and within budget.

In the past, SIB achieved this mainly through the employment of consultants. However, we are committed to reducing our use of consultancy and to making savings across the public sector as set out in the Savings Delivery Plan.

In response to this and to an increased demand for its services following the publication of the new PfG and Investment Strategy, SIB has delivered more with less money by increasing the number of staff it recruits directly on fixed term contracts.

Depending on the type of work and contract involved, this can save up to one-third of the cost of an equivalent consultancy arrangement. This means that while its staffing costs have increased, the Strategic Investment Board's expenditure on external consultancy and other professional services is lower than was anticipated when budgets were set.

The effect of this is that, overall, the Strategic Investment Board saved around £0.5m in excess of its overall target in 2013/14 while still delivering its business objectives.

## Department of Agriculture and Rural Development

### Dungannon: Moy Road Site

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to outline her present and planned commitments in relation to the (i) financing; and (ii) staffing of various functions and organisations that are based at the Moy Road site, Dungannon.

**(AQW 22066/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** At the outset of the current NI Rural Development Programme (NIDRP) the decision was taken to contract out part of the Axis 1 Measures to a Delivery Agent. Following a competitive process, a contract was signed with Countryside Services Ltd (CSL) on 31 January 2009 for the delivery of some of the Axis 1 Measures for a period up to 31 December 2015. The award to CSL and two sub contractors, Ai Services Ltd (AiS), based at Newtownabbey and the NI Rural Development Council (RDC), based at Cookstown, was under the collective title of the Countryside Agri Rural Partnership.

The original contract was for £9.11m for the delivery of the Focus Farm, Benchmarking, Farm Family Options, Farm Modernisation, METS and Supply Chain Development programmes with a combined budget of £29.49m. There have been a few variations to the contract and with two scheme extensions, the scheme budget is currently £31.05m with delivery costs of £9.42m. Of the £9.42 delivery costs, £5.8m is for the administrative function which includes staff costs. The contract specified key staff and outlined the time period for their involvement in scheme delivery.

Most Measures will be closed by 31 March 2015 and the remaining period to 31 December 2015 will be taken up with finalising payments and assisting with scheme evaluations.

A review of programme delivery is currently being planned to inform delivery options for any future schemes.

### Unanswered Questions: AQW 20662/11-15 and AQW 21080/11-15

**Mrs Dobson** asked the Minister of Agriculture and Rural Development why she has not yet answered AQW 20662/11-15 and AQW 21080/11-15.

**(AQW 22071/11-15)**

**Mrs O'Neill:** AQW 20662/11-15 was answered on the 25th April 2013 and AQW 21080/11-15 was answered on the 8th May 2013.

## Wind Turbine Applications

**Mr Frew** asked the Minister of Agriculture and Rural Development to detail the number of wind turbine applications that have (i) been assessed under the rural development programme; (ii) that have received a letter of offer; and (iii) for which funding has been made available.

**(AQW 22423/11-15)**

**Mrs O'Neill:** I have taken your question to mean any funding allocated to wind turbines including feasibility studies and those that are part of a larger project. To date (i) 108 applications for Wind Turbines have been assessed under the Rural Development Programme, (ii) 94 have received a Letter of Offer and (iii) 91 have accepted the Letter of Offer and had funding made available.

## European Fisheries Fund: Axis 4

**Miss M McIlveen** asked the Minister of Agriculture and Rural Development what benefit Portavogie will receive from axis 4 of the European Fisheries Fund through the Northern Ireland fisheries local action group.

**(AQW 22457/11-15)**

**Mrs O'Neill:** My Department is currently considering the Axis 4 Local Development Strategy and associated business case, submitted by the South East Fisheries Local Action Group (SEFLAG). The business case, once approved, envisages £2.5m of public investment in the fishing dependent communities in County Down. Portavogie is one of the three main fishing villages which will benefit from Axis 4 funding. The SEFLAG, consistent with the EFF ethos of a "bottom-up approach" will be responsible for selecting the projects to be funded. The extent of the investment that Portavogie will receive will therefore depend on the grant applications made and SEFLAG's decisions on those applications.

## Neonicotinoid Chemicals in Pesticides

**Mr Cree** asked the Minister of Agriculture and Rural Development for her assessment of the use of neonicotinoid chemicals in pesticides; and whether she has any plans to carry out localised field trials on the impact of such pesticides on pollinators.

**(AQW 22558/11-15)**

**Mrs O'Neill:** Neonicotinoids are primarily used for the treatment of seeds, mainly on oilseed rape and maize. The area of these crops grown in the north and consequent use of neonicotinoids are relatively limited. Pesticide usage statistics from 2010, provided by the Agri-Food and Biosciences Institute, indicate that the neonicotinoids were used for seed treatment on 0.6% of the agricultural land area in the north of Ireland.

Due to concerns over the potential impact on bees, the European Commission has indicated that it will shortly prohibit the use of 3 neonicotinoids for seed treatment, soil application and foliar treatment on bee attractive crops. The sale of these neonicotinoids to amateur growers will also be prohibited.

A range of problems unrelated to pesticides also interact to affect bees and pollinators, including weather and the presence of pests and/or disease.

In light of all of the factors above, I have no immediate plans to carry out localised field trials on the impact of neonicotinoid insecticides on pollinators.

## Bee Issues

**Mr Cree** asked the Minister of Agriculture and Rural Development to list the bee-keepers and environmentalists that have contacted her Department regarding bee issues over the last twelve months, including the use of pesticides containing neonicotinoids.

**(AQW 22559/11-15)**

**Mrs O'Neill:** In the past twelve months, my Department has been contacted by three members of the public and one environmentalist about pesticides containing neonicotinoids and their possible impact on bees.

## Adverse Weather: Damage Caused

**Mr Rogers** asked the Minister of Agriculture and Rural Development whether her Department has undertaken an assessment to quantify the damage caused by the recent adverse weather.

**(AQW 22575/11-15)**

**Mrs O'Neill:** I have obtained Executive agreement to hardship funding measures to assist farmers worst affected by livestock losses arising from the recent snow storm.

The first element of these measures is that DARD is paying for the costs of collection and disposal of fallen stock that have died as a direct result of the snow storm. The second element will be a Hardship Payments Scheme, which will help to mitigate the costs of the livestock losses that have been sustained by farmers arising from the snow storm.

The Department has undertaken an assessment of the nature and extent of those livestock losses as a consequence of the recent snow storm. This is based on the information that has been built as farmers have had stock removed and disposed of by the approved renderers.

### **Adverse Weather: Farmers**

**Mr Rogers** asked the Minister of Agriculture and Rural Development whether her Department has explored the possibility of financial remuneration from Europe for farmers affected by adverse weather.

**(AQW 22576/11-15)**

**Mrs O'Neill:** I have obtained Executive agreement to hardship funding measures to assist farmers worst affected by livestock losses arising from the recent snow storm.

The first element of these measures is that my Department is paying for the costs of collection and disposal of fallen stock that have died as a direct result of the snow storm. The second element will be a hardship scheme, which will help to mitigate the costs of the livestock losses that have been sustained by farmers arising from the snow storm.

Any government hardship funding has to be compliant with EU State Aid Rules. The relevant options that are available and were considered are as follows:

- The first option, namely support from the European Union Solidarity Fund (EUSF), was set up to respond to natural disasters. For a member state to access support under this fund, which is concerned with infrastructure and not individual businesses, it must have had a major national disaster where the damage exceeds €3 billion, in the case of Britain and the north of Ireland, or 0.6% of the country's national income whichever is the lower. This option is not relevant in the circumstances and was ruled out.
- The second option, Commission Regulation (EC) 1857/2006 State Aid Block Exemption, allows state aid to be given for losses due to adverse climatic events which can be assimilated to natural disasters. Such are defined as losses in excess of 30% of the average of annual production of a given farmer. It is unlikely that the level of losses sustained in the snow storm would meet these loss criteria and it would also place a greater burden on farmers by way of information requirements and take considerable time to process and therefore this option was also ruled out.
- The third option, concerns the State Aid de minimis provision, which allows for funding of up to €7,500 in a 3 year period. This is the vehicle most appropriate for the circumstances as it will enable support to be provided quickly to meet the needs of the majority of farmers in respect of the snow storm livestock losses.

Hardship payments will be made under the EU State Aid de minimis rules and capped at a maximum of €7,500 per farmer, including the collection and disposal costs of the fallen animals.

I hope to release details of the scheme and how to apply in the very near future.

### **Fishing Vessel Licences: Two-year**

**Mr Rogers** asked the Minister of Agriculture and Rural Development, given that her Department was not consulted by the Manx authorities regarding the introduction of a fee for two-year fishing vessel licences, what action her Department has taken to challenge the decision.

**(AQW 22577/11-15)**

**Mrs O'Neill:** My Department was not consulted by the Isle of Man authorities prior to them taking a decision to introduce a £435 fee for a 2-year fishing vessel license from April 2013.

Defra subsequently wrote to the Manx authorities on 11 December 2012 and raised the issue of a lack of consultation.

However the Isle of Man responded that they do not consider that licence charges are management measures that required consultation under the Fisheries Management Agreement 2012.

The matter of consultation on all measures that are likely to impact on fishermen will require further discussion between the Manx authorities and the Fisheries Administrations. No agreed date has been arranged for the next meeting.

### **Fishing Industry: Light Dues**

**Mr Rogers** asked the Minister of Agriculture and Rural Development why the fishing industry is required to pay light dues by the Department of Transport when other jurisdictions are exempt.

**(AQW 22578/11-15)**

**Mrs O'Neill:** Light dues are payable by all owners of fishing vessels over 10 metres in length and vessel owners here and in Scotland pay light dues. DEFRA agreed to pay for light dues in 2008 on behalf of their fishermen, as part of their hardship package in response to the economic downturn and other pressures facing the industry at that time. Each Administration took a different approach and here we funded harbour charges for one year whilst England did not. I understand that whilst DEFRA have paid for light dues since 2008 and including 2013, the matter is currently under review.

## Brucellosis: Pre-movement Tests

**Mr Frew** asked the Minister of Agriculture and Rural Development (i) how many pre-movement tests for brucellosis were conducted in the last financial year; (ii) what were the results of these tests; and (iii) what plans her Department has to reduce the level and amount of testing for brucellosis.

**(AQW 22602/11-15)**

**Mrs O'Neill:**

- (i) In the 12 months ending 28 February 2013 there were a total of 175,835 animals pre-movement tested.
- (ii) In this period, 2 cattle had positive blood tests, but these 2 serological reactors did not have infection confirmed by culture. In addition, 1,039 animals gave an inconclusive reaction requiring further testing of the animals concerned. These cattle were declared negative following further tests.
- (iii) Any recrudescence of this disease could set back the prospect of achieving Official Brucellosis Free (OBF) status, as no application for OBF status can be considered until 3 years after the last confirmed brucellosis breakdown. As the last confirmed brucellosis breakdown was on 28 February 2012, it is still essential that my Department maintains a level and amount of testing which is proportionate to the disease risk and the goal of achieving OBF status. This will be kept under review and any future changes to the level and amount of testing will be on the basis of carefully considered veterinary risk assessment.

## Paid and Unpaid Invoices

**Mrs Cochrane** asked the Minister of Agriculture and Rural Development to detail, for the period 1 April 2012 to 31 March 2013, (i) the total number of invoices paid by her Department and its respective arm's-length bodies; (ii) the number of invoices paid within 30 calendar days; (iii) the number of invoices paid within 10 working days of receipt; (iv) how each of her Department's arm's-length bodies has performed against the 30-day payment performance targets; and (v) the number of invoices that remain unpaid.

**(AQW 22625/11-15)**

**Mrs O'Neill:** The performance of my department and its Arm's-Length Bodies for the payment of invoices during the period 1 April 2012 to 31 March 2013 is summarised in the table below:

Department / Arm's-Length Body	Total No of Invoices Paid 01/04/12 - 31/03/13	No of Invoices Paid Within 30 Working Days 01/04/12 - 31/03/13	% of invoices paid within 30 working days	No of Invoices Paid Within 10 Working Days 01/04/12 - 31/03/13	% of Invoices Paid Within 10 Working Days	No of Invoices Unpaid 01/04/12 - 31/03/13	Value of Invoices (£) Unpaid 01/04/12 - 31/03/13
DARD	33,131	32,405	97.81%	29,963	90.44%	73	118,935
AFBI	14,474	13,416	92.69%	7,752	53.56%	39	71,000
Loughs Agency	5,564	5,450	97.95%	n/a	n/a	0	0
NIFHA	1,195	1,135	94.98%	824	68.95%	0	0
LMC	864	849	98.26%	62	7.18%	0	0

Details for the period 1 April 2012 to 31 March 2013:

- I. Total No of invoices paid by DARD (including Agencies): 33,131  
Total No of invoices paid by Arm's-Length Bodies:
- (a) AFBI: 14,474
- (b) Loughs Agency: 5,564
- (c) NIFHA: 1,195
- (d) LMC: 864
- II. No of invoices paid by DARD (including Agencies) within 30 working days:  
32,405 - (97.81%)
- III. No of invoices paid by DARD (including Agencies) within 10 working days: 29,963 - (90.44%)

No of invoices paid by Arm's-length Bodies within 10 working days:

- (a) AFBI: 7,752 - (53.56%)
- (b) Loughs Agency: n/a

- (c) NIFHA: 824 – (68.95%)  
 (d) LMC: 62 – (7.18%)
- IV. No of invoices paid by Arm's-Length Bodies within 30 working days:
- (a) AFBI: 13,416 (92.69%)  
 (b) Loughs Agency: 5,450 (97.95%)  
 (c) NIFHA: 1,135 (94.98%)  
 (d) LMC: 849 (98.26%)
- V. No of invoices in DARD (including Agencies) remaining unpaid: 73 – (£118,935)
- No of invoices in Arm's-Length Bodies remaining unpaid:
- (a) AFBI: 39 – (£71,000)  
 (b) Loughs Agency: 0 (£0)  
 (c) NIFHA: 0 – (£0)  
 (d) LMC: 0 – (£0)

### **Animals for Agricultural Shows: Cross-border Movement**

**Lord Morrow** asked the Minister of Agriculture and Rural Development whether she plans to ease the regulations on the cross-border movement of animals for agricultural shows, provided that owners can prove their animals have tested disease free. **(AQW 22736/11-15)**

**Mrs O'Neill:** The movement of animals between EU Member States is regulated by a number of EU Directives. The movement of cattle is regulated by EU Directive 64/432.

My officials have agreed a protocol with their counterparts in the Department of Agriculture, Food and the Marine to facilitate the movement of cattle throughout Ireland to agricultural shows. This protocol includes criteria in line with Directive 64/432 such as residency, standstill and testing within 30 days of movement to the show in the other jurisdiction. The protocol requires the show premises to operate as an approved EU Assembly Centre, and the official veterinarian at the show to issue a certificate of non-cominglement which provides health assurances that allow animals to return to their residences immediately after the show.

This protocol has been in place for a number of years now and operates effectively in assuring appropriate disease control measures while facilitating the movement of animals to shows. The protocol demonstrates the benefits of co-operation on animal health issues on an all Ireland basis.

The achievement of free movement of animals throughout Ireland based on the assessment of risk is a key aim of mine and an objective of the All-Island Animal Health and Welfare Strategy, which was agreed by the North South Ministerial Council Ministers in March 2010. The new EU Animal Health Law (AHL), which was published by the Commission on 6 May 2013, aims to reduce administrative burdens and costs including relaxation of conditions relating to the movement of animals between member states, whilst ensuring risk-based controls are in place to reduce the incidence and impact of animal disease. Future proposals under the AHL will therefore represent a key opportunity for the free movement of animals throughout Ireland by providing an opportunity to frame legislation in a way that could help attain this objective.

### **Equine Slaughter or Processing Plant: Belfast**

**Lord Morrow** asked the Minister of Agriculture and Rural Development, pursuant to AQW 21070/11-15, AQW 21719/11-15 and AQW 20059/11-15, (i) whether there was an equine slaughter plant or processing plant near Belfast; (ii) was such a plant licensed by the appropriate inspectors; (iii) whether departmental vets carried out inspections; (iv) whether the premises were regulated by the Food Standards Authority; and (v) whether any premises linked to this plant were inspected by her Department or monitored for compliance with animal welfare standards. **(AQW 22767/11-15)**

**Mrs O'Neill:** I refer to my previous answer provided in AQW's 20059/11-15; 21070/11-15 and 21719/11-15.

I can once again confirm that the only establishment approved by the Food Standards Agency to slaughter equines in the North, in recent times was a small slaughter plant near Lurgan, Co Armagh.

This establishment ceased slaughtering horses completely on 25th January 2013 and has since asked the FSA to completely remove their authorisation to slaughter equines.

The establishment was and remains approved for the slaughter of cattle and sheep, and continues to slaughter these species.

During the time of its operation as an equine slaughter facility, this establishment, like all slaughter plants, was under the supervision of a Department of Agriculture Official Veterinarian at all times, to ensure the Food Business Operator's compliance with the legislation pertaining to public health, animal health and animal welfare.

Each animal (including equines, when their slaughter was taking place) is individually examined in the lairage for fitness for the food chain before being allowed to be slaughtered. This inspection also verifies their identity, and ensures that their welfare is protected throughout the process.

### **DARD Hotline**

**Mr Campbell** asked the Minister of Agriculture and Rural Development, pursuant to AQW 21412/11-15, how many calls to the hotline were not responded to within 24 hours of the original call being made.

**(AQW 22826/11-15)**

**Mrs O'Neill:** In my response to AQW 21412/11-15 I explained that the helpline had been manned 24 hours a day from 25 March. This remained the case until the closure of the fallen stock collection scheme on 19 April. During that time over 1,000 calls had been dealt with.

In the majority of cases the caller spoke directly to a member of the helpline team. However during particularly busy times, when all lines were in use, callers were diverted to answer machine and the call was returned shortly thereafter.

There was a spike in call numbers early in the severe weather incident due to a large number of offers of fodder being made. During this time more calls than usual were diverted to answer machine. Staff worked hard to ensure these calls were returned in a timely manner. While no records were maintained of the exact response times most were dealt with immediately and most of the rest within two hours. It is possible that some answer machine calls were not replied to within two hours and some could not be replied to due to the customer not leaving sufficient contact details.

Farmers were also able to contact the Helpdesk using the email address published on the website and in press releases. There was also dedicated resource in place to deal with email queries.

### **Single Farm Payment: Field Boundary Restoration Work**

**Mr Swann** asked the Minister of Agriculture and Rural Development how many farmers, who completed field boundary restoration work in 2012, have received their single farm payment for 2012.

**(AQW 22828/11-15)**

**Mrs O'Neill:** In 2012, 400 farm businesses claimed Field Boundary Restoration work as part of their NI Countryside Management Scheme as well as claiming Single Farm Payment (SFP). At 14 May 2013, 375 of these farm businesses had received their SFP for 2012.

### **Use of Helicopters: Cost**

**Mr Frew** asked the Minister of Agriculture and Rural Development, pursuant to AQW 21871/11-15, when the cost for the use of the helicopter will be settled; and from which budget will this cost be met.

**(AQW 22830/11-15)**

**Mrs O'Neill:** The cost for the use of the British Ministry helicopters will be settled once the final invoice has been received. The budgetary consequences are dependent upon the quantum requested and identification of any easements within the Departments budget that can be reallocated. This process will be completed as part of a future monitoring round.

### **Field Boundary Restoration Work**

**Mr Swann** asked the Minister of Agriculture and Rural Development how many farmers who completed field boundary restoration work in 2012 have been, or are scheduled to be, inspected.

**(AQW 22831/11-15)**

**Mrs O'Neill:** In 2012, 400 participants in NI Countryside Management Scheme claimed for Field Boundary Restoration work, of which 74 have been inspected.

### **Animal Cruelty**

**Mr Weir** asked the Minister of Agriculture and Rural Development what plans her Department has to introduce additional measures to combat animal cruelty.

**(AQW 22842/11-15)**

**Mrs O'Neill:** The welfare of animals is protected by the Welfare of Animals Act 2011. The 2011 Act recognises that causing unnecessary suffering to any animal is a very serious offence and the tough penalties contained within the Act reflect this.

The powers of the 2011 Act cover not just offences of unnecessary suffering, but also a wide range of other offences such as failing to provide for the welfare needs of the animal. Fines and penalties under the Act have been significantly increased from those available under the previous Act.

In addition, the Courts can deprive a person convicted of a serious animal welfare offence for such a period as it sees fit, from owning, keeping, participating in the keeping, control or influencing the way an animal is kept. This disqualification could be for life, even for a first offence, and can be imposed in relation to animals generally, or to one or more species of animals.

Since the Welfare of Animals Act was introduced I have brought forward several Statutory Rules and Codes of Practice to safeguard and promote the welfare of both farmed and non-farmed animals. From 1 January 2013, it has been an offence to dock a dog's tail or allow someone else to dock their dog's tail. The Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations which came into operation here on 1 April 2013 provide commercial dog breeders with clear standards which they must meet and maintain to ensure the welfare of all breeding bitches, stud dogs and pups in the establishment. I am confident that the new enforcement powers and penalties will act as a deterrent to those taking part in illegal dog breeding activities.

At present Regulations regarding the welfare of animals at the time of killing are progressing through the legislative process. Next year I plan to bring forward legislative proposals in relation to the welfare of animals in petshops, animal boarding establishments, riding and other establishments. I also plan to bring forward legislation to protect the welfare of animals and poultry at markets.

### **Young People: Training**

**Ms Fearon** asked the Minister of Agriculture and Rural Development what capital funding is available in her budget for organisations situated in a rural area which provide training for young people with a wide range of needs.  
(AQW 22846/11-15)

**Mrs O'Neill:** There is no capital funding available for organisations in rural areas providing training for young people.

Within Axis 1 of the Rural Development Programme there is funding available which is targeted at closing the skills gap within the farming community. These fully funded training courses include "ICT for the Farm Family", FarmSafe Awareness" and "BVD Eradication Information & Awareness". These courses are available to any farm family member aged 17 years and over.

Through the Tackling Poverty and Social Isolation framework, my Department is supporting two rural youth initiatives aimed at increasing employability and promoting entrepreneurship among the young unemployed in rural areas.

### **Dog-grooming Establishments: Regulations**

**Mr Agnew** asked the Minister of Agriculture and Rural Development whether consideration has been given to introducing regulations for dog-grooming establishments to include minimum training requirements and insurance.  
(AQW 22940/11-15)

**Mrs O'Neill:** Over the coming period officials from my Department will be undertaking a review of the current legislation relating to petshops, animal boarding and riding establishments. As part of this review I have asked my officials to consider a range of other establishments where animals are kept, including companion animal enterprises such as pet grooming establishments. This review will be taken forward in consultation with Councils who have responsibility for the enforcement of the Welfare of Animals Act 2011 in respect of non-farmed animals, including pets. I can assure you that a wide range of options will be explored, including the need for training requirements and insurance for pet grooming establishments. Should the outcome of the review identify the need for regulation for dog grooming or any other types of establishments such legislative proposals will be subject to a full 12 week public consultation.

### **Dog-grooming Establishments: Inspections**

**Mr Agnew** asked the Minister of Agriculture and Rural Development whether her Department inspects dog-grooming establishments.  
(AQW 22941/11-15)

**Mrs O'Neill:** There is currently no legislation in place to regulate dog grooming establishments here and therefore such establishments are not inspected by my Department.

However, Council Animal Welfare Officers are authorised under the Welfare of Animals Act 2011 to enter any premises, except a private dwelling, when investigating an animal welfare complaint in relation to non-farmed animals. In the event of a welfare complaint involving a dog grooming establishment being received by a Council, an Animal Welfare Officer may carry out an inspection of such an establishment during the course of his/her investigation and issue an improvement notice or instigate prosecution action if appropriate.

### **All-Ireland Licence System**

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, in relation to the proposed Foyle Area and Carlingford Area (Licensing of Fishing Engines) Regulations 2013, when the Loughs Agency began working on an all-Ireland licence system and what consultation has taken place with stakeholders.  
(AQW 23007/11-15)

**Mrs O'Neill:** The proposed Foyle Area and Carlingford Area (Licensing of Fishing Engines) Regulations 2013 are primarily intended to modernise the current Foyle and Carlingford Area angling licensing arrangements. They will, however, assist in laying an early foundation for a future all Ireland licence programme which is one of a range of marine tourism and angling projects to be implemented by 2015 under the INTERREG programme. The development of an all Ireland licence remains at a very early discussion phase and will involve significant input from other bodies including DCAL Fisheries and Inland Fisheries

Ireland prior to a scoping stage with stakeholders and full public consultation. Preparations have, however, commenced and a 'value for money' assessment is currently under consideration with the aim of commencing the scoping study before the end of 2013.

### Severe Weather: Farming

**Mr Clarke** asked the Minister of Agriculture and Rural Development, given that she assisted farmers during the severe weather crisis around Easter, whether there are any plans to provide similar assistance in response to the shortage of silage. (AQW 23157/11-15)

**Mrs O'Neill:** Many farmers are having extreme difficulty in obtaining fodder to feed their livestock, which is now resulting in severe hardship and animal welfare issues. The difficulty arises because of a succession of poor summers, which have depleted farmers' resources; the combination of the current extended spell of cool weather and a late spring, which is significantly inhibiting grass growth, and means many farmers are unable to turn animals out on fields; and the high price of fodder and fodder substitutes. For instance, cumulative grass growth to date is almost 40% less than the 10 year average. The impact is being felt widely across the industry, including especially the wetter areas of the north, and the assessment of my technical staff is that we have a short term crisis, and potentially a medium term problem.

I have established a taskforce, which will draw together industry stakeholders and the Department to look at medium term actions to mitigate the problem. Consultations with stakeholders indicated, however, that they would require immediate assistance to their cash flow to offset to some extent the impact of the exceptionally high fodder prices. I presented a case to the meeting of the Executive Committee on 16 May, and we agreed to extend the amount of hardship funding by up to an additional £1m, to be made available to offset the high cost of fodder. My officials are working with the industry to identify the best way to utilise this funding.

### Fodder Crisis

**Mr McElduff** asked the Minister of Agriculture and Rural Development to outline what actions are being taken by her Department to assist farmers in addressing the fodder crisis. (AQW 23179/11-15)

**Mrs O'Neill:** I have established a taskforce, which will bring together industry stakeholders and the Department to consider medium to long term issues facing the livestock industry and propose interventions. Initial consultations with stakeholders indicated however, that immediate assistance was required to address the impact of fodder shortages. I presented a case to the Executive Committee on 16 May, and we agreed to extend the amount of hardship funding by up to an additional £1m, to be made available to offset the high cost of fodder. My Department implemented a scheme that will operate in a similar way to the one in the South. It will provide financial assistance towards the cost of transporting fodder into the North from Britain.

### Three Rivers Project, Strabane

**Mr Byrne** asked the Minister of Agriculture and Rural Development to outline how the Rivers Agency is dealing with the three rivers project proposed for Strabane. (AQW 23206/11-15)

**Mrs O'Neill:** In 2012, Rivers Agency, as a consultee of the planning authority provided advice regarding a development proposal at this site, the majority of which lies within the river flood plain. Planning Policy Statement 15 – Planning and Flood Risk, states that "within flood plains the Department of Environment will not permit development unless it falls within one of the exceptions or it is demonstrated that the proposal is of overriding regional importance."

It is a matter for the Department of Environment through their planning authority to determine if the development is an exception or of overriding regional importance. If this proves to be the case then River Agency can provide advice on measures to mitigate the risk of flooding.

## Department of Culture, Arts and Leisure

### National Museums Northern Ireland

**Mr Copeland** asked the Minister of Culture, Arts and Leisure why the 2012/13 Northern Ireland Civil Service pay agreement has not been implemented by National Museums Northern Ireland. (AQW 21176/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Before the NICS pay agreement can be implemented, a pay remit business case must be completed by the body and approved by DFP.

National Museums submitted their draft business case to my Department on 13th February 2013. My Departmental officials are currently working with National Museums to ensure that the business case has been carried out correctly and, importantly, that the planned pay award is consistent with Executive pay policy. Once the business case has been finalised, approval will be sought from DFP to allow the pay agreement to be implemented.



## National Museums Northern Ireland

**Mr Copeland** asked the Minister of Culture, Arts and Leisure to detail, who within the Executive and National Museums Northern Ireland authorises the implementation of the agreed Northern Ireland Civil Service pay awards.

**(AQW 21177/11-15)**

**Ms Ní Chuilín:** The pay remit approval process and guidance 2012/13 (FD (DFP) 14/12) was issued to Departments on 13th August 2012. The purpose of this Finance Director (FD) letter was to provide departments with guidance on the application of public sector pay policy.

The UK Government's Pay Policy and associated pay remits approval process must be applied to all NICS departments, agencies, Non-Departmental Public Bodies and other public bodies.

Enforcement of pay growth limits is devolved to the Executive. With the Executive's endorsement, the Minister for Finance and Personnel approves pay remits for most of the staff groups in bodies within the wider public sector in the North within the broad parameters of the UK Government's public sector pay policy. This includes National Museums.

## National Museums Northern Ireland

**Mr Copeland** asked the Minister of Culture, Arts and Leisure to detail (i) how many staff are employed by National Museums Northern Ireland; and (ii) how many employees are affected by the 2012/13 Northern Ireland Civil Service pay award.

**(AQW 21178/11-15)**

**Ms Ní Chuilín:** The answer is as follows:

- (i) National Museums NI currently employs 531 staff (inclusive of casual staff). This equates to 302 full time equivalents.
- (ii) Of these 531 staff, 402 are eligible for progression under the 2012/13 Pay Award.

## National Museums Northern Ireland

**Mr Copeland** asked the Minister of Culture, Arts and Leisure, in relation to the staff structure at National Museums Northern Ireland, for a breakdown of how many staff are on each pay grade within each section of the organisation.

**(AQW 21179/11-15)**

**Ms Ní Chuilín:** Please find outlined below a breakdown of the numbers of National Museums staff at each pay grade and by site location:

### Ulster Museum

Grade	Number
AA (and analogous)	33
AO (and analogous)	62
EO11 (and analogous)	33
EO1 (and analogous)	5
SO (and analogous)	4
DP (and analogous)	1
UG7 (and analogous)	1
<b>Total</b>	<b>139</b>

### Ulster Folk & Transport Museum

Grade	Number
AA (and analogous)	38
AO (and analogous)	88
EO11 (and analogous)	12
EO1 (and analogous)	4
SO (and analogous)	3
DP (and analogous)	1
UG 7 (and analogous)	1
<b>Total</b>	<b>147</b>

**Ulster American Folk Park**

<b>Grade</b>	<b>Number</b>
AA (and analogous)	9
AO (and analogous)	78
EO11 (and analogous)	10
EO1 (and analogous)	5
SO (and analogous)	4
DP (and analogous)	4
UG 7 (and analogous)	2
<b>Total</b>	<b>112</b>

**Armagh County Museum**

<b>Grade</b>	<b>Number</b>
AO (and analogous)	9
EO11 (and analogous)	1
SO (and analogous)	1
DP (and analogous)	1
<b>Total</b>	<b>12</b>

**Collections Store**

<b>Grade</b>	<b>Number</b>
AA (and analogous)	1
AO (and analogous)	7
EO11 (and analogous)	6
EO1 (and analogous)	4
SO (and analogous)	2
DP (and analogous)	1
<b>Total</b>	<b>21</b>

**Centralised Services**

<b>Grade</b>	<b>Number</b>
AO (and analogous)	13
EO11 (and analogous)	8
EO1 (and analogous)	26
SO (and analogous)	22
DP (and analogous)	19
UG 7 (and analogous)	6
UG 6 (and analogous)	4
UG 5 (and analogous)	1
UG 3 (and analogous)	1
<b>Total</b>	<b>100</b>

<b>Grand Total</b>	<b>531</b>
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## Northern Ireland Civil Service Pay Awards

**Mr Copeland** asked the Minister of Culture, Arts and Leisure to detail whether there has been any delay in the implementation of Northern Ireland Civil Service pay awards at National Museums Northern Ireland, and to provide reasons, in the last five years.

**(AQW 21180/11-15)**

**Ms Ní Chuilín:** Before the NICS pay agreement can be implemented, a pay remit business case must be completed by National Museums and approved by DFP.

In the first instance it is the role of National Museums to submit the business case to my Department for approval. Departmental officials review the business case to ensure that it is consistent with Executive pay policy and then liaise with DFP to gain the necessary approvals.

The table below provides details on the dates when pay remit business cases were first submitted to DCAL, for each of the last 6 years, and indicates when DFP approval was granted in each case.

Remit Year	Date Pay Remit business case received by DCAL	Date of DFP Approval
2006/07 Remit – covering years 2006/07, 2007/08 and 2008/09	May 2007	June 2007
2009/10 Remit	October 2010	January 2011
2010/11 Remit – covering years 2010/11 and 2011/12	October 2011	December 2011

## Department of Education

### Retired Teachers

**Mr Campbell** asked the Minister of Education how many teachers in each educational sector began teaching again in (i) 2007; and (ii) 2012, within 12 months of retirement.

**(AQW 22713/11-15)**

**Mr O'Dowd (The Minister of Education):** The number of teachers who began teaching again, within 12 months of retirement, in academic years 2006/07 and 2011/12 is shown by educational sector from which the teacher retired in the table below.

#### Number of teachers who began teaching again, within 12 months of retirement.

Educational Sector	Academic Year 2006/2007	Academic Year 2011/2012
GMI	*	*
BELB	29	10
WELB	18	5
NEELB	65	9
SEELB	42	13
SELB	41	6
CCMS	142	21

**Source:** Teachers' Payroll and Pensions Systems

Figures for Voluntary Grammar Schools are not included, as the Department does not pay these salaries.

Date of retirement is taken from date of first receipt of pension.

Teachers are shown in the sector from which they retired, which may differ from the sector where they began teaching again.

Figures have been suppressed for any sector where disclosure of small numbers might lead to the identification of individuals.

### Mobile Classrooms

**Mr Weir** asked the Minister of Education what action his Department is taking to reduce the use of mobile classrooms.  
**(AQW 22722/11-15)**

**Mr O'Dowd:** I do not have any targets or timescales for reducing the number of mobile classrooms in the schools estate. I must utilise all means at my disposal to ensure that the capital infrastructure is in place to support the educational needs

of pupils. This may include the provision of good quality modular buildings as one way of addressing accommodation deficiencies within a relatively short timescale.

You should note that statutory approvals, such as Planning Approval and Building Control Approval require modular buildings to be provided to the same building performance standards as that of permanent builds and my Department ensures that the project managers acting on behalf of the relevant school authorities fully comply with the statutory approval process.

I would also add that in considering projects for inclusion in my 2012 and 2013 major capital investment programme that the undue reliance on temporary accommodation within schools was taken into account.

## Mobile Classrooms

**Mr Weir** asked the Minister of Education whether his Department has a timescale and a target for the reduction in the use of mobile classrooms.

**(AQW 22723/11-15)**

**Mr O'Dowd:** I do not have any targets or timescales for reducing the number of mobile classrooms in the schools estate. I must utilise all means at my disposal to ensure that the capital infrastructure is in place to support the educational needs of pupils. This may include the provision of good quality modular buildings as one way of addressing accommodation deficiencies within a relatively short timescale.

You should note that statutory approvals, such as Planning Approval and Building Control Approval require modular buildings to be provided to the same building performance standards as that of permanent builds and my Department ensures that the project managers acting on behalf of the relevant school authorities fully comply with the statutory approval process.

I would also add that in considering projects for inclusion in my 2012 and 2013 major capital investment programme that the undue reliance on temporary accommodation within schools was taken into account.

## Integrated Preschools

**Mr Lunn** asked the Minister of Education how many parents opted to send their child to an integrated preschool as their first preference; and how many were (i) granted a place; and (ii) not granted a place due to the lack of integrated provision in their area, in each of the last three years, broken down by Education and Library Board area.

**(AQW 22771/11-15)**

**Mr O'Dowd:** The tables below provide details of the number of 1st preference applications received by nursery units at integrated primary schools in each education and library board for each of the last three years, together with (i) the number of children offered a place at their 1st preference setting and (ii) the number of children not offered a place at their 1st preference setting.

A child not offered a place in their 1st preference setting does not indicate a lack of pre-school places, as they may have been offered a place in an alternative setting chosen by their parents during the application process. Unlike the primary and post primary sector, the pre-school sector is considered to be non-sectoral.

### 2010/11

	Number of 1st preference applications received	Number of children offered a place at their 1st preference setting	Number of children not offered a place at their 1st preference setting (1)
BELB	89	73	16
WELB	116	95	21
NEELB	156	129	27
SEELB	132	95	37
SELB	96	69	27

### 2011/12

	Number of 1st preference applications received	Number of children offered a place at their 1st preference setting	Number of children not offered a place at their 1st preference setting (1)
BELB	88	69	19
WELB	101	89	12
NEELB	158	130	28
SEELB	157	104	53
SELB	107	78	29

**2012/13**

	Number of 1st preference applications received	Number of children offered a place at their 1st preference setting	Number of children not offered a place at their 1st preference setting <sup>(1)</sup>
BELB	102	77	25
WELB	106	99	7
NEELB	156	126	30
SEELB	138	99	39
SELB	105	76	29

**Note**

- (1) While a child may not have been offered a place at a particular pre-school setting, they may have been offered a place at an alternative setting chosen by their parents during the application process.

**Oversubscribed Integrated Preschools**

**Mr Lunn** asked the Minister of Education to list the integrated preschool settings in each Education and Library Board that are oversubscribed; and by how many places each facility is oversubscribed.

**(AQW 22772/11-15)**

**Mr O'Dowd:** The table below provides details of 14 of the 17 statutory nursery units in integrated primary schools which were oversubscribed with 1st preference applications at the end of stage 1 of the 2013/14 admission process and the number of places each nursery unit had available.

		Number of 1st preference applications received <sup>(2)</sup>	Number of places available
BELB	Cliftonville Integrated Primary School	33	26
	Hazelwood Integrated Primary School	89	52
WELB	Enniskillen Integrated Primary School	37	26
	Oakgrove Integrated Primary School	51	52
	Omagh Integrated Primary School	64	26
NEELB	Acorn Integrated Primary School	42	26
	Braidside Integrated Primary School	38	26
	Millstrand Integrated Primary School	45	26
SEELB	Cedar Integrated Primary School	28	26
	Fort Hill Integrated Primary School	43	26
	Loughview Integrated Primary School	55	26
	Millennium Integrated Primary School	31	26
SELB	Saints & Scholars Integrated Primary School	36	26
	Windmill Integrated Primary School	54	26

**Notes**

- (2) The number of 1st preference applications provides an indication of the number of parents who listed a school as the preferred choice for their child. As these schools were oversubscribed, some of the children may not have been offered a place at that school. However, they may have been offered a place at an alternative setting chosen by their parents during the application process.

**Science, Technology, Engineering and Maths Subjects**

**Mr Storey** asked the Minister of Education what assessment his Department has made of the impact of the programme to raise awareness of science, technology, engineering and maths.

**(AQW 22792/11-15)**

**Mr O'Dowd:** The promotion of STEM subjects is one of the Department's priorities and we are currently supporting a number of programmes to encourage the uptake of STEM subjects in schools here.

Since the publication of the Report of the STEM Review and to address the priorities identified in the Government STEM Strategy 'Success Through STEM', my Department has been taking action on a number of fronts to promote STEM-related subjects in school focusing on; improving teaching and learning in STEM-related areas; stimulating pupils' interest in, and enthusiasm for, STEM-related areas of learning in primary and post-primary schools; improving the range and quality of resources available to support teachers and pupils in STEM-related areas of learning; and promoting the uptake of STEM subjects post-16. Assessment and feedback from these actions have to date been very positive.

The Department currently measures the impact of its STEM programme on promoting STEM subjects by comparing the uptake on the number of examination entries for STEM subjects. Statistics support the view that actions taken to date to promote STEM within our schools has been successful with an increase in both GCSE and A-Level STEM examination entries as a percentage of all examination entries. The following table illustrates the increase.

	2004/05	2010/11*
GCSE STEM entries as a percentage of all examination entries	33.9%	37%
A-Level STEM entries as a percentage of all examination entries	37%	40.4%

\* Data for the 2011/12 academic year is not available

As part of the ongoing management of the STEM initiative, the STEM implementation steering group intends to oversee a review of the STEM strategy in 2014.

### Careers, Education, Information, Advice and Guidance Programme

**Mr Storey** asked the Minister of Education what action has been taken by his Department since the Department of Enterprise, Trade and Investment's evaluation of the careers, education, information, advice and guidance programme.

(AQW 22793/11-15)

**Mr O'Dowd:** Officials have checked with officials in DEL and DETI. There is no record of any evaluation report by DETI of Careers, Education, Information, Advice and Guidance.

DETI is a member of the Careers Steering Group along with representatives from business, career practitioner's representatives and officials from DE and DEL to guide and monitor the implementation of the strategy and continues to meet biannually.

### Ballymena Learning Together Area Learning Community

**Mr Kinahan** asked the Minister of Education whether the North Eastern Education Library Board consulted with his Department, including the shadow Education and Skills Authority, on the original proposals regarding schools within the Ballymena Learning Together area learning community; and to detail his level of involvement, and that of his officials, in developing the new proposals put forward by the Education and Library Board.

(AQW 22811/11-15)

**Mr O'Dowd:** In drawing up its plans for post-primary provision, the North Eastern Education and Library Board (NEELB) was responsible for consulting with the schools in its area and other educational sectors and stakeholders.

Neither the Department nor its Education and Skills Authority Implementation Team were consulted on the proposals, and neither had any involvement in developing new proposals.

The NEELB's 'Post Primary Consultation Findings' Report, available on its website, outlines the consultation process undertaken by the Board and the findings of the public consultation which took place last year. This informed the Board's process of revising and refining the Area Plan.

As you will be aware any changes to the schools would require the publication of a Development Proposal. Should this happen then we are into a statutory process during which I will consider all the information pertinent to the proposal before deciding whether or not to approve any proposed change.

### Catholic Certificate of Religious Education

**Lord Morrow** asked the Minister of Education, pursuant to AQW 21897/11-15, and given the Northern Ireland Council for Integrated Education's statement of principles includes a section under faiths and values stating that the integrated school provides a Christian-based rather than secular ethos, and at section (b) the school will facilitate specific provision for Catholic pupils whose parents wish them to undergo sacramental preparation, why this has to be carried out by a teacher with a Catholic certificate in religious education and not, for example, by a priest or similar cleric; and whether there is a difficulty in having clerical persons attend integrated primary schools in order to carry out preparation for sacraments.

(AQW 22816/11-15)

**Mr O'Dowd:** The NI Council for Integrated Education (NICIE) have advised that children are prepared for their Sacraments in schools by their teachers.

## Primary and Post-primary Schools

**Mr McNarry** asked the Minister of Education what is the unit cost for each pupil for (i) primary; and (ii) post-primary schools in each Education and Library Board.

**(AQW 22848/11-15)**

**Mr O'Dowd:** Unit costs per pupil are not readily available. Alongside delegated budgets, schools may receive other centre funding support including resources for Statemented pupils, programme funds etc. and other costs (such as transport and administrative costs) are not readily identifiable at phase level.

Every school receives a fully delegated budget, distributed under the current Common Funding Formula arrangements. The figures below represent the average budget per pupil, for schools managed by the respective Education & Library Board for the current 2013/14 financial year (excludes Grant Maintained Integrated and Voluntary Grammar schools).

### Education & Library Board schools - Common Funding Budgets and Per pupil funding 2013/14

Board / Phase	Common Funding Formula Budget £	Pupils (Full-time Equivalent)	Per Capita
BELB Primary	69,888,544	23,197	3,013
BELB Post-Primary	56,719,619	13,399	4,233
WELB Primary	86,976,087	27,664	3,144
WELB Post-Primary	65,462,433	15,468	4,232
NEELB Primary	105,793,234	35,862	2,950
NEELB Post-Primary	85,229,110	21,083	4,043
SEELB Primary	94,712,889	32,971	2,873
SEELB Post-Primary	63,627,414	15,932	3,994
SELB Primary	118,022,949	38,922	3,032
SELB Post-Primary	94,547,748	23,067	4,099

Source: CFF 2013/14

## Rural Primary Schools: Closures

**Mr McNarry** asked the Minister of Education to detail the consultation he has had with the (i) Minister of the Environment; (ii) Minister for Regional Development; (iii) Minister for Social Development; (iv) Minister for Agriculture and Rural Development; and (v) Minister of Enterprise, Trade and Investment about proposals to close some rural primary schools.

**(AQW 22850/11-15)**

**Mr O'Dowd:** The Education and Library Boards are currently undertaking a public consultation on draft area plans for primary provision, which include proposals for changes to the schools estate, including school closures.

This consultation will run until the end of June. I would encourage all those with an interest in education to respond to the consultation.

If other Ministers have concerns about proposals contained in the plans and wish to meet me to discuss them, I would be happy to do so.

At this stage I have had no such requests.

## Science, Technology, Engineering and Maths Subjects

**Mr Storey** asked the Minister of Education what assessment has been made of the progress of the Programme for Government 2011-2015 targets regarding science, technology, engineering and maths subjects.

**(AQW 22884/11-15)**

**Mr O'Dowd:** The Programme for Government commitment to increase uptake in economically relevant Science, Technology, Engineering, Maths (STEM) places focuses primarily on increasing the number of students engaged in STEM courses in further and higher education.

I recognise that, for the Department for Employment and Learning to be able to deliver that commitment, there is a need to focus on promoting STEM subjects and developing pupils' scientific knowledge and skills of innovation and inquiry at a much earlier stage. My Department therefore contributes significantly to the Executive's wider STEM strategy through the promotion of STEM subjects in schools.

Since the publication of the Report of the STEM Review, my Department has been taking significant action on a number of fronts to promote STEM-related subjects in school focusing on; improving teaching and learning in STEM-related areas,

building on existing good practice; stimulating pupils' interest in, and enthusiasm for, STEM-related areas of learning in primary and post-primary schools; improving the range and quality of resources available to support teachers and pupils in STEM-related areas of learning; and promoting the uptake of STEM subjects post-16.

### North Belfast: First Choice School or Nursery Unit

**Mr A Maginness** asked the Minister of Education to detail the number of (i) primary 1; and (ii) nursery pupils in North Belfast who did not receive a place in their first choice school or nursery unit in the 2013-14 intake; and what action he will take to address this shortfall.

(AQW 22893/11-15)

**Mr O'Dowd:** I have been advised by the North Eastern and Belfast Education & Library Boards - which both cover parts of the North Belfast constituency - that 44 primary 1 children and 146 nursery children in that area did not receive a place in their first preference primary school or nursery unit.

The admissions process is preference-based but admissions to schools are necessarily limited by the physical capacity of the accommodation available and no child can be guaranteed a place at any individual school. A child not being offered a place in their first preference setting does not indicate a shortage of places in a particular area, as they may have been offered a place in an alternative setting chosen by their parents during the application process. In the pre-school sector, in addition to places in the statutory sector, funded places are available in the voluntary and private sector.

Area planning will be the process through which need for all education provision will be determined. Where area plans identify a need for a permanent increased number of places in a particular sector they will also specify how these places should be provided.

### Primary Schools: Prioritising Children

**Mr Agnew** asked the Minister of Education whether there is a requirement for primary schools to prioritise children within their geographic area in their admission criteria; and if not, whether he has any plans to introduce such a requirement.

(AQW 22945/11-15)

**Mr O'Dowd:** Article 16 of the Education (NI) Order 1997 Order requires the Board of Governors of each grant-aided school to draw up criteria to be applied in selecting pupils for admission to their school. The admissions criteria used by any school are entirely a matter for the Board of Governors of the school concerned and reflect the particular priorities they wish to give for admission to their school. Where schools are oversubscribed they have to apply their admissions criteria to determine which pupils to admit.

The Department does not have a role in deciding a school's admission criteria, other than to offer guidance to schools. For admissions for the 2013/14 school year this is contained within DE Circular 2012/12 Open Enrolment to Primary Schools on the Department's website. There is no requirement for primary schools to prioritise children within a particular geographic area and the Department does not have the statutory authority to impose such a requirement.

### Teaching Posts

**Mr Weir** asked the Minister of Education how many newly qualified teachers have obtained a teaching post in each of the last three years.

(AQW 22962/11-15)

**Mr O'Dowd:** The Department does not hold the information in the format requested. However, data provided by the GTCNI provides a snapshot of the numbers of newly qualified teachers (NQTs) and graduates who have taken up posts in the last three years. This data is set out in Tables 1 and 3. Table 2 provides information on the number of teaching appointments sourced from the Teachers' payroll system.

**Table 1: Newly qualified teachers, registered with General Teaching Council (GTCNI) in the year of their graduation and who gained employment of a permanent or a significant temporary nature\* in that year.**

Year of Graduation	All Graduates registered with GTCNI	All Graduates employed on a permanent or a significant temporary basis	North of Ireland Graduates registered with GTCNI	North of Ireland Graduates employed on a permanent or a significant temporary basis
2010	788	155 (at December 2010)	576	126 (at December 2010)
2011	707	134 (at January 2012)	525	119 (at January 2012)
2012	664	88 (at January 2013)	475	79 (at January 2013)

**Note:**

\* Significant temporary nature reflects employment of one term or more – it does not include short term substitute /supply teachers.



**Table 2: All teacher appointments including those teachers moving across the education sector; schools amalgamating, and where Education and Library Boards have requested, setting up individual posts to enable re-structuring of peripatetic services.**

Financial Year	Appointments
2010/2011	1119
2011/2012	1069
2012/2013	928

**Notes:**

Figures include all permanent, pro-rata and yearly appointments made in each of the last 3 financial years.

Figures include all amalgamations.

Figures include re-structuring of peripatetic services.

Figures do not include the Voluntary Grammar Sector.

**Table 3: Number of teachers, registered with GTCNI, who have gained employment of a permanent or a significant temporary nature\* by 30 January 2013.**

Year of Graduation	All Graduates currently registered with GTCNI	All Graduates employed on a permanent or a significant temporary basis by 30 January 2013	North of Ireland Graduates currently registered with GTCNI	North of Ireland Graduates employed on a permanent or a significant temporary basis by 30 January 2013
2010	795	306	542	243
2011	763	193	524	160
2012	664	88	475	79

**Note:**

\* Significant temporary nature reflects employment of one term or more – it does not include short term substitute /supply teachers.

## Teaching Posts

**Mr Weir** asked the Minister of Education what progress has been made in securing 300 additional posts for new teachers. (AQW 22965/11-15)

**Mr O'Dowd:** On 17 May 2013, I announced further details of the Delivering Social Change Literacy and Numeracy Signature Project (the project). The project will involve the employment of 230 recently graduated teachers, who are without permanent employment, on a two-year fixed-term contract, to help schools deliver tuition to children who are currently struggling to achieve required levels in literacy and numeracy.

My Department is responsible for the implementation of the project and has commissioned the Western Education and Library Board as the Lead Board to work in partnership with the other Employing Authorities to deliver the project over the next two academic years.

Primary and post primary schools identified as eligible to participate in the project have been selected using a combination of academic performance and level of entitlement to Free School Meals. Eligible schools have been invited to participate in the project and will attend information sessions over the coming weeks to receive guidance on the recruitment and selection process, and on the implementation, monitoring and evaluation of the project.

The eligible schools assisted by the Education and Library Boards will begin recruiting early next month. The new teachers will be in post from September 2013.

The press release can be accessed via the following weblink:

[http://www.northernireland.gov.uk/news-de-170513-odowd-announces-recruitment?WT.mc\\_id=rss-news](http://www.northernireland.gov.uk/news-de-170513-odowd-announces-recruitment?WT.mc_id=rss-news)

## Teaching Posts

**Mr Weir** asked the Minister of Education how many appointments to teaching posts have been made in each of the last three years. (AQW 22966/11-15)

**Mr O'Dowd:** The Department does not hold the information in the format requested. However, data provided by the GTCNI provides a snapshot of the numbers of newly qualified teachers (NQTs) and graduates who have taken up posts in the last

three years. This data is set out in Tables 1 and 3. Table 2 provides information on the number of teaching appointments sourced from the Teachers' payroll system.

**Table 1: Newly qualified teachers, registered with General Teaching Council (GTCNI) in the year of their graduation and who gained employment of a permanent or a significant temporary nature\* in that year.**

Year of Graduation	All Graduates registered with GTCNI	All Graduates employed on a permanent or a significant temporary basis	North of Ireland Graduates registered with GTCNI	North of Ireland Graduates employed on a permanent or a significant temporary basis
2010	788	155 (at December 2010)	576	126 (at December 2010)
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**Note:**

\* Significant temporary nature reflects employment of one term or more – it does not include short term substitute /supply teachers.

**Table 2: All teacher appointments including those teachers moving across the education sector; schools amalgamating, and where Education and Library Boards have requested, setting up individual posts to enable re-structuring of peripatetic services.**

Financial Year	Appointments
2010/2011	1119
2011/2012	1069
2012/2013	928

**Notes:**

Figures include all permanent, pro-rata and yearly appointments made in each of the last 3 financial years.

Figures include all amalgamations.

Figures include re-structuring of peripatetic services.

Figures do not include the Voluntary Grammar Sector.

**Table 3: Number of teachers, registered with GTCNI, who have gained employment of a permanent or a significant temporary nature\* by 30 January 2013.**

Year of Graduation	All Graduates currently registered with GTCNI	All Graduates employed on a permanent or a significant temporary basis by 30 January 2013	North of Ireland Graduates currently registered with GTCNI	North of Ireland Graduates employed on a permanent or a significant temporary basis by 30 January 2013
2010	795	306	542	243
2011	763	193	524	160
2012	664	88	475	79

**Note:**

\* Significant temporary nature reflects employment of one term or more – it does not include short term substitute /supply teachers.

## Teaching Graduates

**Mr Weir** asked the Minister of Education how many teaching graduates have received a permanent teaching appointment in each of the last three years.

**(AQW 22967/11-15)**

**Mr O'Dowd:** The Department does not hold the information in the format requested. However, data provided by the GTCNI provides a snapshot of the numbers of newly qualified teachers (NQTs) and graduates who have taken up posts in the last

three years. This data is set out in Tables 1 and 3. Table 2 provides information on the number of teaching appointments sourced from the Teachers' payroll system.

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**Note:**

\* Significant temporary nature reflects employment of one term or more – it does not include short term substitute /supply teachers.

### Schools: Newcomer Guidelines

**Mr Kinahan** asked the Minister of Education, in relation to the newcomer guidelines for schools, what steps are being taken to ensure that the 18 inclusion and diversity officers can adequately cover all schools.

**(AQW 22969/11-15)**

**Mr O'Dowd:** In summer term all schools are contacted to ascertain if they require support from the Inclusion and Diversity Service in the following school year. One of our 11 Inclusion and Diversity Officers is then assigned to those schools which request support. An audit is carried out with the school to determine the level of support required and to ensure best use of Inclusion and Diversity Service Officers' time and resources. Officers will then support the school to build capacity both

at classroom and management level in achieving the targets set. Officers are also available to those schools which did not request support initially but find they have need of support as the school year progresses.

Further to this, the Inclusion and Diversity Service is developing an innovative e-learning Coordination Training Tool to provide up to date quality support. I am satisfied that the Inclusion and Diversity service is providing a comprehensive service to all schools that require its support.

### **Pupils: Support**

**Mr Kinahan** asked the Minister of Education what action his Department is taking to ensure that pupils with English as their second language are receiving suitable support.

**(AQW 22970/11-15)**

**Mr O'Dowd:** My Department has in place a designated amount of funding under the Common Funding Scheme (CFS) to support Newcomer pupils, which is claimed directly by the school. Schools use this funding to provide additional support for newcomer pupils, for example in areas such as nurture classes; employing classroom assistants to provide additional support; developing pastoral care initiatives; organising inter-cultural school events to encourage greater participation and engagement by parents and families of newcomer pupils.

In addition to the CFS funding my Department provides additional earmarked funding for the provision of the regional Inclusion and Diversity Service. This service provides support and capacity building training to all grant aided schools and special schools. This service is responsible for assessing priorities, and for monitoring and responding to areas of need in pastoral, curricular, linguistic and inter-cultural matters pertaining to a Newcomer child.

### **Newcomer Funding**

**Mr Kinahan** asked the Minister of Education how his Department monitors the use of newcomer funding to schools.

**(AQW 22973/11-15)**

**Mr O'Dowd:** Newcomer funding is delegated to schools via the Common Funding Formula. Schools can use this funding to provide additional support to assist children with their linguistic, emotional and social development, for example by employing classroom assistants to provide additional support or providing interpretive services. Under the Local Management of Schools Scheme, schools are free to deploy delegated resources to meet their own priorities. Monitoring of school expenditure is undertaken by the LMS sections of the Education and Library Boards whose accounts are subject to audit by the NI Audit Office.

### **Galbally: Primary School**

**Lord Morrow** asked the Minister of Education what criteria were used to create extra year 1 places at Galbally primary school.

**(AQW 22974/11-15)**

**Mr O'Dowd:** St Joseph's Galbally was oversubscribed after applying its admissions criteria and sought a temporary variation to their enrolment and admissions numbers to accommodate eight additional children for the 2013/14 school year.

After careful consideration, and in line with the Department's existing open enrolment policy, a temporary variation was granted to the school's admission and enrolment numbers to allow the school to admit the additional children. The decision was based on a consideration in respect of each pupil, based on the school's rank order waiting list, as to whether there were places available in other maintained schools in the area within a reasonable distance of the pupil's home address.

### **Special Educational Needs Resource File**

**Mr Ross** asked the Minister of Education to detail the cost of developing and publishing the special educational needs resource file.

**(AQW 23024/11-15)**

**Mr O'Dowd:** It is not possible to disaggregate salary costs associated with developing the Special Educational Needs Resource File as these were subsumed within the overall salary costs for the entire capacity building programme.

Breakdown of costs specific to the development of the Resource File are as follows:

Substitute cover for Writing Group	£49,000
Room hire for Writing Group Meetings	£296.50
Catering for Writing Group	£664.72
Translation costs	£42,909.12
<b>Total</b>	<b>£92,870.34</b>

The cost of publishing the Resource file was £50,220.00. This included an amount of £4,980.00 for distributing the files to schools.

Additionally, the Resource File material is also available to schools electronically.

### **ASPIRE Face-to-face Information Seminars**

**Mr Ross** asked the Minister of Education which members of staff, other than special educational needs co-ordinators, were invited to attend ASPIRE face-to-face information seminars.

**(AQW 23025/11-15)**

**Mr O'Dowd:** Invitations to attend the ASPIRE Seminars were issued by email to all schools here inviting the school principal to attend. In some cases the principal chose to delegate attendance to either the school Special Educational Needs Co-ordinator or to another teacher in their school.

A recording of one of the seminars was made by ESAGS TV to enable those schools that did not have representation at a seminar, to benefit from the information shared at the seminars. An email will issue to all schools to advise when this recording is available to view on the ESAGS TV website.

A hard copy of the ASPIRE resource was issued by post to every school and in addition the resource has been placed on the Department of Education's website to enable schools to download additional copies.

There was no substitute cover provided to schools to attend the ASPIRE seminars.

Nonetheless, numbers at the sessions were high, with approximately one in three of all schools invited attending a seminar.

ASPIRE is a resource tool to assist schools in developing their capacity when using the SEN Resource File. This will enhance teachers' understanding, knowledge and skills to ensure more effective learning in the classroom. An outcome of using ASPIRE should be improvement relating to aspects of professional practice and personal development.

An ASPIRE completion certificate is available on the Department of Education's website for schools to download. Schools may amend the certificate to suit their own school needs and to recognise that their staff have committed to completing ASPIRE.

There are no plans to obtain external accreditation for this resource.

### **ASPIRE Seminars: School Staff**

**Mr Ross** asked the Minister of Education to outline the financial support made available to schools for substitute cover so members of staff can attend ASPIRE seminars.

**(AQW 23026/11-15)**

**Mr O'Dowd:** Invitations to attend the ASPIRE Seminars were issued by email to all schools here inviting the school principal to attend. In some cases the principal chose to delegate attendance to either the school Special Educational Needs Co-ordinator or to another teacher in their school.

A recording of one of the seminars was made by ESAGS TV to enable those schools that did not have representation at a seminar, to benefit from the information shared at the seminars. An email will issue to all schools to advise when this recording is available to view on the ESAGS TV website.

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An ASPIRE completion certificate is available on the Department of Education's website for schools to download. Schools may amend the certificate to suit their own school needs and to recognise that their staff have committed to completing ASPIRE.

There are no plans to obtain external accreditation for this resource.

### **ASPIRE Self-study Module**

**Mr Ross** asked the Minister of Education whether the ASPIRE self-study module will be considered as a continuing professional development accreditation document.

**(AQW 23027/11-15)**

**Mr O'Dowd:** Invitations to attend the ASPIRE Seminars were issued by email to all schools here inviting the school principal to attend. In some cases the principal chose to delegate attendance to either the school Special Educational Needs Co-ordinator or to another teacher in their school.

A recording of one of the seminars was made by ESAGS TV to enable those schools that did not have representation at a seminar, to benefit from the information shared at the seminars. An email will issue to all schools to advise when this recording is available to view on the ESAGS TV website.

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ASPIRE is a resource tool to assist schools in developing their capacity when using the SEN Resource File. This will enhance teachers' understanding, knowledge and skills to ensure more effective learning in the classroom. An outcome of using ASPIRE should be improvement relating to aspects of professional practice and personal development.

An ASPIRE completion certificate is available on the Department of Education's website for schools to download. Schools may amend the certificate to suit their own school needs and to recognise that their staff have committed to completing ASPIRE.

There are no plans to obtain external accreditation for this resource.

## Teacher Training

**Mr Ross** asked the Minister of Education whether he has any plans for 'go-to reference sources' to replace teacher training by qualified instructors.

**(AQW 23028/11-15)**

**Mr O'Dowd:** I want teacher training to reflect the need of schools, teachers and our children in the 21st Century. That is why I propose to establish a single school development service under ESA. Its role will be to secure the provision of professional development rather than its delivery. It is envisaged that it will work with principals and teachers to identify and address their development and support needs.

I do not want the new service to be wedded to one method of training. Rather it should be flexible enough to facilitate greater opportunities, where appropriate, for teachers to take the initiative to engage in professional development through a range of resources including "go to reference sources" and other online training programmes as well as tutor led twilight courses and summer schools.

## Integrated Schools: Children

**Mr Lunn** asked the Minister of Education, pursuant to AQW 21126/11-15, whether he will give a similar commitment to parents who opt to send their children to an integrated school in areas where, due to oversubscription, children remain unplaced, and his Department and the relevant Education and Library Board will work with parents to ensure that all children are allocated a place in the integrated sector.

**(AQW 23087/11-15)**

**Mr O'Dowd:** I am committed to ensuring as far as possible that all children of compulsory school age are placed in a school of their preferred sector within a reasonable distance of their home address. The relevant Education and Library Board(s) are responsible for administering the admissions process, and if due to oversubscription within an area children remain unplaced, the Board and the Department will work with parents to ensure that all children are allocated a place in their appropriate sector.

As you will appreciate this may be constrained by the availability of places in integrated schools in any particular area.

## Integrated Provision: Demand

**Mr Lunn** asked the Minister of Education what mechanism is used by his Department to determine the level of demand for integrated provision in areas where such provision does not exist; and how his Department ensures that provision is in line with demand and parental choice.

**(AQW 23089/11-15)**

**Mr O'Dowd:** Area Planning is the process through which a network of viable and sustainable schools will be developed so that all pupils will have access to a high quality education.

The Education and Library Boards, working closely with the Council for Catholic Maintained Schools (CCMS) and the other school sectors, have been tasked with developing collective strategic plans on an area basis. The considerations of need should take account of all pertinent information including population projections which set the control total and expressed and revealed parental preference for each sector in a given area.

If there is evidence of demand for Integrated education in an area where there is currently no provision, the N I Council for Integrated Education (NICIE), as the lead body responsible for supporting and developing integrated education, should bring forward robust, evidence based cases for growth for consideration within in the area planning context. As there is a finite number of pupils for which education provision is required a balance must be reached on the overall distribution of places across all sectors within an area. Inevitably growth in one sector will require a reduction in the other sectors.

My Department's role in relation to the assessment of area plans is one of scrutiny and challenge. The aim will be to ensure that the planning process is robust and that all area plans and the proposals within those plans adequately reflect the needs of the young people and the wishes of their parents.

Any significant change to the existing provision in an area, such as the establishment of a new school, will require the support of an approved statutory development proposal.

### Schools Placed in Intervention

**Mr Copeland** asked the Minister of Education to outline the procedure which would lead to a school being placed into intervention.

**(AQW 23139/11-15)**

**Mr O'Dowd:** The procedures leading to a school being placed into formal intervention are outlined in Annex C of the Department's school improvement policy - 'Every School a Good School – a Policy for School Improvement' (ESaGS). The policy aims to support schools and teachers in their work to raise standards and to ensure that pupils are receiving a high-quality education. ESaGS includes a requirement that, where there is evidence that pupils are not receiving a high-quality education, the school will be provided with focused support through the Formal Intervention Process (FIP).

The evidence is provided through school inspection undertaken by the Education and Training Inspectorate. Where a school is inspected and the overall quality of education provided is reported to be less than satisfactory, the school will enter the FIP.

The Department writes to the local Education and Library Board (and the CCMS in the case of Catholic maintained schools), within two weeks of the completion of the inspection, to inform them that the school has entered the FIP and to advise of the requisite follow-up action. The letter is copied to the chair of the school's Board of Governors and the school principal.

Further details on the FIP can be found on the Department's website:

[www.deni.gov.uk/index/curriculum-and-learningt-new/standards-and-school-improvements/every-school-a-good-school/formal-intervention-process.htm](http://www.deni.gov.uk/index/curriculum-and-learningt-new/standards-and-school-improvements/every-school-a-good-school/formal-intervention-process.htm).

### Schools Placed in Intervention

**Mr Copeland** asked the Minister of Education to list the schools which have been placed in intervention on more than one occasion.

**(AQW 23140/11-15)**

**Mr O'Dowd:** Dundonald High School is the only school to have been placed in formal intervention on more than one occasion since the introduction of the formal intervention process in 2009.

### Bangor Schools: Primary 1 Places

**Mr Weir** asked the Minister of Education what consideration has been given to allowing an increase in enrolment numbers for 2013/14 for primary 1 places in schools in Bangor.

**(AQW 23152/11-15)**

**Mr O'Dowd:** Two primary schools in Bangor requested approval from the Department of Education to increase their permitted intake to primary one in September 2013; Towerview PS and St Comgall's PS. Neither of these applications was approved as places are available at alternative schools in the town.

### New School Builds

**Mr Agnew** asked the Minister of Education for an update on the 22 new school builds which were approved in January 2013, including how many have received planning permission and how many have submitted development plans.

**(AQW 23162/11-15)**

**Mr O'Dowd:** In my statement to the Assembly on 22 January 2013 I announced a programme of 22 new build projects that would advance in planning. Most of these projects are at an early stage in planning, principally economic approval stage.

However a smaller number are at a more advanced stage and my officials are examining options for these projects to advance more quickly, subject to funding and all approvals being in place.

In relation to planning permissions, most of the projects are not yet at the stage where planning approvals are being sought. Currently planning approvals have been confirmed for 2 schools; Elmgrove Primary School and Edenderry Nursery School.

In relation to your query on Development Proposals, I can confirm that of the 22 projects, six require the publication and approval of development proposals. Two development plans have been received in relation to Devenish College and Lisnaskea High School and the statutory consultation period for these ends on 28 May 2013.

Four further Development Plans remain to be published. These relate to Craigbrack, Listress & Mullabuoy Primary Schools; Glenravel & St Mary's Primary Schools; Portora Royal School & Enniskillen Collegiate Grammar School; and St Mary's, St Paul's & St Michael's Grammar Schools, Lurgan.

The development plan for the amalgamation of Kilcoan and Mullaghduh Primary Schools was approved in April 2004.

## Capital Money

**Mr Agnew** asked the Minister of Education how much capital money his Department has returned to the Department of Finance and Personnel, in each of the last five financial years.

**(AQW 23163/11-15)**

**Mr O'Dowd:** The total amount of capital funding returned to the Department of Finance and Personnel in each of the last five years is as follows:

YEAR	2008/09 £m	2009/10 £m	2010/11 £m	2011/12 £m	2012/13 £m
In –Year Reduced Requirement	14.5	9.8	Nil	Nil	Nil
Year End Capital Underspend	1.9	0.1	1.4	0.7	0.5
Capital Budget Spend	99.1%	99.9%	99.2%	99.4%	99.6%

**Note:** 2012/13 underspend position is based on Provisional Outturn position)

The reduced requirement declared in 2008/09 related to the deferment of a site purchase which subsequently proceeded in 2009/10.

In 2009/10, the capital reduced requirement was due to slippage in anticipated expenditure profiles of capital projects.

There were no in-year capital funding reduced requirements declared to the Department of Finance and Personnel in the last three years.

## Redundancy Payments: Principals and Vice-Principals

**Mr D Bradley** asked the Minister of Education, pursuant to AQW 21637/11-15, how many of the 33 principals received an additional payment or entered into a legal confidentiality agreement with their employers.

**(AQW 23198/11-15)**

**Mr O'Dowd:** The Education and Library Boards and the Council for Catholic Maintained Schools have confirmed that none of the 33 Principals/ Vice-Principals made redundant, in the last three years, for reasons other than school closures received an additional payment or entered into a legal confidentiality agreement with their employers.

## Galbally: Primary School

**Lord Morrow** asked the Minister of Education to detail the number of children enrolled in each year group at Galbally primary school; and the number of children that will be enrolled in the 2013/2014 academic year.

**(AQW 23214/11-15)**

**Mr O'Dowd:** The information requested is detailed in the table below.

### St Josephs primary school, Galbally – Enrolments 2012/13

Year	Year group									Total enrolment
	Nursery	Reception	1	2	3	4	5	6	7	
2012/13	0	0	27	26	32	23	22	23	21	174

**Source:** School census

The projected enrolment for this school in 2013/14 is 191 pupils.

## Killyman Primary School

**Lord Morrow** asked the Minister of Education to detail the number of children enrolled in each year group at Killyman Primary School; and the number of children that will be enrolled in the 2013/2014 academic year.

**(AQW 23223/11-15)**

**Mr O'Dowd:** The information requested is detailed in the table below.



**Killyman Primary School – Enrolments 2012/13**

Year	Year group									Total enrolment
	Nursery	Reception	1	2	3	4	5	6	7	
2012/13	0	0	22	26	22	22	21	15	22	150

**Source:** School census

The projected enrolment for this school in 2013/14 is 158 pupils. These figures include children with a statement of special educational needs.

**Children with Special Needs: Post-primary Education**

**Mr McCartney** asked the Minister of Education to outline the service provision for children with special needs in post-primary education.

**(AQW 23253/11-15)**

**Mr O'Dowd:** Special educational needs (SEN) provision for all children is matched to the individual needs of the child. Provision can be made in special schools, designed for children with particular needs, or in learning support centres (LSCs) attached to mainstream schools or in mainstream classes themselves. It may also consist of home or hospital tuition or placement outside the north of Ireland. LSCs make specialist provision for special educational needs such as autism, speech, language and communication difficulties, hearing impairment and moderate learning difficulties.

The Code of Practice (COP) on the Identification and Assessment of SEN sets out a 5-stage approach to service provision for children with SEN. Most post-primary age children, like primary age children, will have their needs met in their own mainstream school (Stages 1-3 of the COP). Some children's needs will, however, require more specialist intervention often through the completion of a statutory assessment and statement of SEN by the Education and Library Board (Stages 4 and 5 of the COP).

**New Transfer Tests**

**Mr Dickson** asked the Minister of Education how many children, who did not take the new transfer tests in the previous academic year, have subsequently transferred to grammar schools.

**(AQW 23437/11-15)**

**Mr O'Dowd:** The Department does not hold any information on the number of children who have taken unregulated entrance tests in any of the years since they were first used by grammar schools in contravention of the Department's policy that no child should have to sit a test as part of the process of transfer from primary to post-primary school. It is therefore not possible to identify how many children were admitted to grammar schools without having sat unregulated entrance tests in the previous academic year.

**School Pupils: Free Public Transport**

**Mrs Cochrane** asked the Minister of Education, further to the private Member's motion on 4 February 2013 on school transport, for an update on the feasibility study into providing free public transport for all school pupils.

**(AQW 23442/11-15)**

**Mr O'Dowd:** The feasibility of providing free public transport for all school pupils will be considered as part of a wider Review of Home to School Transport policy. My officials are currently taking forward work to establish the Review and I hope to make an announcement in the near future.

**Department for Employment and Learning****Further Education Colleges: Pay Increases**

**Mr D McIlveen** asked the Minister for Employment and Learning why further education colleges have not paid staff members earning less than £21,000 an increase of at least £250 per annum.

**(AQW 22495/11-15)**

**Dr Farry (The Minister for Employment and Learning):** Historically, Further Education non-teaching staff in Northern Ireland are contractually entitled to pay rises determined by the National Joint Council (NJC). Unfortunately, it is my understanding that any agreements reached by the NJC are excluded from the automatic entitlement to the £250, as the Council is not deemed by HM Treasury to be a Pay Review Body

It is also my understanding that pay negotiations for the years 2010/11 and 2011/12 have yet to be completed. Whilst my Department has no role in the negotiation process, and given the recent announcements by the Department of Education in relation to these payments in the schools sector, I have asked the College Employers to explore the possibility of making this

payment available to eligible staff. I am hopeful that, in the interest of equity, this matter will be resolved satisfactorily to all concerned.

### Qualifications: 2010-11 and 2011-12

**Mr Buchanan** asked the Minister for Employment and Learning how many people were involved in obtaining the 140,000 qualifications in academic years (i) 2010-11; and (ii) 2011-12.

**(AQW 22528/11-15)**

**Dr Farry:** The number of people who were involved in obtaining the 140,000 qualifications in academic years (i) 2010/11 were 56,885; and (ii) 2011/12 were 62,376.

**Sources:** Higher Education Statistics Agency (HESA); Further Education Leavers Survey (FELS); Essential Skills Enrolment Return (ESER); Client Management System (CMS).

#### Notes:

- There is no unique identifier across all four datasets therefore it is possible for an individual to achieve within higher education, further education, essential skills and within a government training programme.
- An individual may achieve in both academic years and will be counted in both years if this has occurred.

### University of Ulster: Day Care Facilities

**Mr P Ramsey** asked the Minister for Employment and Learning whether he has sought, or will seek, evidence and the equality impact assessment from the University of Ulster on its plans to close day care facilities; and for his assessment of any evidence.

**(AQW 22557/11-15)**

**Dr Farry:** As I advised in my letter to you dated 30 April 2013, decisions relating to the operation of student services at the University of Ulster are rightly a matter for the management of the University.

My officials have, however, contacted the University to discuss the closure of the on-site childcare facilities at its Jordanstown and Magee campuses.

The University has provided information to support the closure and has provided assurances that it remains committed to providing the current levels of direct financial support for childcare in order to ensure a the impact on student parents is minimal and to implement University policies to assist employees in the day nurseries to be redeployed or re-employed.

The University has also advised that it carried out an equality screening exercise in line with the requirements in Section 75 of the Northern Ireland act 1998. The report of this equality screening exercise is available on the University of Ulster website.

### Agency Workers Regulations 2011

**Mr Swann** asked the Minister for Employment and Learning whether he is aware of any Department that is contravening the Agency Workers Regulations 2011.

**(AQW 22619/11-15)**

**Dr Farry:** I am not aware of any tribunal case law which has found a Northern Ireland Government Department to be in breach of the Agency Workers Regulations (Northern Ireland) 2011.

Whilst my Department is responsible for inspecting employment agencies to ensure compliance with the Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005, it is not responsible for enforcement of the Agency Workers Regulations (Northern Ireland) 2011. As is the case with most employment legislation, enforcement of the employment protections under the Agency Workers Regulations (Northern Ireland) 2011 is provided for through the industrial tribunals.

### Northern Ireland Civil Service

**Mr Swann** asked the Minister for Employment and Learning whether he recognises the Northern Ireland Civil Service as an employer.

**(AQW 22635/11-15)**

**Dr Farry:** I recognise my Department as one of the twelve government departments which comprise the Northern Ireland Civil Service (NICS). While each department has a separate Human Resources function, the Department of Finance and Personnel, through Corporate Human Resources (CHR), ensures that NICS-wide policies and services are in place in relation to the employment and management of staff.

### Programme for Government: Commitment 36

**Mr Allister** asked the Minister for Employment and Learning, with regard to commitment 36 in the Programme for Government, how many people who moved from welfare into employment have returned to welfare, in the last three years.

**(AQW 22674/11-15)**

**Dr Farry:** Commitment 36 in the Programme for Government is to ‘Support people (with an emphasis on young people) into employment by providing skills and training’.

The milestone for 2012/2013 was 65,000; the milestone for 2013/14 is 89,000 cumulative.

The Department does not monitor how many of those clients have returned to welfare and therefore the information requested is not available.

### Programme for Government: Commitment 25

**Mr Allister** asked the Minister for Employment and Learning, in relation to delivery of commitment 25 of the Programme for Government, how the number of qualifications claimed translates into the number of actual individuals.

**(AQW 22675/11-15)**

**Dr Farry:** In relation to delivery of Commitment 25 of the Programme for Government, the number of qualifications claimed translates into 119,261 individuals.

Sources: Higher Education Statistics Agency (HESA); Further Education Leavers Survey (FELS); Essential Skills Enrolment Return (ESER); Client Management System (CMS).

#### Notes:

- There is no unique identifier across all four datasets therefore it is possible for an individual to achieve within higher education, further education, essential skills and within a government training programme.
- The volume of qualifications mentioned in the question is over a two year period. The individual count was determined within each academic year separately and then added together. An individual may achieve in both academic years and will be counted in both years if this has occurred.

### Further Education Colleges

**Mr Allister** asked the Minister for Employment and Learning to detail the (i) numeric; and (ii) percentage drop-out rate amongst students in further education colleges, both cumulatively and in respect of each college, for the latest year for which figures are available and a breakdown of the reasons provided.

**(AQW 22676/11-15)**

**Dr Farry:** Dropout rates (withdrawal rates used as proxy) for final year student enrolments for each college for the 2011/12 academic year are listed below: DEL and the Colleges do attempt to monitor reasons for withdrawal. At present this is only known for one third of dropouts, the major reasons from known cases being ‘personal reasons’ - 46%, ‘entered employment’ - 20% and ‘health reasons’ - 19%.

College	No. of Withdrawals	% Withdrawn
Belfast Metropolitan	3335	12%
Northern Regional	2310	14%
South Eastern Regional	2710	12%
Southern Regional	1665	7%
South West	1635	10%
North West Regional	2705	16%
<b>Total</b>	<b>14365</b>	<b>12%</b>

**Source:** Further Education Leavers Survey

#### Notes:

- 1 Retention/Achievement analysis in FE focuses on final year student enrolments, those for whom an outcome is expected per academic year, which covers 80% of enrolments.
- 2 Numeric data is rounded to nearest 5 in line with disclosure protocol.

### Paid and Unpaid Invoices

**Mrs Cochrane** asked the Minister for Employment and Learning, for the period 1 April 2012 to 31 March 2013, to detail (i) the total number of invoices paid by his Department and its arm’s-length bodies; (ii) the number of invoices paid within 30 calendar days of receipt; (iii) the number of invoices paid within 10 working days of receipt; (iv) how each of her Department’s arm’s-length bodies has performed against the 30-Day payment performance targets; and (v) the number of invoices that, to date, remain unpaid.

**(AQW 22757/11-15)**

**Dr Farry:** The information requested for the period 1 April 2012 to 31 March 2013 for this Department and its Arm's-Length Bodies is set out in the attached Annex. Details are included for the following organisations:

- Department for Employment and Learning (DEL);
- Ulster Supported Employment Limited (USEL);
- CITB—ConstructionSkills Northern Ireland (CITB);
- Labour Relations Agency (LRA);
- Belfast Metropolitan College (BMC);
- Northern Regional College (NRC);
- North West Regional College (NWRC);
- South Eastern Regional College (SERC);
- Southern Regional College (SRC);
- South West College (SWC); and,
- Stranmillis University College.

**Department for Employment and Learning and its Arm's-Length Bodies for the period 1 April 2012 to 31 March 2013**

	DEL	USEL	CITB	LRA	BMC	NRC	NWRC	SERC	SRC	SWC	Stranmillis
Total number of invoices paid	7,489	6,479	1,247	1,514	12,612	10,565	10,756	13,738	12,282	15,373	3,577
Number of invoices paid within 30 calendar days of receipt	7,219	6,479	1,245	1,408	7,933	7,596	10,186	10,316	9,785	10,026	1,735
Number of invoices paid within 10 working days of receipt	6,585	*	1,146	937	3,692	1,801	7,501	5,874	3,653	**	454
30 Day Payment Performance	96.4%	100.0%	99.8%	93.0%	62.9%	71.9%	94.7%	75.1%	79.7%	65.2%	48.5%
Number of invoices that, to date, remain unpaid	55	0	0	8	62	131	0	57	83	40	52

\* It has been agreed with DFP that, as USEL is a commercial company that pays promptly on the 20th day of the month following the receipt of an invoice, performance against target is not required.

\*\* South West College currently does not capture data regarding invoices paid within ten working days but is reviewing its financial system in order to capture this information

### Queen's University Students' Union: Stewarding Service

**Mr Agnew** asked the Minister for Employment and Learning what aspects of the stewarding service provided at Queen's University Students' Union warrant the privatisation of the service.

(AQW 22784/11-15)

**Dr Farry:** My Department does not fund Queen's University Students' Union.

As Queen's University is responsible for its own policies and procedures, including management of services, you may find it more helpful to deal directly with the university on this matter.

### Queen's University Students' Union: G4S

**Mr Agnew** asked the Minister for Employment and Learning to provide details of the value of the contract to GS4 for providing steward and security service at Queen's University Students' Union.

(AQW 22785/11-15)

**Dr Farry:** My Department does not fund Queen's University Students' Union.

As Queen's University is responsible for its own policies and procedures, including management of services, you may find it more helpful to deal directly with the university on this matter.

### Queen's University Students' Union: G4S

**Mr Agnew** asked the Minister for Employment and Learning whether he can provide assurances that the stewards employed by GS4 for Queen's University Students' Union will be students.

(AQW 22786/11-15)

**Dr Farry:** My Department does not fund Queen's University Students' Union.

As Queen's University is responsible for its own policies and procedures, including management of services, you may find it more helpful to deal directly with the university on this matter.

### Third-level Education

**Mr Agnew** asked the Minister for Employment and Learning what other sections of third-level education does he anticipate will be privatised or outsourced to private companies.

**(AQW 22787/11-15)**

**Dr Farry:** My Department provides funding to the local Higher Education Institutions for teaching and research purposes. The Institutions, however, are responsible for their own policies and procedures, including how they manage other functions within their business areas.

### Young People: Diverse Range of Needs

**Ms Fearon** asked the Minister for Employment and Learning what capital funding is available in his budget for organisations who train and provide services for young people with a diverse range of needs.

**(AQW 22845/11-15)**

**Dr Farry:** The Department's Further Education and Higher Education Divisions fund Further Education Colleges, Higher Education Universities and Higher Education University Colleges. The capital budget for Further Education for 2013-14 is £7m and for 2014-15 £19m. The capital budget for Higher Education for 2013-14 is £16m and for 2014-15 £23m.

Further Education and Higher Education sectors train and provide services for young people with a diverse range of needs.

### Stranmillis University College: Chair of the Board of Governors

**Mr Allister** asked the Minister for Employment and Learning to detail (i) when the chair of the board of governors of Stranmillis University College will be appointed; (ii) how many people applied for the post and the date of application; and (iii) how many people were interviewed and when.

**(AQW 22885/11-15)**

**Dr Farry:** Prof Sir Desmond Rea was appointed Chair of the Governing Body of Stranmillis University College with effect from 13 May 2013.

Ten applications were received for the post. These were dated as follows: 12 and 16 January, 20, 21, 25, 26 and 28 (3 applications) February, and 1 March 2013. Seven people were interviewed for the post. The interviews took place over three dates, the 9, 10 and 22 of April 2013.

### Queen's University Students' Union: G4S

**Mr Swann** asked the Minister for Employment and Learning, following the announcement that G4S will have responsibility for security services at Queen's University Students' Union, whether all existing security staff will be given the opportunity to have The Transfer of Undertakings (Protection of Employment) Regulations applied.

**(AQW 22896/11-15)**

**Dr Farry:** My Department does not fund Queen's University Belfast's Students' Union. However, my officials contacted the University regarding this matter and the University has stated that the Queen's Students' Union is committed to providing jobs for students in the Students' Union. Students are currently employed in security roles on the Union's Belfast premises. Following the Students' Union Referendum on Thursday 7 May 2013, a decision has been taken to engage an independent security advisor to review security services within the Union. The University has also stated that the review will include consultation with all relevant stakeholders and existing security arrangements will remain in place pending the outcome of the review.

Therefore, my Department is not in a position to comment in this instance.

### Economic Inactivity

**Mr Hilditch** asked the Minister for Employment and Learning to outline how he can ensure that the private sector is fully engaged in drafting a strategy to reduce economic inactivity.

**(AQW 23009/11-15)**

**Dr Farry:** Following the publication of the baseline analysis of economic inactivity, my Department and the Department of Enterprise, Trade and Investment have continued to develop a draft strategy to tackle the high levels of economic inactivity in Northern Ireland. A key part of this process involves engagement with public, private and third sector organisations. The Department for Social Development and Invest NI were identified as key partners within Government, and have recently joined the working group to contribute to the further development of the strategy. The inclusion of Invest NI in particular will be useful in engaging with the private sector, as it has developed a successful working relationship with many private sector businesses and representative organisations.

In taking forward this process, the working group will finalise a wider stakeholder engagement plan, which will provide opportunities for public, private and third sector organisations to contribute to the strategy. Organisations such as the Northern Ireland Chamber of Commerce and the Northern Ireland branches of the Federation of Small Businesses and the Confederation of British Industry will be among those engaged with before the public consultation stage of the strategy.

### Allstate: Jobs

**Mr Agnew** asked the Minister for Employment and Learning whether there are sufficient people with the relevant skills to fill the 650 jobs which are being created by Allstate.

(AQW 23160/11-15)

**Dr Farry:** The 650 new posts to be created include technology, knowledge and business outsourcing positions across Allstate's sites at Belfast, Londonderry and Strabane. The full complement of staff is due to be in place by 2016. The company has already made solid progress in recruiting with approximately 200 of the 650 appointments having been made. It is confident that it can continue this trend.

Allstate recruits both experienced IT professionals and those from a non-IT background. The nature of the posts to be filled, and Allstate's commitment to skills development, mean that a significant proportion of the roles can be filled by talented people from a non-IT background.

Over the years my Department has worked regularly with Allstate in support of its recruitment campaigns, with over 700 of the company's workforce having joined with assistance from the Bridge to Employment Programme, and has helped in the recruitment of some of the 200 already recruited in the current campaign.. My Department is already therefore in contact with Allstate and will be happy to continue to work with them to help secure the remaining number of suitably skilled recruits they require.

This is in addition to the work being taken forward by the ICT Working Group which I established in January 2012 and chair. This group brings together officials, local ICT employers, employer representative bodies and further and higher education. The remit of the Group is to ascertain the skills issues being faced by the ICT sector and to develop an action plan to articulate the short, medium and long term actions to address the issues identified. The ICT action plan was published in June 2012 and the ICT Working Group will meet in June 2013 to review the progress of implementation in the year since publication.

## Department of Enterprise, Trade and Investment

### Trade: Diversification

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment how she plans to work with the Minister for Foreign Affairs and Trade to increase diversification of trade.

(AQW 22567/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Growing the Northern Ireland economy sits at the centre of the Programme for Government with ambitious plans to increase exports. The Republic of Ireland continues to be Northern Ireland's largest export market with over one third (£2.1bn, 37%) of total Northern Ireland export sales (£5.7bn) in 2012, across a diverse range of market sectors. Notably, the Food and Live Animals sector accounts for almost 30% of Northern Ireland exports to the RoI. The difficult economic conditions, however, continue to be a challenge and have contributed to a 6% reduction in exports in 2012, with the manufacturing and construction sectors being hardest hit.

My Department, through Invest NI, works closely with Enterprise Ireland to drive Northern Ireland exports and trade diversification. Enterprise Ireland, in turn, works with the Department of Foreign Affairs and Trade to implement the Irish Government's Trade Strategy. A Memorandum of Understanding (2007) exists between Invest NI and Enterprise Ireland to enable collaboration across a number of business development areas, such as reciprocal arrangements with respect to trade mission participation. Also, Invest NI's Chairman and Chief Executive meet their respective counterparts in Enterprise Ireland, biannually, to discuss progress and consider other opportunities to work together to grow our respective economies. Officials from Invest NI and Enterprise Ireland are in regular contact and seek to organise joint events, as appropriate.

Both Governments continue to support InterTradeIreland to develop North/South trade and innovation opportunities.

### Fermanagh: Shale Gas

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what analysis has her Department has conducted to ensure that the business model, for developing shale gas in Fermanagh, presented by Tamboran Resources is accurate and viable.

(AQW 22653/11-15)

**Mrs Foster:** The business model presented by Tamboran Resources is based on a high level analysis commensurate with the information available now, at this early stage of exploration. My Department is content with the company's work to date but recognise that initial drilling and testing of the shales is required to verify some of the assumptions made about the shale gas resource that underpin Tamboran's business model. Unless and until such drilling is carried out a detailed analysis of the company's model would have limited validity.

## Smart Specialisation Strategy

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment whether the progress made on a smart specialisation strategy will deliver on subregional economic clusters.

**(AQW 22670/11-15)**

**Mrs Foster:** Developing a Framework for Smart Specialization (S3) is the process promoted by the European Commission as a means for regions to identify their innovation and research priorities. Northern Ireland is at an advanced stage in the development of this Framework. The Framework builds on the extensive work undertaken by Matrix and the research undertaken for the development of the Economic Strategy. Northern Ireland has been the first UK Region to be successfully 'peer reviewed' by the EU Smart Specialisation Platform and we are currently undergoing an 'Expert Review' by DG Regio. That Review will inform the final development of the Framework which will be submitted to DG Regio later this year.

Economic clustering is an important part of the S3 Framework. Clustering supports increased collaboration between companies and with academia, which can support companies increase their competitiveness in national and international markets. Clusters, which can grow organically at a sub regional level, are supported through a range of Invest NI programmes, such as the Collaborative R&D programme and the Collaborative Network Programme (CNP).

## Broadband Service

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment what discussions her Department has had with Broadband Delivery UK regarding the provision of a 2 megabit per second broadband service following the closure of the Department's public consultation on the matter in October 2012.

**(AQW 22677/11-15)**

**Mrs Foster:** My Department has had regular and ongoing discussions with BDUK throughout the process, considering State Aid rules and commercial arrangements.

## Broadband Service

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment whether, following discussions with Broadband Delivery UK, her Department is revisiting any baseline data relied upon at the time of its consultation 'The Provision of a 2 Megabit per second Broadband Service across Northern Ireland.'

**(AQW 22678/11-15)**

**Mrs Foster:** The process is subject to constant refinement to ensure compliance with State Aid rules.

## Broadband Service

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment for her assessment of the baseline data used in the Department's consultation 'The provision of a 2 Megabit per second Broadband Service across Northern Ireland.'

**(AQW 22679/11-15)**

**Mrs Foster:** Initial baseline data was based on the information available from providers at that time and information held by the Department.

## Broadband Service

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment whether her Department has asked BT to re-examine data provided to her Department for inclusion in its consultation document 'The Provision of a 2 megabit per second Broadband Service across Northern Ireland.'

**(AQW 22680/11-15)**

**Mrs Foster:** The process is subject to constant refinement, to ensure compliance with State Aid rules. This applies to all stakeholders including the Department, BDUK and any prospective supplier.

## Broadband Service

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment when she will respond to the consultation document 'The provision of a 2 Megabit per second Broadband Service across Northern Ireland.'

**(AQW 22681/11-15)**

**Mrs Foster:** It is my intention to publish a document in the near future that will include detail of the responses received and to provide a final opportunity to help determine the area of intervention, in accordance with State Aid rules.

## Invest NI

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment to detail (i) the measures that Invest NI can implement to address issues of underinvestment in local areas; (ii) the engagement that Invest NI has had to date with Down District

Council; and (iii) whether Invest NI can make an advisor available to Down District Council in an effort to increase investment in the district.

**(AQW 22705/11-15)**

**Mrs Foster:** Invest NI continues to offer a wide range of support to encourage investment in local areas.

The Regional Start initiative (RSI) is designed to support locally focussed entrepreneurs into self employment. The RSI is set in the context of Invest NI's work with local Councils and the widest possible business base.

Invest NI's Boosting Business programme was launched in November 2011 in direct response to the difficulties being faced by businesses as a result of the economic downturn. In June 2012 Invest NI established a full time Business Support Team to deal with enquiries from businesses across Northern Ireland.

The Invest NI Jobs Fund has been developed to promote 5,000 jobs and provides employment grant support to investment projects which will create new sustainable jobs. Invest NI is continuing to build a pipeline of projects that will lead to further new job creation in Down District and across Northern Ireland.

Invest NI has a good working relationship with Down District Council at all levels and regularly meets with their representatives. Recently Mark Bleakney (Southern Regional Manager) met with John Dummigan (CEO Down District Council) to discuss general economic development in the area and on the 8th May Alastair Hamilton (CEO Invest NI) and Mark Bleakney met with the Council's Development Committee to discuss Invest NI activity in Down.

Invest NI also continues to work with Down District Council and the SEED (South East Economic Development) group of Councils on a range of new initiatives under the Local Economic Development Measure (LED).

In addition Invest NI is working with Down Council and SEED to jointly develop an FDI sales application.

Invest NI staff will liaise with Down District Council in their endeavours to increase investment in the district.

### **South Down: Future Investment Opportunities**

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment for her assessment of future investment opportunities in South Down.

**(AQW 22706/11-15)**

**Mrs Foster:** The factors that are important to and influence a potential investor exist to varying degrees across Northern Ireland's Parliamentary Constituency Areas (PCAs) and, as a result, levels of investment will vary across the different PCAs. However, I am firmly of the belief that the benefits provided by securing high quality investment – both local and foreign – extend well beyond the borders of the PCA in which the company decides to locate.

Each potential investment project will have its specific requirements, but investors will typically focus on the availability of skilled labour, suitable property and infrastructure requirements, along with existing clusters of companies in their business sector. It is important to note that any attempt to direct Foreign Direct Investment (FDI) to locations that do not meet the company's requirement would jeopardise the chances of Northern Ireland securing the investment.

My Department, including Invest NI, is well aware of the challenges facing many of our local areas, including South Down. We are committed to working with local stakeholders to maximise the offering in their area. For example, in order to help raise Northern Ireland's profile within international markets, Invest NI has recently developed and launched a smartphone application ('FDI app') which can be used as a tool to help promote the benefits of setting up in the region to potential foreign investors. Local councils have been invited to participate in using this tool by inputting a local proposition for their area.

Invest Northern Ireland continues to offer a wide range of support to encourage local investment in local areas.

The Regional Start initiative (RSI) is designed to support locally focussed entrepreneurs into self employment. The RSI is set in the context of Invest NI's work with local Councils and the widest possible business base.

Invest NI's Boosting Business programme was launched in November 2011 in direct response to the difficulties being faced by local businesses as a result of the economic downturn. In June 2012 Invest NI established a full time Business Support Team to deal with enquiries from businesses across Northern Ireland.

The Invest NI Jobs Fund has been developed to promote 5,000 jobs and provides employment grant support to investment projects which will create new sustainable jobs. Invest NI is continuing to build a pipeline of projects that will lead to further new job creation in Down District and across Northern Ireland.

### **Hydraulic Fracturing Licence**

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether the geographical area covered by petroleum prospecting licence PL1/13 will not include licences for hydraulic fracturing.

**(AQW 22709/11-15)**

**Mrs Foster:** I would refer the member to the answer I gave to AQW 14180/11-15, which he also submitted, in which I advised that my Department does not issue licences for hydraulic fracturing.



## Tamboran Resources Hydrocarbon Reserve Claims

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what evaluation her Department has conducted of the hydrocarbon reserve claims of Tamboran Resources in its licence area.

**(AQW 22711/11-15)**

**Mrs Foster:** It is inappropriate to attempt a detailed evaluation of the estimates that Tamboran Resources have made of the amounts of recoverable gas in their licence area at this early stage of exploration. Some of the parameters used in the calculations are derived from the existing exploration data from the area but others are based on extrapolations from other areas. Initial drilling and testing of the shale gas resource is required to verify some of the assumptions inherent in these estimates. A stratigraphic borehole to obtain rock core from the Bundoran Shale Formation would, for example, provide more accurate information about the Total Organic Content and the mechanical properties of the shales than could be obtained from the old drill cuttings available from previous exploration wells in the area.

## Tamboran Resources

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what evaluation her Department has conducted on Tamboran's forecasted ultimate recovery rate of an average well.

**(AQW 22712/11-15)**

**Mrs Foster:** My Department has made a preliminary evaluation of Tamboran's estimate of the ultimate recovery rate of an average well. In the absence of any shale gas production in Northern Ireland Tamboran's estimate relies on values from shale gas producing areas in the USA. The values used by Tamboran are in line with those published in recent analyses of producing wells in the Barnett, Fayetteville, Woodford, Haynesville and Eagle Ford shales.

However, caution should be exercised when evaluating estimates of ultimate recovery rates made before, or in the early stages of, gas production. The uncertainties involved in the estimation of shale gas resources are discussed at some length in Chapter 2 of the JRC report for the European Commission, 'Unconventional Gas: Potential Energy Market Impacts in the European Union', available for download at the web address:

[http://ec.europa.eu/dgs/jrc/downloads/jrc\\_report\\_2012\\_09\\_unconventional\\_gas.pdf](http://ec.europa.eu/dgs/jrc/downloads/jrc_report_2012_09_unconventional_gas.pdf)

## Wind Power

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment for her assessment of the viability of a production target for wind power that is 20% greater than the rest of the UK.

**(AQW 22725/11-15)**

**Mrs Foster:** The Strategic Energy Framework (SEF) target of 40% electricity consumption from renewable sources by 2020 is not solely a wind target; it covers all forms of renewable generation. The setting of the target is evidence based and derived from the higher than average amount of renewable resource available in Northern Ireland.

Based on the amount of renewable electricity projects in the planning system, Northern Ireland is on target to meet the interim Programme for Government target of 20% of electricity consumption from renewable energy sources by 2015. In the second half of the decade to 2020, offshore wind generation will make a significant contribution to meeting the 40% target, but will be subject to the Utility Regulator approving the required level of investment in the electricity grid.

There is no mandatory UK target for electricity generation but it is expected that, by 2020, 30% of electricity consumption will come from renewable sources in the UK.

## Wind Power

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment who she will target to buy wind power.

**(AQW 22726/11-15)**

**Mrs Foster:** It is not the role of government to direct potential transactions between buyers and sellers. These are commercial matters in a privatised market. All market participants in the Single Electricity Market generating more than 10MW are required to bid their generation into SEM from which it will then be dispatched by the market operator according to the most efficient market schedule.

## Causeway Coast: International Sales Representatives

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment in which countries do the international sales representatives, who participated in the recent visit to the Causeway Coast, operate.

**(AQW 22741/11-15)**

**Mrs Foster:** The International Representatives were drawn from all of Invest NI's key target markets for Foreign Direct Investment. The countries represented were as follows:

- United Kingdom (London and Northern Ireland offices)
- Republic of Ireland
- USA

- Canada
- Belgium (covering Continental Europe)
- India
- Japan

### Broadband Service

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment whether she will rule out a further period of consultation prior to inviting tenders for the provision of a 2 megabit per second broadband service.

**(AQW 22746/11-15)**

**Mrs Foster:** As we continue to refine our area of intervention, it is a condition of the State Aid decision to undertake a further consultation shortly before any procurement commences.

### EC Document: State Aid SA.33671 (2012/N)

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment what assessment she has made of whether the European Commission's document, State Aid SA.33671 (2012/N), places unique burdens on Northern Ireland that are not placed on her counterparts in Scotland or Wales.

**(AQW 22747/11-15)**

**Mrs Foster:** The success of the rollout of next generation broadband services due to investment made by my Department, has had additional implications on Northern Ireland, to ensure it complies fully with State Aid rules. Any planned intervention must be targeted in those areas where broadband services are currently limited.

### Broadband Service

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment in how many of the postcodes identified in her Department's document 'Postcodes across Northern Ireland' is the provision of a 2 megabit per second Broadband service limited to one or two suppliers; and whether there is evidence to suggest that they do in fact have a service limited to one or two suppliers.

**(AQW 22748/11-15)**

**Mrs Foster:** The document published by my Department lists some 5440 postcodes. This was based on a number of working assumptions, set out in the information paper that was also published on the department's website. This is available at [http://www.detini.gov.uk/next\\_generation\\_services\\_coverage\\_assessment\\_\\_151\\_kb\\_.pdf](http://www.detini.gov.uk/next_generation_services_coverage_assessment__151_kb_.pdf)

### 'A Telecommunications Action Plan for Northern Ireland 2011-2015'

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment whether her Department has revised any assumptions in its document 'A Telecommunications Action Plan for Northern Ireland 2011-2015'.

**(AQW 22750/11-15)**

**Mrs Foster:** None of the assumptions have been revised in the aforementioned paper.

### Paid and Unpaid Invoices

**Mrs Cochrane** asked the Minister of Enterprise, Trade and Investment, for the period 1 April 2012 to 31 March 2013, to detail (i) the total number of invoices paid by her Department and its arm's-length bodies; (ii) the number of invoices paid within 30 calendar days of receipt; (iii) the number of invoices paid within 10 working days of receipt; (iv) how each of her Department's arm's-length bodies has performed against the 30-day payment performance targets; and (v) the number of invoices that, to date, remain unpaid.

**(AQW 22759/11-15)**

**Mrs Foster:** The attached table details the information requested.

	(i) Total Number of Invoices paid	(ii) Number of Invoices paid within 30 days	(iii) Number of Invoices paid within 10 days	(iv) Performance (% of Invoices paid within 30 days)	(v) Number of Invoices remaining unpaid
DETI	3,650	3,559	3,335	97.5	0
Invest Northern Ireland	7,517	7,235	6,811	96.2	20
Northern Ireland Tourist Board	5,320	5,068	4,882	95.3	10

	(i) Total Number of Invoices paid	(ii) Number of Invoices paid within 30 days	(iii) Number of Invoices paid within 10 days	(iv) Performance (% of Invoices paid within 30 days)	(v) Number of Invoices remaining unpaid
Health and Safety Executive for Northern Ireland	639	638	631	99.8	0
Consumer Council for Northern Ireland	687	684	558	99.6	0

### Titanic Belfast Visitors

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment to detail (i) the number of visitors to Titanic Belfast in its first year of operation; (ii) the number of those visitors who paid for a tour of the facility; and (iii) the projected or targeted visitor numbers for each of the next 10 years.

**(AQW 22798/11-15)**

**Mrs Foster:**

- (i) The number of visitors to Titanic Belfast in its first year of operation was 807,340 making it the most popular visitor attraction in Northern Ireland.
- (ii) The number of those visitors who paid for a tour of Titanic Belfast was 752,224 with a further 55,116 visitors attending events in the Titanic suites.
- (iii) A Green Book Economic Appraisal for the project was completed in June 2008. The visitor figures used in this appraisal were based on visitor projections prepared by an independent expert. The projected visitor numbers for the next 9 years of operation are as follows:
- |                   |                   |                    |
|-------------------|-------------------|--------------------|
| ■ Year 2: 335,229 | ■ Year 5: 305,871 | ■ Year 8: 311,577  |
| ■ Year 3: 318,014 | ■ Year 6: 305,096 | ■ Year 9: 314,890  |
| ■ Year 4: 308,899 | ■ Year 7: 308,313 | ■ Year 10: 318,250 |

The operator's current visitor projections are not available.

### 'Game of Thrones': Jobs Created

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment how many jobs have been created in Northern Ireland as a result of the filming of the 'Game of Thrones' series in Belfast.

**(AQW 22827/11-15)**

**Mrs Foster:** The Northern Ireland Screen Commission (NI Screen) is the lead organisation for developing the film and television industry in Northern Ireland. Invest NI is the largest funder of NI Screen, providing support of £43.4 million for the period 1st April 2003 to 31st March 2013, including £7.9 million in the last financial year. The following table provides the requested information related to the number of full time equivalent (FTE) jobs created in Northern Ireland as a result of the 'Game of Thrones' production over the relevant period 2009 – 2013.

	FTE's from Production of GoT <sup>1</sup>	Average Length of Contract (Mths)
Pilot (2009)	30	n/a
Series 1 (2010)	190	6
Series 2 (2011)	221	6
Series 3 (2012)	250	6
Series 4 (2013)	250 <sup>2</sup>	6
<b>Total</b>	<b>941</b>	.....

1 FTE's have been calculated by summing the periods of individual employment contracts and then converting to total years.

2 Estimated

The above data is related to FTE's only and does not include those employed on shorter term daily rates on an 'as and when required' basis. Neither does it include the number of cast members (including extras) engaged on each production. The following table details the total number of people involved in the production of each series of Game of Thrones.

	Core Crew <sup>3</sup>	Dailies	Local Cast	Total
Pilot (2009)	155	100	202	457
Series 1 (2010)	316	113	1,010	1439
Series 2 (2011)	336	553	1,498	2387
Series 3 (2012)	261	151 <sup>4</sup>	1,665	2077
Series 4 (2013)	Not available	Not available	Not available	Not available

3 Includes NI resident permanent FTE's

4 Base estimation, Northern Ireland Screen expects this to be more in the region of 500 - 600

### Invest NI: Available Lands

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment to detail lands available to Invest NI within the Dungannon district.

**(AQW 22894/11-15)**

**Mrs Foster:** Within the Dungannon and South Tyrone Borough Council area Invest NI holds some 91 acres of land of which 15 acres remain available to support economic development projects brought forward by qualifying businesses. These figures are correct as at 31st March 2013.

As noted in my response to AQO 3646/11-15 the organisation has recently completed the sale of almost 15 acres of its new industrial land at Dungannon Business Park in support of such a project.

I can also advise that there are registered interests from a further eight businesses seeking to acquire land within Dungannon Business Park. Invest NI will work closely with each of these companies over the coming months to further develop their interests.

### Giro d'Italia 2014

**Mr McKay** asked the Minister of Enterprise, Trade and Investment whether she has approached the organisers of the Giro d'Italia 2014 regarding the possible inclusion of North Antrim in the route for the event.

**(AQW 23022/11-15)**

**Mrs Foster:** The exact route has yet to be finalised. This is the remit of RCS Sport who will work with the teams to develop the route. The Northern Ireland Tourist Board and I are keen that as much of Northern Ireland is showcased as possible, depending on the feasibility as judged by RCS Sport and the teams. Discussions are on-going.

The Northern Ireland Tourist Board has established a group to engage with local authorities. This group met for the first time on 11 April 2013 with North Antrim local authorities involved. This local authority group will meet again once the route is decided and will have a key role in delivering on the range of opportunities that the event will provide locally.

## Department of the Environment

### Derry: Gasification Plant

**Mr McCartney** asked the Minister of the Environment for an update on his plans to address the public concern over the planning process in relation to the gasification plant in Derry.

**(AQW 22349/11-15)**

**Mr Attwood (The Minister of the Environment):** It is important to recognise what the gasification proposal means – in the case of Enviroparc waste will arrive from the existing on site Material Recovery Facility in the form of an RDF (i.e. waste that has been converted to fuel by shredding and dehydration). The RDF will be fed into a gasifier, where it will be heated in a reduced oxygen environment converting it into a synthetic gas fuel. The gas is then utilised as an efficient fuel in an oxygen rich environment. The energy (in the form of steam) from the combustion is used to drive a turbine. From this process electrical energy and recoverable heat energy will be produced. Any residual waste will fall into an ash pit which will be taken for off-site disposal to a suitably licensed landfill as a non-hazardous waste or for further processing by a third party ash processing company, to recover the ash as an aggregate.

Therefore, the model sees separation of waste, energy from waste with a recycle at the end of the process. Moreover, it is a gasification – not an incineration – model.

After the planning application for this facility was determined some concern on human health and impact on the environment have now been raised. These issues were fully considered during the processing of the application and expert advice was sought from a range of consultees. An approval was issued after the expert advice was considered.

In addition public consultation was carried out during the processing of the application by way of press advertisement and neighbour notification. There were 4 objections to the proposal received during processing of the planning application and objectors were notified of the outcome of the decision. The public had the opportunity to input into this consultation on any and all issues including matters of concern. The opportunity to comment, oppose, agree or make any comment whatsoever existed. I note that few took up the opportunity – be it business, individual, political or otherwise.

There was a requirement to place a general notice in the local press after the planning decision had been taken. Due to an administrative oversight this was not done at the time. It has now been rectified. An investigation is now taking place to identify how this oversight occurred and to ensure that procedures are put in place to avoid a recurrence on dealing with future planning applications.

I am satisfied that the public and others had the opportunity to input into this planning process and decision and that no person, group, organisation or community has been denied their legal entitlements. I will, of course, address concerns, if they exist. I believe others should take the opportunity to explain the situation, advise people that it is a gasification plant that there was many opportunities to contribute to the planning process and that the challenge of EU waste requirements, the need to ensure less and less landfill and our obligation to our heritage mean that everyone behave responsibly and not try to create worst fears.

### **North Down Borough Council: Planning Applications**

**Mr Weir** asked the Minister of the Environment how many planning applications in the North Down Borough Council area have been in the planning system for three or more years; and to detail the nature of each application.

**(AQW 22838/11-15)**

**Mr Attwood:** As of 31 March 2013, a total of 6 planning applications in the North Down Council area had been in the planning system for three or more years. This figure has been taken from the most recent statistical information available in relation to outstanding planning applications.

Details of each application are as follows:

- 1 **W/2006/0416/F** – Modification of existing approval W/2002/0514 from a 5 no. duplex apartment block to 3 no. townhouses at site to the rear of land formerly occupied by 111-115 Bloomfield Road South, Bangor.
- 2 **W/2007/0038/F** – Demolition of existing dwellings and development of a terrace of 5 townhouses and 4 detached dwellings at 16-18 Victoria Road, Holywood (recommendation to refuse to Council 21/05/2013)
- 3 **W/2009/0486/F** - The demolition of two existing dwellings (nos. 4 & 4a) and construction of three detached houses at 2, 4 & 4a Ballymullan Road, Crawfordsburn (since 31/03/2013 being granted permission)
- 4 **W/2009/0695/F** – Erection of a 2 ½ storey detached dwelling at site adjacent to 25 Downshire Road, Bangor.
- 5 **W/2009/0714/F** – Proposed conversion and extension of existing dwelling into 2 no. dwellings and erection of 3 no. new dwellings at 3 Alexandra Park, Holywood.
- 6 **W/2007/0022/DCA** – Complete demolition of 2 dwellings at lands at 16-18 Victoria Road Holywood (recommendation to refuse to Council 21/05/2013)

I have asked for further information in relation to each of these applications.

## **Department of Finance and Personnel**

### **Defamation Bill**

**Mr Allister** asked the Minister of Finance and Personnel whether he withdrew a paper proposing a legislative consent motion on the Defamation Bill; and to outline the reasons for this action.

**(AQW 22620/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** No.

### **Premature Deaths: Air Pollution**

**Mr Agnew** asked the Minister of Finance and Personnel for an estimate of the annual number of premature deaths in Belfast as a result of air pollution.

**(AQW 22654/11-15)**

**Mr Wilson:** Deaths are registered with the General Register Office and are classified using the International Classification of Diseases (ICD10). In Belfast City Council Area, since 2001, there were no deaths registered where Air Pollution1 was mentioned on the death certificate.

Cause of death is based on a medical or coroner's certificate. The certifying doctor or coroner states the direct cause of death (e.g. 'ischaemic heart disease') on the certificate. It would thus be very unusual for "Air Pollution" to be written on a death certificate.

- 1 The International Statistical Classification of Diseases, Injuries and Causes of Death codes used for 'Air Pollution' are Z58.1 and Z57.3.

### Flagpoles: Public Buildings

**Mr Dallat** asked the Minister of Finance and Personnel to detail (i) the number of flagpoles for public buildings that have been purchased in the last 12 months; (ii) the total cost involved in purchasing and erecting these flagpoles; and (iii) whether the work of erecting the flagpoles was put out to tender.

**(AQW 22699/11-15)**

**Mr Wilson:** In the last 12 months five orders for flagpoles have been issued for buildings in the office estate. Total estimated cost is £6,550.

The orders were placed through a property management framework that was competitively tendered by DFP.

### Flags and Flagpoles

**Mr McKay** asked the Minister of Finance and Personnel what consultation he has undertaken with employees who work in the buildings on which he is proposing to erect flags and flagpoles.

**(AQW 22727/11-15)**

**Mr Wilson:** Since the decision to erect flagpoles on specified buildings was undertaken to comply with the law which had been supported by all parties in the Assembly, there was no requirement to consult with employees in relation to the proposal to erect flagpoles and fly the union flag on office buildings where DFP has premises responsibility.

### Paid and Unpaid Invoices

**Mrs Cochrane** asked the Minister of Finance and Personnel, for the period 1 April 2012 to 31 March 2013, to detail (i) the total number of invoices paid by his Department and its arm's-length bodies; (ii) the number of invoices paid within 30 calendar days of receipt; (iii) the number of invoices paid within 10 working days of receipt; (iv) how each of her Department's arm's-length bodies has performed against the 30-day payment performance targets; and (v) the number of invoices that, to date, remain unpaid.

**(AQW 22760/11-15)**

**Mr Wilson:** Details of the number of invoices paid and associated prompt payment performance for the period 1 April 2012 to 31 March 2013 are as follows:

	Invoices paid during 2012/13	Invoices paid within 30 days	Invoices paid within 10 days
DFP (including Arm's Length Bodies)	38,609	37,930	36,215

DFP has five arm's length bodies. During the period the Lay Observer and the Public Service Commission paid 16 invoices, all within the 30 day prompt payment target.

Prompt payment statistics for the NI Building Regulations Committee, Statistics Advisory Committee and Principal Civil Service Pension Scheme (NI) Governance Group are not separately recorded on the departmental accounting system. However, the number of invoices generated by these bodies is small and the impact on prompt payment performance is therefore minimal.

As at 31 March 2013, the departmental accounting system showed that there were 56 invoices remaining unpaid.

### Travel and Hotel Expenses: Payment from Public Funds

**Mr Allister** asked the Minister of Finance and Personnel whether counsel, who normally practise outside Northern Ireland, are entitled to payment from public funds for travel and hotel expenses when they travel here to appear in a case on behalf of the Departmental Solicitor's Office; and whether any such payments have been made, and to what extent.

**(AQW 22821/11-15)**

**Mr Wilson:** Solicitors in the Departmental Solicitor's Office acting on behalf of Departmental clients and public bodies are required to instruct counsel who are appointed to the Northern Ireland Government Civil Panels, all of whom are called to the Northern Ireland Bar. Only where the knowledge and expertise required is not available from the Panels will consideration be given to instructing off-panel, and then only with the authority of the instructing Department and the approval of the Departmental Solicitor.

In the small number of cases where counsel from outside the jurisdiction has been instructed reasonable expenses have been paid to cover travel and accommodation costs, as appropriate.

## ‘Together: Building a United Community’

**Mrs Overend** asked the Minister of Finance and Personnel to detail the budgetary reallocations necessary following the publication of ‘Together: Building a United Community’.

**(AQW 22918/11-15)**

**Mr Wilson:** The “Together: Building a United Community” strategy was developed by OFMDFM and I currently have no information as to the potential budgetary implications of this initiative.

## Young People

**Mr Beggs** asked the Minister of Finance and Personnel to detail, by council area and electoral Ward, the number of people aged 18-24 who are (i) in employment; (ii) in education; (iii) in training; and (iv) not in employment, education or training.

**(AQW 22939/11-15)**

**Mr Wilson:** The information requested for persons aged 18-24 is available from the Labour Force Survey (LFS) at the Northern Ireland level and the most recent estimates are provided in Table 1 overleaf. However, the LFS is a sample survey and the information is not available for this age group at district council or ward level due to sample size constraints.

The district council and ward level information will become available (for 2011) when detailed characteristics at the sub-Northern Ireland level are released from the 2011 Census of Population in Summer 2013.

**Table 1**

	<b>Northern Ireland Total</b>
In Employment	82,000
In Education	70,000
In Training	7,000 <sup>1</sup>
Not in Employment, Education, or Training (NEET)	38,000

Please note that the employment, education and training categories are not mutually exclusive.

1 Estimates for those in training are based on relatively small sample size and are subject to a high degree of sampling variability. They should therefore be treated with caution.

## Social Value Act

**Ms Maeve McLaughlin** asked the Minister of Finance and Personnel whether a social value Act will be considered for introduction here.

**(AQW 22950/11-15)**

**Mr Wilson:** The Programme for Government contains a key commitment to include social clauses in all public procurement contracts. In addition the Executive’s Northern Ireland Public Procurement Policy requires compliance with the statutory duties on equality of opportunity and sustainable development as well as the need to pay due regard to its other economic, social and environmental policies. I do not believe that further legislation is required.

## Dundonald House: Refurbishment

**Mr Campbell** asked the Minister of Finance and Personnel for an estimate of the cost of refurbishing the Dundonald House premises, currently occupied by the Department of Agriculture and Rural Development.

**(AQW 22979/11-15)**

**Mr Wilson:** No estimate is available for the standalone refurbishment of those parts of Dundonald House occupied by the Department of Agriculture and Rural Development. The estimated cost of refurbishing all of Dundonald House is £35.85m.

## Civil Servants’ Salaries

**Mr McNarry** asked the Minister of Finance and Personnel how many civil servants are paid over (i) £50,000; (ii) £75,000; (iii) £100,000; (iv) £125,000; and (v) £150,000 per annum.

**(AQW 22982/11-15)**

**Mr Wilson:** The information provided below includes Northern Ireland civil servants in the 13 NICS departments as well as NICS staff working in the Health and Safety Executive, the Assembly Ombudsman and Commissioner for Complaints, the Attorney General’s office, the Prison Service and the Youth Justice Agency. The figures are as at 1 April 2012, which is the latest set of validated figures available and are based on full time equivalent basic salaries.

(i) 838 Northern Ireland civil servants are paid over £50,000 per annum of which;

(ii) 78 are paid over £75,000 per annum;

- (iii) 15 are paid over £100,000 per annum;
- (iv) 4 are paid over £125,000 per annum; and
- (v) 2 are paid over £150,000 per annum.

### Departmental Arm's-length Bodies or Quangos

**Mr McNarry** asked the Minister of Finance and Personnel how many employees of departmental arms-length bodies or quangos are paid over (i) £50,000; (ii) £75,000; (iii) £100,000; (iv) £125,000; and (v) £150,000 per annum.

**(AQW 22985/11-15)**

**Mr Wilson:** There were no employees of my Department's arms-length bodies who were paid over the amount of £50,000 per annum.

This response is provided for the Department of Finance and Personnel only as the information for all departments is not held centrally. The Member should contact individual departments for their information.

### Civil Service Buildings: Loop System

**Mr Allister** asked the Minister of Finance and Personnel to what extent are civil service buildings equipped with the loop system to assist visitors or employees who have a hearing impairment.

**(AQW 23138/11-15)**

**Mr Wilson:** All refurbished and newly leased DFP properties have had deaf loop systems installed in designated meeting/interview rooms since the Disability Discrimination Act was introduced in 1995. In addition, where requested, portable loop systems for use in any room within a building are provided. These provide local coverage as necessary.

### Equal Pay Settlement: PSNI

**Mr Hussey** asked the Minister of Finance and Personnel what discussions he has had with the PSNI on progressing a business case for civilian staff who were not covered by the equal pay settlement.

**(AQW 23170/11-15)**

**Mr Wilson:** I have had no discussions with the PSNI regarding this matter that would be an issue for the DOJ Minister

### Equal Pay Settlement: PSNI

**Mr Hussey** asked the Minister of Finance and Personnel to outline the contact he has received lobbying on the issue of civilian staff not covered by the equal pay settlement.

**(AQW 23171/11-15)**

**Mr Wilson:** I have received correspondence regarding this issue from MPs, individual MLAs, the Committee for Finance and Personnel and PSNI staff. I have also answered a number of Assembly Questions relating to this matter.

### Equal Pay Settlement: PSNI

**Mr Hussey** asked the Minister of Finance and Personnel what assessment he has made of the case presented by the groups lobbying his Department on behalf of civilian staff in the PSNI who were not covered by the equal pay settlement.

**(AQW 23172/11-15)**

**Mr Wilson:** The arguments put forward by those lobbying on this issue do not change the fact that the position in terms of eligibility has been clear from the outset of the equal pay settlement and this has now been upheld in the County Court, which found that the settlement applied only to periods of service in the 11 NICS departments and did not apply to bodies such as the NIO and PANI/PSNI, who had lawfully received delegation for pay matters, which was still in effect during the relevant time period. No legal liability has been established upon which to base any rationale to approve payment of the settlement to PSNI staff.

### Suicide

**Mr Rogers** asked the Minister of Finance and Personnel to detail the number of people in each constituency who died by suicide, in each of the last five years.

**(AQW 23204/11-15)**

**Mr Wilson:** The table overleaf details the number of deaths registered as a suicide<sup>1</sup> in Northern Ireland, for 2008 to 2012, broken down by Assembly Area.

<sup>1</sup> In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined injury'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined injury' are Y10-Y34 and Y87.



**Table 1: Number of Deaths Registered as Suicide<sup>1</sup> in Northern Ireland by Assembly Area<sup>2</sup>, 2008-2012**

Assembly Area	Registration Year				
	2008	2009	2010	2011	2012
Belfast East	10	17	23	14	11
Belfast North	27	26	25	31	21
Belfast South	15	13	20	21	17
Belfast West	30	27	20	29	29
East Antrim	12	9	9	12	14
East Londonderry	14	16	19	12	20
Fermanagh and South Tyrone	12	19	13	16	17
Foyle	20	17	25	15	16
Lagan Valley	9	6	23	15	20
Mid Ulster	15	14	9	14	10
Newry and Armagh	31	18	16	19	12
North Antrim	10	11	20	13	14
North Down	10	9	13	8	7
South Antrim	9	12	13	14	16
South Down	13	6	20	9	12
Strangford	9	6	16	10	11
Upper Bann	15	16	17	26	20
West Tyrone	21	17	12	11	8
Resident outside Northern Ireland	0	1	0	0	3
<b>Northern Ireland</b>	<b>282</b>	<b>260</b>	<b>313</b>	<b>289</b>	<b>278</b>

- 1 In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined injury'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined injury' are Y10-Y34 and Y87.
- 2 Based on the current Assembly Area Boundaries.

## Department of Health, Social Services and Public Safety

### Health and Social Care Trust Service and Budget Agreements

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety on what date each Health and Social Care Trust signed its service and budget agreements in the (i) 2009-10; (ii) 2010-11; (iii) 2011-12; (iv) 2012-13; and (v) 2013-14 financial years.

**(AQW 22305/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The date on which each Health and Social Care Trust signed its Service and Budget Agreement is set out in the table below.

Information for the current financial year 2013/14 has not yet been finalised and is therefore not available.

#### Belfast Health and Social Care Trust

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	30-Jun-09	16-Feb-11	02-Dec-11	10-Oct-12
Date SBA signed by Trust	Not signed	Not signed	Not signed	Not signed
Value of contract	£848,445,255	£916,414,000	£968,847,000	£992,266,912

**South Eastern Health And Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	26-Jun-09	11-Feb-11	30-Nov-11	12-Oct-12
Date SBA signed by Trust	23-Jul-09	26-May-11	Not signed	Not signed
Value of contract	£391,185,802	£417,851,000	£436,548,000	£450,366,000

**Northern Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	23-Nov-09	11-Feb-11	30-Nov-11	10-Oct-12
Date SBA signed by Trust	Not signed	Not signed	Not signed	Not signed
Value of contract	£448,152,990	£503,250,000	£520,163,000	£528,630,000

**Southern Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	26-Jun-09	11-Feb-11	30-Nov-11	10-Oct-12
Date SBA signed by Trust	09-Jul-09	02-Aug-11	Not signed	16-Oct-12
Value of contract	£402,083,192	£436,770,000	£458,481,000	£466,433,000

**Western Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	30-Jun-09	16-Feb-11	30-Nov-11	10-Oct-12
Date SBA signed by Trust	15-Jul-09	19-May-11	Not signed	14-Dec-12
Value of contract	£401,622,144	£413,668,000	£435,024,000	£458,422,000

**Northern Ireland Ambulance Service Health and Social Care Trust**

	2009/10	2010/11	2011/12	2012/13
Date HSCB issued SBA to Trust	23-Jul-09	28-Feb-11	20-Dec-11	13-Mar-13
Date SBA signed by Trust	21-Aug-09	09-Mar-11	03-Jan-12	20-Mar-13
Value of contract	£51,966,848	£53,607,769	£56,211,938	£55,996,355

**Source:** Health and Social Care Board.

Service and Budget Agreements are not legal contracts but are the vehicles through which the HSCB communicates the level of resources available to each Trust, the volumes and levels of activity expected for that funding, the quality and performance standards to which the Trust will be held in delivering its services and the governance frameworks to be used in performance management.

Whilst it is preferable that Trusts signal their acceptance of these undertakings through a formal signing off process, it is not considered to be an essential component of the overall financial planning and commissioning process and Trusts will still be monitored and held to account against the SBA values/volumes.

**Medical Professionals' Representations**

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety whether he is aware of the growing concern of GPs and other medical professionals at the lack of regard given to their representations by those conducting ATOS assessments; and what measures he has taken to ensure that medical professionals' representations are given due recognition by ATOS assessors.

**(AQW 22555/11-15)**

**Mr Poots:** I understand the position is as follows:

Responsibility for ATOS Healthcare, who took over the Social Security Agency's Medical Support Service in June 2011, rests with the Department for Social Development. ATOS provide independent medical advice to the Social Security Agency and conduct disability assessment for people claiming a range of benefits. ATOS consider all representations received from GPs

and/or other medical professionals. The Social Security Agency has appointed a Health Assessment Advisor, whose role it is to monitor the quality and consistency of medical assessment and the quality of services provided by Atos.

ATOS are not responsible for determining entitlement to benefit; this remains the responsibility of a Social Security Agency Decision Maker, who considers all available evidence in relation to a claimant's claim before making a decision to entitlement. This will include information from the medical questionnaire, the healthcare professional's assessment, and any other relevant information provided by GPs and/or other medical professionals.

Concerns regarding the consideration of medical reports as part of a benefit claim or appeal should be addressed to the Department for Social Development, the Department responsible for providing the Medical Support Service, and the contracting body for ATOS Healthcare.

### Foot and Ankle Surgery Services

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety what impact changes to foot and ankle surgery services may have on the future viability of the training programme in orthopaedics.  
(AQW 22565/11-15)

**Mr Poots:** It is not envisaged that the proposed new podiatric surgical service will have any impact on the future viability of the orthopaedic training programme. The Health and Social Care Board has advised that the proposed new service will focus on the gap between the demand for foot and ankle surgery and the capacity to meet that demand i.e. it will deal with foot and ankle referrals which Trusts are currently unable to provide within existing capacity. I understand that similar podiatric services have been operating in other parts of the UK for some years without any detriment to the training of orthopaedic consultants.

The Health and Social Care Board has advised that the proposed new podiatric surgical service will be commissioned in an open and transparent manner involving all relevant stakeholders.

### Thackeray Day Centre, Limavady

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety what services are currently provided at Thackeray Day Centre, Limavady.  
(AQW 22582/11-15)

**Mr Poots:** Thackeray Day Care Centre provides a wide range of structured, varied and educational activities for clients with varying medical problems and disabilities, inclusive of depression and loneliness. The Day Centre offers clients the opportunity to integrate with a group who have common problems, create new friendships and participate in various activities. Clients also receive meals supplied by the adjacent Thackeray residential home.

The Day Centre allows older people to remain in their own homes within the community and also provides respite services to family and friends who prefer to look after their loved ones at home. Ten places are offered on a Wednesday for older people with dementia.

Activities include: bread making; knitting; patchwork quilting; glass painting; gardening; flower arranging; reminiscence therapy, poetry, storytelling; crossword puzzles and bingo. There is also a computer suite available for use by the clients.

### Proposed Children's Heart Surgery Facility, Dublin

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety whether his Department will provide any funds towards the proposed children's heart surgery facility in Dublin.  
(AQW 22604/11-15)

**Mr Poots:** I assume this question relates to the recommendation from the Health and Social Care (HSCB) Board to commission paediatric congenital cardiac surgery services primarily from Dublin. I have received the recommendation from the HSC Board and once I make a decision on the preferred way forward for the future commissioning of Paediatric Congenital Cardiac Surgery and Interventional Cardiology for the population of Northern Ireland it will be for the commissioner, in discussion with the provider, to agree on the funding requirements for the service.

### Residential Care Homes: Closure

**Mr Allister** asked the Minister of Health, Social Services and Public Safety when he first became aware that the Northern Health and Social Care Trust intended to close all of its residential care homes; and what action he took in response and when.  
(AQW 22618/11-15)

**Mr Poots:** I was contacted and informed on Wednesday 24th April of the Northern Trust's detailed proposals and the intention that these would come before its Board on Thursday 25th April. It was not clear to me, nor to the Department, at that point, that most mainstream elderly statutory homes were likely to be under consultation for closure. This was only apparent as other Trusts came forward with proposals in the days immediately following.

On 3rd May 2013, I called a halt to the Trust consultation proposal process. I have asked the Health and Social Care Board (HSCB) to lead on a new, regionalised process of consultation, which will place at its core the principle of sensitivity to the needs and wishes of older people.

I have written to the residents in all the affected care homes including those residential care homes in the Northern Trust.

### Residential Care Homes: Respite Beds and Intermediate Care Beds

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail the extent of the use of (i) respite beds; and (ii) intermediate care beds in each residential care home, in each of the last five years.

**(AQW 22621/11-15)**

**Mr Poots:** The information requested is not held centrally therefore it was requested from each of the five Health and Social Care (HSC) Trusts. Their responses are provided in Tables 1-5 overleaf.

Tables 1-5: Admissions to respite and intermediate care beds in residential care homes from 2008-2013

**Table 1: Belfast HSC Trust**

Residential Home	2012/13		2011/12		2010/11		2009/10		2008/09	
	Respite	Inter-mediate	Respite	Inter-mediate	Respite	Inter-mediate	Respite	Inter-mediate	Respite	Inter-mediate
Chestnut Grove	11	132	16	69	29	43	41	28	-	-
Grovetree	0	0	13	67	32	89	17	92	-	-
Pine Lodge	9	123	8	76	13	83	6	70	-	-

Belfast HSC Trust also has 5 residential care homes for people with dementia; they provide mainly long term care with a small amount of respite. These homes are unaffected by change and are therefore not included.

**Table 2: Northern HSC Trust**

Residential Home	2012/13		2011/12		2010/11		2009/10		2008/09	
	Respite	Inter-mediate	Respite	Inter-mediate	Respite	Inter-mediate	Respite	Inter-mediate	Respite	Inter-mediate
Clonmore	48	94	43	90	45	88	50	53	46	0
Lisgarel	102	37	75	32	61	48	40	73	53	0
Joymount	95	24	66	15	52	4	67	0	51	0
Rosedale	79	55	90	54	101	29	72	26	74	0
Pinewood	13	149	34	125	66	101	15	78	48	0
Roddens	87	43	44	33	39	5	24	0	21	0
Greenisland	52	0	41	0	45	0	36	0	36	0
Westlands	34	62	35	48	36	39	48	28	47	0
Rathmoyle	25	0	17	0	5	0	14	0	11	0

**Table 3: South Eastern HSC Trust**

Residential Home	2012/13 Temporary Admissions	2011/12 Temporary Admissions	2010/11 Temporary Admissions	2009/10 Temporary Admissions	2008/09 Temporary Admissions
Ardview House	-	-	-	-	-
Drumlough House	129	104	125	125	96
Laurelhill House	33	30	25	21	20
Mount Alexander	42	60	76	61	52
Newcroft Lodge	33	38	49	44	44
Northfield House	123	99	115	181	192
Ravara House	91	264	184	185	136

South Eastern HSC Trust were unable to split the usage of respite and intermediate care beds as figures were recorded as either permanent or temporary admissions.

**Table 4: Southern HSC Trust**

Residential Home	2012/13	
	Intermediate Care / Memory / Respite beds provided	Average occupancy (%)
Slieve Roe	5	50.3
Cloughreagh	5	62.6
Roxborough	6	38.9
Crozier	9	61.7
Skeagh	6	35

Southern HSC Trust were unable to provide the information requested for each of the last 5 years in the timeframe required.

**Table 5: Western HSC Trust**

Residential Home	2012/13		2011/12		2010/11		2009/10		2008/09	
	Respite	Inter-mediate	Respite	Inter-mediate	Respite	Inter-mediate	Respite	Inter-mediate	Respite	Inter-mediate
Thackeray Place	45	13	61	3	53	4	32	7	60	10
Rectory Field	15	10	50	17	39	13	47	8	69	3
William Street	9	5	3	2	20	2	22	4	19	4
Greenfield	19	12	21	8	27	5	24	2	28	10
Seymour Gardens	46	-	43	-	40	-	51	-	51	-

Western HSC Trust only able to provide breakdown for care homes under the remit of Primary care and Older People's Services

" - " Indicates that figures were unavailable

## Residential Care Homes

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail the (i) number of admissions to; and (ii) capacity of each residential care home, in each of the last five years.

**(AQW 22622/11-15)**

**Mr Poots:** The information requested is not held centrally therefore it was requested from each of the five Health and Social Care (HSC) Trusts. Their responses are provided in Table 1 below.

**Table 1: Capacity and number of Admissions to each Residential Care Home**

Residential Home	Capacity	No. of admissions				
		2012/13	2011/12	2010/11	2009/10	2008/09
<b>Belfast HSC Trust</b>						
Chestnut Grove	44	143	85	72	69	-
Grovetree	44	0	80	121	109	-
Pine Lodge	40	132	84	96	76	-
Belfast HSC Trust also has 11 residential care homes for which they have not provided information.						
<b>Northern HSC Trust</b>						
Clonmore	40	142	140	141	114	61
Lisgarel	40	139	109	122	117	60
Joymount	40	119	91	67	72	70
Rosedale	36	134	146	135	111	86

Residential Home	Capacity	No. of admissions				
		2012/13	2011/12	2010/11	2009/10	2008/09
Pinewood	36	162	159	167	93	48
Roddens	29	130	80	47	26	27
Greenisland	30	52	49	54	50	48
Westlands	29	96	87	80	78	52
Rathmoyle	39	25	20	12	20	20
Northern HSC Trust also has 4 residential care homes for which they have not provided information.						
<b>South Eastern HSC Trust</b>						
Struell Lodge	7	2	3	0	1	1
Ardview House	39	6	3	4	5	8
Drumlough House	39	136	107	132	134	111
Laurelhill House	30	42	45	33	31	33
Mount Alexander	37	52	68	86	75	60
Newcroft Lodge	32	41	46	61	56	62
Northfield House	41	123	100	117	182	194
Ravara House	40	91	266	184	187	138
South Eastern HSC Trust also has 2 residential care homes for which they have not provided information.						
<b>Southern HSC Trust</b>						
Slieve Roe	17	-	-	-	-	-
Cloughreagh	23	-	-	-	-	-
Roxborough	30	-	-	-	-	-
Crozier	27	-	-	-	-	-
Skeagh	24	-	-	-	-	-
Southern HSC Trust unable to supply admissions figures broken down by individual care home.						
<b>Western HSC Trust</b>						
Thackeray Place	32	71	76	65	48	81
Rectory Field	35	38	91	78	74	92
William Street	27	19	6	27	29	30
Greenfield	34	41	43	43	36	53
Seymour Gardens	26	57	51	43	56	56
Ralph's Close	16	0	1	16	-	-
Creamery House	11	0	1	0	0	1
Mantlin Court	17	1	1	0	2	0
Respite Cottage	8	-	-	-	-	-
Beltany House	3	-	-	-	-	-

" - " Indicates that figures were unavailable

### Statutory Residential Homes: Closure

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety, following the announcements by Health and Social Care Trusts of the closure of statutory residential homes, whether there have been any complaints lodged regarding the methods used by some staff in relaying the news of the Trust's intention to residents and relatives.

(AQW 22631/11-15)

**Mr Poots:** At 20 May 2013, no formal complaints have been identified by the Western, Northern or Southern Trusts.

You will be aware that on 3 May 2013, I called a halt to the local Trusts' processes for closure of statutory residential homes for older people. The HSC Board will now lead a new process for consultation and engagement. I have recently written to residents in affected homes explaining to them what is now going to happen. I want the new process to be clear and not rushed.

### **Western Health and Social Care Trust: Annual Budget**

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what is the Western Health and Social Care Trust's annual budget.

**(AQW 22640/11-15)**

**Mr Poots:** The 2012/13 annual revenue budget for the Northern Health and Social Care Trust was £601.6m. In addition, the capital allocation for the same year was £35.4m.

### **Donaghadee Health Centre: Average Waiting Time**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what is the average waiting time for a GP appointment in Donaghadee Health Centre.

**(AQW 22643/11-15)**

**Mr Poots:** GPs as independent contractors are responsible under the terms of the GMS Contract for the day to day management of their Practice, including the arrangement of appointments for their patients.

I understand that the average waiting time for a GP appointment in Donaghadee Health Centre is 4 days; the average waiting time for a specific GP is up to 2 weeks, however, an appointment will always be given on the same day for medical emergencies.

### **Cancellation of Appointments**

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 21799/11-15, why Health and Social Care Trusts do not compile information on the cancellation of appointments; and whether there are any plans for Trusts to compile this information in future to ensure better understanding, and better management of the costs associated with cancellations.

**(AQW 22665/11-15)**

**Mr Poots:** There was no consistent regional method for capturing information concerning the cancellation of surgical appointments through no fault of the patient over the period specified in AQW 21799/11-15. This is because individual Health and Social Care Trusts have been using different data recording methods. However, following the introduction of the regional Theatre Management System (TMS) and the establishment of clear and definitive guidance for all Trusts; consistent regional information, starting from 1 April 2013, on the reason for cancellation of all surgical procedures cancelled within 24 hours prior to the procedure will be available during Autumn 2013. This work will allow a better understanding of the impact of hospital cancelled surgical appointments.

### **Community Care Worker: Health and Social Care Trusts**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the changes to the fuel allowance and vehicle wear and tear rate received by community care workers in each Health and Social Care Trust, in each of the last three years.

**(AQW 22684/11-15)**

**Mr Poots:** There have been no changes to the fuel allowance and vehicle wear and tear rates in the last three years. The same rates of reimbursement apply to all Agenda for Change staff across all Health and Social Care Trusts.

### **Community Care Workers: Fuel Allowance and Vehicle Wear and Tear**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to outline the process in each Health and Social Care Trust for determining the rate received by community care workers for fuel allowance and vehicle wear and tear, including how any decision is agreed with stakeholders.

**(AQW 22687/11-15)**

**Mr Poots:** Community care workers are employed under Agenda for Change terms and conditions. HSC staff on Agenda for Change terms and conditions are paid business travel expenses in accordance with arrangements set out within Section 17 of the Agenda for Change Handbook. The current reimbursement system has different rates for infrequent ("standard") users or frequent ("regular") users. It also takes into account engine size, with an additional fixed lump sum payment for frequent users. These rates have remained unchanged since 2000.

From 1 July 2013 new mileage arrangements will be introduced. Under these new arrangements the rates will allow for increases in fuel costs and all the costs of keeping a car on the road, including petrol, repairs, insurance and road tax. A consistent rate will apply for frequent users and regular users and lump sum payments will no longer be payable.

This new National Agenda for Change Agreement was negotiated with the Main National Health Service Trade Unions. This included a four country wide consultation process in which HSC Organisations in partnership with local TUS leads participated.

### **Crozier House, Banbridge**

**Mr Dobson** asked the Minister of Health, Social Services and Public Safety to detail his (i) short-term; and (ii) long-term plans for the future of Crozier House, Banbridge.

**(AQW 22689/11-15)**

**Mr Poots:** On 3 May 2013 I called a halt to the local Trusts' processes for closure of statutory residential homes for older people. The HSC Board will now lead a new process for consultation and engagement. I have recently written to residents in Crozier House explaining to them what is now going to happen. I want the new process to be clear and not rushed.

Therefore, I'm sure you will appreciate that it would not be appropriate for me to comment further on an individual home at this stage.

### **Skeagh House, Dromore**

**Mr Dobson** asked the Minister of Health, Social Services and Public Safety to detail his (i) short-term; and (ii) long-term plans for the future of Skeagh House, Dromore.

**(AQW 22690/11-15)**

**Mr Poots:** On 3 May 2013, I called a halt to the local Trusts' processes for closure of statutory residential homes for older people. The HSC Board will now lead a new process for consultation and engagement. I have recently written to residents in Skeagh House explaining to them what is now going to happen. I want the new process to be clear and not rushed.

Therefore, I'm sure you will appreciate that it would not be appropriate for me to comment further on an individual home at this stage.

### **Statutory Care Homes: Staff**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many statutory care home staff have received, or been offered, redundancy packages in each of the last five years; and for what reason.

**(AQW 22694/11-15)**

**Mr Poots:** The number of statutory care home staff who have received, or been offered, redundancy packages in each of the last five years is set out in the table below.

Year	Number of statutory care home staff who received, or have been offered, redundancy packages		Reason
	Offered	Received	
2008/2009	2	2	Reduced staff following public consultation on closure of two statutory homes for older people
2009/2010	11	11	-Re-organisation. -Number of permanent residents decreased which resulted in the need for a reduced staff compliment.
2010/2011	31	28	-Closure of 2 Homes. Number of permanent residents has decreased which has resulted in the need for a reduced staff compliment. -Re-organisation
2011/2012	75	15	-Closure of 1 home. The developments under supported living allowed for staff to be considered for VER/VR. -Re-organisation
2012/2013	69	39	Closure of 1 home. The developments under supported living allowed for staff to be considered for VER/VR.
<b>Total</b>	<b>188</b>	<b>95</b>	



## Health and Social Care Trusts: Chairperson and Chief Executive

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety to detail the primary legal duty of the (i) chairperson; and (ii) chief executive of each of the Health and Social Care Trusts.

**(AQW 22707/11-15)**

**Mr Poots:** The roles and responsibilities of HSC Trust Chairpersons and Chief Executives are set out in each Trust's Management Statement. In addition they are also required to comply with the Code of Conduct and Code of Accountability issued by my Department in July 2012.

- (i) Health and Social Care Trust Chairpersons are Ministerial appointments to bring an independent judgement to bear on issues of strategy, performance and executive appointments within the HSC Trusts. Their primary responsibility is to lead HSC Trusts in the strategic development of health and personal social services. In conjunction with their boards, Trust Chairs must develop clear objectives to achieve this; communicate these inside and outside the HSC Trust; and working, through the Trust management team, ensure the objectives are met. Ultimately a HSC Trust Chair should ensure their Trust performs its role efficiently and effectively.
- (ii) Chief Executives are appointed by each Health and Social Care Trust. In addition they are also designated as the Trust's Accounting Officer by my Department. As the Accounting Officer, they are personally responsible, through its Board, for safeguarding public funds of which they have charge; for ensuring propriety and regularity in the handling of those public funds; and for the day-to-day operations and management of the Trust. In addition they must ensure that the Trust as a whole is run on the basis of the standards for governance, decision making and financial management set out in the Department of Finance and Personnel's guidance Managing Public Money Northern Ireland (MPMNI).

## Paediatric Cardiac Surgeries

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to list the different types of paediatric cardiac surgeries that have taken place in Belfast, in the last three years; and to detail the cost of performing each of these surgeries. **(AQW 22720/11-15)**

**Mr Poots:** The number and range of paediatric cardiac procedures undertaken by the Royal Victoria Hospital in 2010 to 2011 can be accessed from the National Institute for Cardiovascular Outcomes Research (NICOR) website via the following link: [https://nicor4.nicor.org.uk/CHD/an\\_paeds.nsf/0/223262099644E89280257B330007A180?OpenDocument?Summary](https://nicor4.nicor.org.uk/CHD/an_paeds.nsf/0/223262099644E89280257B330007A180?OpenDocument?Summary)

Summary data for the 2011 to 2012 year can be accessed via the link below:

[https://nicor4.nicor.org.uk/CHD/an\\_paeds.nsf/0/AB848A64AF628BFA80257B330007A1E9?OpenDocument?Summary](https://nicor4.nicor.org.uk/CHD/an_paeds.nsf/0/AB848A64AF628BFA80257B330007A1E9?OpenDocument?Summary)

Preliminary unvalidated information for the 2012 to 2013 year indicates that there were 64 paediatric cardiac surgical procedures undertaken. These are listed at Annex A.

The latest available information (for the year 2011 to 2012) on the cost of paediatric cardiac surgery procedures carried out in the Belfast Health and Social Care Trust would indicate an average cost of around £17,000 per procedure.

### Annex A - Belfast Health and Social Care Trust - Paediatric Cardiac Surgical Procedures undertaken in 2012 to 2013 (Aged 15 years and under) – Preliminary Information

Description	Number
Open correction of Patent Ductus Arteriosus	3
Repair of Defect of Atrioventricular Septum	36
Creation of Valved Cardiac Conduit	1
Plastic Repair of Aortic Valve	2
Revision of Plastic Repair of Valve of Heart	1
Open incision of Valve of Heart	1
Removal/Obstruction from Structure Adjacent/Valve Heart	1
Other Cardiac Pacemaker System	2
Creation of Shunt	1
Other Connection to Pulmonary Artery	2
Other Open Operations on Pulmonary Artery	2
Plastic Repair of Aorta	7
Other Operations on Chest Wall	5
<b>Total</b>	<b>64</b>

## Day Case Procedures

**Mr Nesbitt** asked the Minister of Health, Social Services and Public Safety to detail the (i) number; and (ii) cost of day case procedures conducted by (i) the Health Service; and (ii) an independent healthcare provider, in each of the last five years. (AQW 22753/11-15)

**Mr Poots:** Information on the number and cost of daycase procedures conducted by the Health Service in each of the last five years is detailed in the table below.

### (a) Number and cost of daycase procedures conducted by the Health Service

Financial Year	Total Number of Daycase Procedures	Total Spend (£m)
2007/08	152,074	89.3
2008/09	160,213	110.4
2009/10	151,989	107.2
2010/11	154,894	114.7
2011/12	169,970	114.6

**Source:** Hospital Inpatient System & Reference Cost Returns

It is not possible to detail the number and cost of daycase procedures conducted by an independent healthcare provider, in each of the last five years, as this would incur a disproportionate cost. Inpatient and daycase activity available from the Health and Social Care Board on independent healthcare providers is normally counted together as admitted care. However it is possible to provide information on the total activity and total spend on independent sector provision in each of the last five years and this is detailed in the following table.

### (b) Number and cost of all activity conducted by Independent Healthcare Providers

Financial Year	Total Number of Inpatient & Day Cases	Number of Outpatients (New & Review)	Total Spend (£m)
2007/08	10,997	24,905	40.1
2008/09	23,693	42,758	60.0
2009/10	17,602	43,690	57.5
2010/11	7,496	27,780	24.7
2011/12	15,558	48,278	52.6

**Source:** HSC Board

## Statutory Care Homes: Admissions

**Mr Nesbitt** asked the Minister of Health, Social Services and Public Safety to detail the total number of new admissions to statutory care homes, in each Health and Social Care Trust, in each of the last five years. (AQW 22755/11-15)

**Mr Poots:** The information requested is not held centrally and was therefore requested from each of the five Health and Social Care (HSC) Trusts. Their responses are contained in Table 1 below.

**Table 1**

HSC Trust	No. of new admissions				
	2012/13	2011/12	2010/11	2009/10	2008/09
Belfast	275	249	289	254	-
Northern	999	881	825	681	472
South Eastern*	40	40	43	53	64
Southern	-	-	-	-	-
Western	169	216	213	187	256

\* Permanent admissions only

" - " Indicates when a figure was not available.

The Southern HSC Trust were unable to verify the figures required for this response and have therefore not been included.

## Fluoride in Water

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety whether he has spoken to his Executive colleagues about adding fluoride to the water supplies; and to detail the range of feedback he has received.

**(AQW 22763/11-15)**

**Mr Poots:** I am still considering my position on fluoridation of the water supply in Northern Ireland. This has included some early discussions with fellow Executive Ministers on the matter.

I recognise that, across the community, there are strongly held views on the issue of water fluoridation, both for and against. I am mindful that Northern Ireland children have the worst oral health in the United Kingdom and the majority have experienced dental decay, and I will continue to consider and discuss this issue.

## Health and Social Care Trusts: Travel Allowances

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety what equality and rural proofing has been carried out on proposals to change travel allowances for employees of Health and Social Care Trusts.

**(AQW 22789/11-15)**

**Mr Poots:** This is a change to the National Agenda for Change Agreement and consequently the Equality Impact assessment was carried out by the Mileage Sub-group of the NHS Staff Council.

## Northern Health and Social Care Trust Papers

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety to detail to when (i) he; (ii) his special advisor; (iii) senior members of the Health and Social Care Board; and (iv) senior officials in his Department, first became aware of Northern Health and Social Care Trust papers entitled (a) 'Trust Residential Homes for Older People Transforming Your Care'; (b) 'Our Plans for Older People's Services', and (iii) 'Proposal for the Future of Statutory Residential Care for Older People'.

**(AQW 22814/11-15)**

**Mr Poots:** I was contacted and informed on Wednesday 24th April of the Northern Trust's detailed proposals and the intention that these would come before its Board on Thursday 25th April. It was not clear to me, nor to the Department, at that point, that most mainstream elderly statutory homes were likely to be under consultation for closure. This was only apparent as other Trusts came forward with proposals in the days immediately following.

John Compton indicated at the Health Committee meeting held on 9 May, that the HSCB were informed in Mid-April about the NHSCT's intention to seek approval at their Trust Board to embark on consultation about their proposals for statutory residential care for older people. Draft content of the paper 'Proposal for the Future of Statutory Residential Care for Older People' was informally shared with the HSCB on 12 April 2013 and again on 17 April 2013.

On the afternoon of 19 April 2013, senior members of the Health and Social Care Board were formally informed, via an email from Sean Donaghy, former NHSCT Chief Executive, about the intention to table the document 'Proposal for the Future of Statutory Residential Care for Older People' at the NHSCT Board on 25 April 2013.

The HSCB was provided final versions of the papers 'Our plans for older people's services', and 'Proposal for the future of statutory residential care for older people Consultation Document' on 24 April 2013.

Neither the Department nor the HSCB have any knowledge of a document entitled Trust Residential Homes for Older People Transforming Your Care.

## Residential Care Homes: Closures

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety what the financial cost will be of his decision to change the consultation process on the closure of residential care homes.

**(AQW 22823/11-15)**

**Mr Poots:** There is no doubt that delaying change can have financial consequences. By not changing the model of care within a reasonable timeframe less revenue resources can be moved from the statutory residential care home sector to improve services and support in the community.

However, as I have recently called a halt to the proposed consultation on the closure of local residential homes within certain Trusts, and asked the HSC Board to lead on a regional oversight process that adheres to best practice in consultation, engagement and change management, it is not possible at this stage to identify the financial cost of my decision.

## Pinewood Residential Home, Ballymena

**Mr McKay** asked the Minister of Health, Social Services and Public Safety when the Northern Health and Social Care Trust first decided to prevent or discourage admissions to Pinewood residential care home in Ballymena.

**(AQW 22878/11-15)**

**Mr Poots:** The Northern Trust has been refocusing the residential service in a number of homes for some years. This has been to allow the development of intermediate care beds. For Pinewood the process began in 2007. This has developed to the point that the home has currently 15 beds dedicated to intermediate care. In addition there are a further 2 respite beds.

### **Pinewood Residential Home, Ballymena**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety on what basis was it decided in May 2013 that television crews and journalists would not be allowed on the property of Pinewood residential care home in Ballymena.  
(AQW 22879/11-15)

**Mr Poots:** Health and social care facilities are for the support and treatment of frail or vulnerable people and as such are not public spaces. It is Northern Trust policy that journalists seek permission to enter, interview or film on Trust premises. The Trust always tries to facilitate such requests in a way that protects patient and staff confidentiality, while supporting the media.

In line with the Trust's policy on 'Making Information available to the Public', enquiries from journalists/reporters should be directed through the Corporate Communications Department.

### **Pinewood Residential Home, Ballymena**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety to detail the number of referrals to the Pinewood residential home in Ballymena, in each of the last 10 years.  
(AQW 22880/11-15)

**Mr Poots:** The information requested is not collected centrally and was requested from the Northern Health and Social Care (HSC) Trust. Their response is provided below.

Information on the number of referrals to Pinewood residential home is not available however information on the number of admissions is provided in Table 1 below.

**Table 1: Total Admissions to Pinewood Residential Home**

<b>Year</b>	<b>Total Admissions</b>
1st April 2008 – 31st March 2009	48
1st April 2009 – 31st March 2010	93
1st April 2010 – 31st March 2011	167
1st April 2011 – 31st March 2012	159
1st April 2012 – 31st March 2013	162
<b>Total</b>	<b>629</b>

**Source:** Northern HSC Trust

Information prior to 2008 could only be provided at disproportionate cost.

### **Pinewood Residential Home, Ballymena**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety whether members of staff at Pinewood residential home in Ballymena were prevented from speaking to the media on the premises in May 2013; and to outline the reasons for this.

(AQW 22881/11-15)

**Mr Poots:** Staff at Pinewood Residential Home were advised that they could do media interviews but that these should take place outside of the unit in order to minimise disruption to services and any stress and anxiety which may be caused to residents and others within the unit itself.

In line with the Northern Trust's policy on 'Making Information Available to the Public', enquiries from journalists/reporters should be directed through the Corporate Communications Department. Media representatives cannot film within Trust facilities without prior permission from the Corporate Communications Department.

### **Pinewood Residential Home, Ballymena**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety when he plans to meet with the residents and their relatives in Pinewood residential home, Ballymena.  
(AQW 22882/11-15)

**Mr Poots:** I have asked the HSC Board to lead on a regional oversight process that adheres to best practice in consultation and change management. I am confident that the oversight arrangements which I am putting in place will assure us that residents views and wishes are being heard and accommodated where reasonably possible.

Thus, I have no plans to meet, at this time, to discuss any of the statutory homes which may be subject to this process until any consultation has run its course and the responses have been analysed.

### **Newry and Armagh: Suicide and Self-harm**

**Ms Fearon** asked the Minister of Health, Social Services and Public Safety what services and resources are in place to tackle suicide and self-harm in Newry and Armagh, particularly age-appropriate facilities for young people.

**(AQW 22951/11-15)**

**Mr Poots:** Suicide is an issue for all age groups. Those at greatest risk of suicide are men between 35 and 54; however, self-harm is more prevalent amongst young people.

Residents and groups in the Newry and Armagh area have access to suicide prevention services that are regionally available. These include: Lifeline; Card Before You Leave (CBYL); CAMHS (Child and Adolescent Mental Health Services); bereavement support and self-harm counselling and support.

In addition, the following range of suicide and self harm prevention resources and services are available in the Southern area:

- Suicide Prevention Co-ordinator;
- Training for “gatekeepers” such as teachers, youth workers, primary care staff, and sports coaches;
- Counselling and complementary therapies;
- Crisis response;
- Support programmes for vulnerable groups;
- Self-help materials.

Local organisation such as: Action Mental Health, PIPS Newry and Mourne, Rainbow, Magnet Centre, Opportunity Youth, Zest and Contact NI deliver specific initiatives to address the needs of young people. These include:

- Drugs, alcohol and sexual health awareness sessions
- School-based counselling
- A One Stop Shop – health and wellbeing service
- Youth Mentoring Services
- A Nurse led clinic in Newry FE College.

### **Slievemore Nursing Home, Derry**

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether he will meet urgently with the residents of Slievemore Nursing Home, Derry.

**(AQW 22953/11-15)**

**Mr Poots:** I have arranged to meet relatives of the residents of Slievemore nursing unit on Monday 20th May in Parliament Buildings.

### **Elderly and Vulnerable People: Protection**

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether he plans to review the legislation relating to the protection of elderly and vulnerable people in care facilities.

**(AQW 22954/11-15)**

**Mr Poots:** My department, in conjunction with other agencies, continues to develop a range of measures aimed at improving safeguards for all vulnerable adults, including elderly and vulnerable people in care facilities.

Jointly, with the Department of Justice, my department is leading the development of an overarching adult safeguarding policy framework. Subject to the outcome of consultation on the policy framework, we will consider to what extent the policy will need to be underpinned by legislation, similar to that in place or proposed in other parts of the UK.

There are a range of legislative safeguards already in place, which are aimed at providing improved protections for those who are resident in, or attend, care facilities. The Residential Care Homes Regulations (Northern Ireland) 2005, the Nursing Homes Regulations (Northern Ireland) 2005 and the Day Care Setting Regulations (Northern Ireland) 2007 require criminal record checks to be carried out on staff working in care facilities, including a check of the list of those barred from working in specified activities with adults by the Disclosure and Barring Service (DBS). Under the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, the DBS makes barring decisions based on information provided to it by employers and a range of other bodies. Individuals found to have harmed a child or vulnerable adult, or placed them at risk of harm, will be considered by the DBS for inclusion in its barred lists. This includes individuals working in care facilities, found to have engaged in harmful behaviours.

We are in the process of implementing the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, which was amended by the Protection of Freedoms Act 2012, following a review of the safeguarding scheme established by the 2007 Order. At this stage, we have no further plans to review existing legislation.

## Accident and Emergency: Referrals

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail, for each accident and emergency department (A & E), the (i) longest wait by a patient between referral from A & E to admission to a ward; (ii) the average wait between referral from A & E to admission to a ward; and (iii) the number of patients who had to wait longer than the target waiting time for admission to a ward in (a) December 2012; (b) January 2013; (iii) February 2013; and (iv) March 2013.

**(AQW 23029/11-15)**

**Mr Poots:** It is assumed that this question refers to the time patients spend waiting in emergency care departments to be admitted to a ward after a decision to admit has been made.

Information on the time between a decision to admit a patient and their admission to a ward is not routinely collected by the Department and could only be provided at disproportionate cost.

My Department does not have a separate waiting time target for the period between the decision to admit a patient and their admission to a ward, but has a Ministerial target for emergency care waiting times stating that "95% of patients attending any Type 1, 2 or 3 departments are either treated and discharged home, or admitted, within four hours of their arrival in the department, and; no patient attending any A&E department should wait longer than 12 hours either to be treated and discharged home, or admitted."

Information on the performance by each emergency care department against the Ministerial target is published on a quarterly basis, and is available to view or download from:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/emergency\\_care-3.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3.htm)

## Accident and Emergency: Referrals

**Mr Swann** asked the Minister of Health, Social Services and Public Safety what is the target time a patient should wait for admission to a ward after a referral from an accident and emergency department.

**(AQW 23030/11-15)**

**Mr Poots:** The Department has not set a separate target waiting time for the period between the decision to admit a patient and their admission to a ward. The Department's target for emergency care is that 95% of patients attending any Type 1, 2 or 3 Emergency Department are either treated and discharged home, or admitted, within 4 hours of their arrival in the department; and no patient attending any Emergency Department should wait longer than 12 hours.

## Northern and Western Health and Social Care Trusts: Staff

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety to detail the (i) number of temporary or agency staff employed by the (a) Northern Health and Social Care Trust; and (b) Western Health and Social Care Trust at each grade; and (ii) length of time these temporary staff have been employed.

**(AQW 23035/11-15)**

**Mr Poots:** The information requested in relation to temporary staff is provided in the tables below. This has been obtained from the Northern and Western HSC Trusts and has not been validated by the Department. The same information in relation to agency staff is not available.

### (a) Northern Trust – Number of temporary staff and length of time employed at May 2013

Length of time employed	0 and up to 3 months		Over 3 and up to 6 months		Over 6 and up to 9 months		Over 9 and up to 12 months		Over 1 year and up to 18 months		Over 18 months and up to 2 years		Over 2 years	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Occupational Family	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Admin & Clerical	21	16.32	29	23.45	28	22.45	21	18.13	60	53.44	21	17.25	70	56.28
Estates Services	1	1.00	0	0	0	0	2	2.00	0	0	0	0	0	0
Support Services	0	0	0	0	2	1.53	2	1.20	0	0	4	2.09	5	2.97
Qualified Nursing	21	18.22	40	32.39	6	5.24	6	4.87	10	7.93	4	2.55	15	10.54
Nursing Support	3	3.00	7	6.32	3	2.28	1	0.60	5	4.54	2	2.00	0	0

Length of time employed	0 and up to 3 months		Over 3 and up to 6 months		Over 6 and up to 9 months		Over 9 and up to 12 months		Over 1 year and up to 18 months		Over 18 months and up to 2 years		Over 2 years	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Occupational Family														
Qualified Social Work	2	2.00	4	4.00	4	3.50	4	3.00	4	3.40	1	1.00	7	6.50
Social Work Support/ Social Care	15	12.34	16	14.24	13	10.80	6	4.59	10	7.34	10	6.85	48	36.04
Professional & Technical	31	27.09	29	26.39	21	17.38	8	6.74	21	19.31	7	4.84	7	5.57
Medical & Dental	4	2.80	1	1.00	4	4.00	0	0	5	1.60	1	0.40	5	1.89

Source: Northern HSC Trust

(b) Northern Trust Note: Rotational doctors in training and bank staff are excluded.(b) Western Trust – Number of temporary staff and length of time employed at May 2013

Length of time employed	0 and up to 3 months		Over 3 and up to 6 months		Over 6 and up to 9 months		Over 9 and up to 12 months		Over 1 year and up to 18 months		Over 18 months and up to 2 years		Over 2 years	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Occupational Family														
Admin & Clerical	21	19.46	23	22.30	26	25.14	8	8.00	41	38.53	25	21.88	40	35.71
Estates Services	13	13.00	1	1.00	3	3.00	0	0	0	0	1	1.00	0	0
Support Services	3	2.20	5	4.78	4	3.18	6	4.02	4	1.86	3	1.93	16	12.58
Qualified Nursing	37	32.08	14	13.17	40	38.53	8	8.00	21	18.28	18	15.46	23	20.48
Nursing Support	9	8.07	10	9.22	0	0	4	3.43	3	2.80	0	0	10	9.15
Qualified Social Work	2	1.50	2	2.00	3	3.00	3	3.00	2	2.00	10	10.00	18	16.76
Social Work Support/ Social Care	8	6.00	10	9.14	9	6.75	2	1.80	11	7.94	8	5.30	21	17.15
Professional & Technical	10	9.60	19	18.19	17	17.00	6	6.00	16	15.38	7	6.50	11	10.84
Medical & Dental	1	1.00	5	4.70	3	2.10	5	3.75	4	3.20	10	10.00	4	4.00

Source: Western HSC Trust

Western Trust Notes:

- 1 Rotational doctors in training and bank staff are excluded.
- 2 Western Trust has noted that individuals on waiting lists for particular permanent posts may have transferred between more than one temporary post within the Trust (where appropriate) until the waiting lists expire.

## Hospital 'Never Events'

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail the 'never events' that have occurred in each hospital, in each of the last five years, including the nature of the event.

**(AQW 23038/11-15)**

**Mr Poots:** Incidents such as those defined by the National Patient Safety Agency (NPSA) as 'Never Events' are captured in Northern Ireland under the Health and Social Care Board's Serious Adverse Incident (SAI) Reporting System criteria.

The information requested is not available and could only be obtained at disproportionate cost.

## Western Health and Social Care Trust: Cancelled Hospital Appointments

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety how many hospital appointments in the Western Health and Social Care Trust have been cancelled by consultants in each of the last three years; and to detail the cost to the Trust of these cancellations.

**(AQW 23044/11-15)**

**Mr Poots:** The Quarterly Outpatient Activity Return (QOAR), which is the present methodology for the collection of consultant-led outpatient activity, was introduced by my Department's Hospital Information Branch from the beginning of 2008/09, as a direct result of a comprehensive review of collection of outpatient activity undertaken in 2007/08. Primarily the methodology changed from the reporting of the number of clinics held and cancelled to the reporting of the number of appointments held and cancelled.

Information on the number of hospital cancellations, in HSC Trusts in Northern Ireland, is collected and published broken down by reason for cancellation.

The variable on the Patient Administration System (PAS) that provides the breakdown of the variable 'reason for cancellation' was not a mandatory field until March 2013 and as such the rate of coverage varies across Trusts.

It is advised that when looking at the figures associated with 'reason for cancellation' that they should add together the categories of 'consultant not available', 'medical staff not available' and 'consultant cancelled appointment' to allow for variances in recording practices.

The number of appointments cancelled by hospitals in each of the requested years is shown in the tables below, broken down by reason for cancellation.

Reason for cancellation	Number of consultant led outpatient appointments cancelled by Western Trust		
	2009/10	2010/11	2011/12
Consultant not available <sup>1</sup>	10,621	7,690	9,258
Medical staff not available <sup>1</sup>	1,506	1,720	1,249
Patient treated elsewhere	4,380	2,069	537
Consultant cancelled appointment <sup>1</sup>	9,314	9,430	8,333
Appointment brought forward	3,145	1,613	1,744
Appointment put back	7,539	3,124	3,087
Cancelled following validation/audit	20	3	4
Administrative error by hospital/GP	3,363	1,682	2,240
Hospital transport not available	19	31	27
Cancelled by hospital in order to rebook as alternative booking method	N/A	17	111
No reason or incorrect reason recorded	3,050	2,193	1,976
<b>Total</b>	<b>42,957</b>	<b>29,572</b>	<b>28,566</b>

<sup>1</sup> It is advisable to add these categories together when using the data.

N/A – Information not available prior to 2011/12

The cost to the Western Trust of providing an outpatient consultant-led appointment in 2011/12 ranges from £63 to £477. It is not advisable to multiply the total number of hospital cancellations by the range in cost. Even if a hospital cancels an appointment, resources may be reallocated elsewhere, therefore it may not result in a loss of the full unit cost.



## Northern Health and Social Care Trust: Recruitment

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety why the Northern Health and Social Care Trust does not have a recruitment campaign for carers centred on unemployed people within this area.

**(AQW 23046/11-15)**

**Mr Poots:** Recruitment matters are for individual Trusts to address based on service needs and available resources. The Northern Health and Social Care Trust has advised me that a Trust wide recruitment drive for Homecare workers took place in April 2013.

Advertisements were placed in all local papers across the Trust area including the East Antrim Times, resulting in 81 applications being received from across the Trust, with 11 of these from the East Antrim area.

A previous recruitment drive was carried out in November 2012 when the same advertisement procedures were followed and 92 applications were received with 7 of these from the East Antrim area.

## Glenmona Resource Centre, Cushendall

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety whether the Northern Health and Social Care Trust has any plans to use the Glenmona Resource Centre, Cushendall as a day centre for people who attended the Rathmoyle Day Centre.

**(AQW 23047/11-15)**

**Mr Poots:** I am advised that Rathmoyle Resource (Day) Centre and Residential Home are situated on the same site at Mary Street in Ballycastle. There is a proposal to replace the Rathmoyle residential unit with a new- build supported living complex.

You will be aware that I called a halt to the previous consultation process in the Trusts on the closure of statutory residential care homes for older people. The HSC Board will now lead on the coordination of a new process for consultation, communication and engagement at local level.

I expect The Trust will continue to engage with all service users, their families and carers to ensure that the daily and long term care needs of the service users are met.

## Rathmoyle Residential and Day-care Facility

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety, in light of the closure of the Rathmoyle Residential and Day Care facility; what assurances he can give that the centre's clients will have their assessments and forward work programmes for 2014 completed.

**(AQW 23048/11-15)**

**Mr Poots:** You will be aware that I called a halt to the previous consultation process in the Trusts on the closure of statutory residential care homes for older people. The HSC Board will now lead on the coordination of a new process for consultation, communication and engagement at local level.

The Northern Health and Social Care Trust advise that it is aware of the importance of day care services to service users and their carers. It will ensure that the service users who attend Rathmoyle Resource Centre will continue to have their assessed needs for day care met, whatever may be proposed in the future.

The Trust will fully engage with all service users and their families to meet the future day care needs of each person.

## Prostate Cancer Screenings

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety how many people aged 60 years or over, in (i) the Glens; and (ii) East Antrim, where screened for prostate cancer in each year since 2009, broken down by electoral ward; and what percentage of the tests were positive.

**(AQW 23049/11-15)**

**Mr Poots:** This information is not available as there is currently no population based screening programme for Prostate cancer in Northern Ireland.

## Cardiac Surgery: Dublin

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety to detail the projected costs of cardiac surgery for children treated in Dublin, including accommodation costs for parents.

**(AQW 23109/11-15)**

**Mr Poots:** The projected costs of providing paediatric cardiac surgery in Dublin including accommodation arrangements and associated costs cannot be estimated at this time. Once I make a decision on the preferred way forward for the future commissioning of Paediatric Congenital Cardiac Surgery and Interventional Cardiology for the population of Northern Ireland it will be for the Health and Social Care Board, in discussion with the provider, to agree on the future funding requirements for the service whether it is to be located in Dublin or an alternative location

## Cardiac Surgery: Royal Victoria Hospital, Belfast.

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety to detail the current costs of cardiac surgery for children treated in the Royal Victoria Hospital, Belfast.

**(AQW 23111/11-15)**

**Mr Poots:** The allocation of funding for hospital services is a matter for the Health and Social Care Board as service commissioner. I am advised by the Board that the amount of funding allocated for paediatric cardiac surgery in the Belfast Health and Social Care Trust in 2011/12 (the latest information available) was £1.664 million.

## Ethnic Minorities

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety what support is in place for the families of employees of his Department from an ethnic minority background; and what qualifications are required by the people who provide this support.

**(AQW 23117/11-15)**

**Mr Poots:** The Department utilises a range of central NICS initiatives and related services which provide various types of support to staff and their families, regardless of ethnic background.

Such initiatives and services include:

Welfare Support Service- Welfare Officers provide a confidential consultation service to members of staff who experience problems of a personal, domestic or work-related nature. They are also involved in helping staff return to work following sickness absence.

Employee Support Programme - Carecall is contracted to provide an independent and confidential counselling support service to all NICS staff as well as to their immediate family members and children. This service is freely available 24 hours a day, 7 days a week. Counsellors are professionally qualified through accreditation with the British Association for Counselling and Psychotherapy (BACP)\_

Work-Life Balance - The Department recognises that a significant number of employees have (or are likely to have) caring responsibilities towards one or more members of their family and is supportive of the range of NICS corporate policies and provisions which aim to help employees, balance those commitments with the demands of work. Examples include flexible working options and special leave provisions.

Salary Sacrifice Scheme- In addition, the Northern Ireland Civil Service operates a Salary Sacrifice Childcare Voucher Scheme to assist staff with the costs of registered childcare. Under this arrangement staff agree to sacrifice a proportion of their salary in order to receive vouchers that are used to pay for registered childcare.

The Charity for Civil Servants - This charity provides support, advice and direct financial assistance to all current, former and retired Civil Servants and their financial dependants.

Workplace Health Improvement Programme

The Department delivers a widely regarded health improvement programme available to all staff, offering support and advice on many items which in turn can be transferred back into the home environment.

## Dementia: Diagnosis

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety what plans his Department has to cater for an increase in the number of people diagnosed with dementia.

**(AQW 23128/11-15)**

**Mr Poots:** As you will be aware I published a Dementia Strategy for Northern Ireland in November 2011. The HSC Board and Public Health Agency jointly lead a regional group, which includes people with dementia and their carers, to oversee implementation of the Dementia Strategy and its recommendations across NI. The group has drawn up an Action Plan which is used to report progress in the implementation of the strategy to the Department. The action plan contains 45 initiatives which are being progressed under various headings such as Reducing the Risk or Delaying the Onset of Dementia, Raising Awareness, Promoting Early Assessment and Diagnosis, Supporting People with Dementia and Supporting Carers.

The HSCB has allocated £1m recurrent funding to help with the implementation.

## Foyle: Epilepsy

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety how many residents in the Foyle constituency are diagnosed with epilepsy.

**(AQW 23166/11-15)**

**Mr Poots:** Under the Quality & Outcomes Framework (QOF), GPs maintain a register of the number of patients aged 18 and over who are currently on drug treatment for epilepsy. As at 31 March 2013, there were 1,018 patients on the epilepsy registers of GPs located in Foyle constituency.

This figure has been determined based on the constituency in which the GP practice is located; it should be noted that patients may not reside in the constituency in which their practice is located.

## Fluoride in Water

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what consideration is being given to increasing the number of areas in which fluoride is added to water.

**(AQW 23188/11-15)**

**Mr Poots:** Fluoride is not currently added to the water supplies in Northern Ireland.

I indicated on 25 April 2012 that it was appropriate that I should give consideration to fluoridation of the water supplies in Northern Ireland. I continue to consult with my Executive colleagues on the matter before coming to a decision.

If a proposal to fluoridate the water supplies is made, the appropriate evidence from reputable scientific and medical sources will be considered, and we are required under, The Water and Sewerage Services (Northern Ireland) Order 2006 to consult, and ascertain, public opinion. Should such a consultation proceed, we would welcome the views of all interested parties, at that time.

## Electronic Cigarettes

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety for his assessment of the need for legislation on the use of electronic cigarettes to prevent nicotine addiction among young people.

**(AQW 23202/11-15)**

**Mr Poots:** The use of electronic cigarettes has been growing and, as these products are currently unregulated, there are justifiable concerns around their safety.

In 2010, the Medicines and Healthcare Products Regulatory Agency (MHRA) sought views on whether to bring all nicotine containing products, including electronic cigarettes, within the medicines licensing regime. MHRA recently undertook further scientific and market research to explore levels of nicotine with significant physiological effect and to gain a better understanding of the impact of potential regulation of these products on public health and on business. A final decision on how electronic cigarettes should be regulated is expected to be announced by MHRA later this year.

I can confirm that there are currently no plans to introduce legislation on the use of electronic cigarettes and I intend to await the results of the MHRA research before determining my Department's policy on these products, both in terms of their potential to contribute to smoking cessation, and their safety.

## Smoking Cessation Courses

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety to detail the (i) four-week; and (ii) 52-week success rates of the smoking cessation courses, broken down by (a) Health and Social Care Trust area; (b) type of service provider; and (c) type of medication prescribed.

**(AQW 23208/11-15)**

**Mr Poots:** Information on smoking cessation courses is supplied to the Department by the Public Health Agency from the Stop Smoking Services Electronic Monitoring System. The latest year where both 4-week and 52-week quit rates are available is 2010/11.

### (a) 4-week and 52-week success rates of smoking cessation courses by Health and Social Care Trust – 2010/11 Registrations

Health and Social Care Trust Area	Service uptake	4-week success rate (%)	52-week success rate (expressed as % of those that quit at 4 weeks)
Belfast	8,644	49.0	29.7
Northern	9,254	51.8	27.7
Southern Eastern	5,009	50.5	28.0
Southern	5,583	54.9	38.3
Western	6,118	57.7	40.2
<b>Total</b>	<b>34,608</b>	<b>52.5</b>	<b>32.4</b>

**(b) 4-week and 52-week success rates of smoking cessation courses by type of service provider – 2010/11 Registrations**

Type of Service Provider	Service uptake	4-week success rate (%)	52-week success rate (expressed as % of those that quit at 4 weeks)
Pharmacy	23,107	50.6	29.1
GP	7,017	49.6	31.1
Community & other	1,765	63.0	36.2
Hospital	2,719	69.0	53.2
<b>Total</b>	<b>34,608</b>	<b>52.5</b>	<b>32.4</b>

**(c) 4-week and 52-week success rates of smoking cessation courses by type of medication prescribed – 2010/11 Registrations**

Type of Medication Prescribed	Service uptake	4-week success rate (%)	52-week success rate (expressed as % of those that quit at 4 weeks)
Nicotine Replacement Therapy	25,652	61.6	31.6
Varenicline	3,114	73.6	34.7
Bupropion	116	56.9	24.2

**Source:** Public Health Agency – Stop Smoking Services Electronic Monitoring System.

**Notes:**

- 1 Service uptake, 4-week and 52-week quit rates for 2010/11 registrations are taken from a data download during the period July-August 2012.
- 2 4-week quit rates for each HSC Trust are calculated using a baseline of service uptake for the relevant HSC Trust area.
- 3 52-week quit rates for each HSC Trust are calculated using a baseline of only those clients applicable for 52-week review (i.e. only those clients who quit at 4 weeks and continue being assessed within the Stop Smoking Services) for the relevant HSCT area.
- 4 The Stop Smoking Services electronic monitoring system asks providers to record whether specific medications (i.e. NRT, Varenicline or Bupropion) were received by the client. While the successful 4-week and 52-week quit rates for each medication have been shown above, it should be noted that although a client may have received the indicated medication, it is not an indication of whether the client has used the medication. The use of data on medication prescribed in relation to quit rates is therefore cautioned.

**Multiple Sclerosis**

**Mr A Maginness** asked the Minister of Health, Social Services and Public Safety, in light of the fact that Northern Ireland has one of the highest rates of multiple sclerosis (MS) in the world, what (i) his Department; and (ii) health agencies are doing to ensure that all people diagnosed with MS are receiving up to date and effective treatment based on clinical need.

**(AQW 23225/11-15)**

**Mr Poots:** My Department, the Health and Social Care Board, and HSC Trusts are committed to ensuring that patients with MS in Northern Ireland have timely access to a range of effective, evidence-based, specialist treatments.

Following diagnosis, patients have access to the full range of core community health and social care services across Northern Ireland, including physiotherapy, neurophysiotherapy, occupational therapy, community nursing, speech and language therapy, dietetics, social work/social care, domiciliary care, day care and day time opportunities and respite care, including specialist respite care.

Patients with MS have access to a range of specialist MS drugs from a significant budget allocation of over £9m and Northern Ireland has the highest uptake rate for specialist drugs in the UK, with over 1,350 people currently on active treatment.

The Health and Social Care Board works closely with MS clinicians to support effective planning and commissioning of new treatments, and investment in 2013/14 will be in line with needs identified through this process.

## Tourette's Syndrome

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety how many people in each constituency are diagnosed with Tourette's syndrome.

**(AQW 23244/11-15)**

**Mr Poots:** Information on the number of people in each constituency diagnosed with Tourette's Syndrome is not available.

## Multiple Sclerosis

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety how many people in each Health and Social Care Trust area are diagnosed with multiple sclerosis.

**(AQW 23247/11-15)**

**Mr Poots:** Information on the number of people currently diagnosed with Multiple Sclerosis is not available. It is however well established that Northern Ireland has one of the highest incidences of MS in the world.

Admissions and Individuals Admitted to HSC Hospitals in Northern Ireland in 2011/12 where a diagnosis of Multiple Sclerosis was recorded are shown in the table below.

HSC Trust	Admissions	Individuals
Belfast	631	272
South Eastern	257	156
Northern	395	184
Southern	507	203
Western	311	156
<b>Total</b>	<b>2,101</b>	<b>971</b>

**Source:** Hospital Inpatient System

## Northern Ireland Fire and Rescue Service

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety for an update on the investigations into irregularities at the Northern Ireland Fire and Rescue Service.

**(AQO 4083/11-15)**

**Mr Poots:** Significant progress has been made in taking forward the recommendations from the recent investigation reports which I published on 16 October 2012. The recommendations from the DSD Corporate Investigations Unit report of 16 April 2013 are also being considered. The PAC held an evidence session on NIFRS on 24 April 2013 and I await the finalisation of their report.

## Emergency Departments: Belfast

**Mr D Bradley** asked the Minister of Health, Social Services and Public Safety for an update on the response to the Health and Social Care Board consultation on the future configuration of emergency services in Belfast.

**(AQO 4075/11-15)**

**Mr Poots:** The Health and Social Care Board, working in collaboration with relevant Trusts, was asked to develop options for the configuration of emergency department services in the greater Belfast area, to lead on the consultation process and subsequent analysis of responses, and to develop a final proposal for consideration by my Department. The public consultation on the options ended on 10th May 2013. Forty responses were received by the closing date and the Health and Social Care Board is currently considering the responses. I expect an announcement to be made later this year on the outcome of the consultation and the decision on the future configuration of this service.

## Transforming Your Care: Older People

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety to outline the range of services and social care that will be available in the community for older people as a result of the implementation of Transforming Your Care.

**(AQO 4076/11-15)**

**Mr Poots:** The driving force behind Transforming Your Care is to make home into the "hub" of care for older people. Individuals will be supported to stay in their own homes and, where necessary, they will have access to local health and care facilities.

Services include a focus on healthy aging, prevention, and community based approaches to early intervention and long term condition management. For example, individuals may benefit from a falls prevention programme, or a short re-ablement programme following an acute hospital admission, to help them to regain their confidence and independence at home.

I envisage individuals having more control over their treatment, care and support and having more information available to them to assist them to make informed choices about their life. This will include a focus on self directed support; for example, through a greater focus on personal budgets for care services.

I recognise that some older people will need more intensive support but, where possible, I want this to be within a more socially inclusive model of a care. That is why having greater access to day opportunities, domiciliary care, short break/ respite services, intermediate care, assistive technology, housing adaptations and supported living facilities are important for the independence of individuals, and for the wellbeing of carers.

I also want to emphasise that where older people require residential or nursing home care, this will be available to them to meet their assessed needs.

### **Southern Health and Social Care Trust: Psychiatric Intensive Care**

**Mr Anderson** asked the Minister of Health, Social Services and Public Safety what action is being taken to improve the facilities for psychiatric intensive care services in the Southern Health and Social Care Trust area.

**(AQO 4077/11-15)**

**Mr Poots:** The Bluestone Unit at Craigavon Area Hospital opened in 2008 and included 74 inpatient beds and a 20 place day hospital. Two new 10 bed units at Bluestone have now been approved at a cost of £6.14 million. These units will be separate single storey stand-alone extensions: a 10 Bed Psychiatric Intensive Care Unit and a 10 Bed Adult Learning Disability Unit and will enable patients located at St Luke's to relocate to Bluestone. This will achieve the centralisation of all acute mental health inpatient beds on one site at Bluestone as envisaged for acute mental health inpatient services in the Bamford report.

### **Omagh: Acute Mental Health Services**

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety to outline the future of acute mental health services in Omagh.

**(AQO 4078/11-15)**

**Mr Poots:** In the Transforming Your Care document 'Vision to Action', it was proposed to locate the second of two acute mental health units within the Western Trust area in either Omagh or Enniskillen. As the consultation regarding Transforming Your Care produced a mixed reaction to the siting of the second unit I asked that a business case be developed that will fully explore all options. I understand that the Health and Social Care Board will commission the options appraisal. Therefore, no decision has been reached regarding the future provision of acute mental health services in Omagh.

Meanwhile, the Western Trust has developed a range of acute mental health services in Omagh including acute inpatient services with an integrated psychiatric intensive care unit and a Crisis Response Home Treatment Team.

### **Royal Victoria Hospital, Belfast: Building Project**

**Mr F McCann** asked the Minister of Health, Social Services and Public Safety for an update on the phase 2 building project at the Royal Victoria Hospital, Belfast.

**(AQO 4079/11-15)**

**Mr Poots:** As you are aware the handover of the Phase 2 Critical Care Building was delayed by the discovery of corrosion in the closed water systems, and that following an extensive testing process, the contractor has confirmed that all five closed water systems will be removed and replaced.

The contractor has commenced the removal of these installations and replacement of them with new pipe-work. Unfortunately this involves a considerable amount of work and the anticipated completion date remains at the end of February 2014.

### **Nursing Homes**

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety how many statutory nursing homes will close in each Health and Social Care Trust area, within the next 12 months.

**(AQO 4081/11-15)**

**Mr Poots:** HSC organisations do not deliver elderly nursing home provision "in house" in normal circumstances. Such provision is contracted from the independent and voluntary sector in accordance with client need.

However, there are a number of statutory elderly residential care homes in Northern Ireland. On 3rd May 2013, I called a halt to the proposed consultation on the closure of local residential homes within certain Trusts, and asked the HSC Board to lead on a regional oversight process that adheres to best practice in consultation, engagement and change management.

I want this new consultation process to be clear and not rushed so that individuals, families and staff can have their say, and be listened to. In such circumstances, it is not possible for me to say how many statutory residential homes will close.

It should be noted that there are three statutory nursing homes in the learning disability programme of care.

## Epilepsy

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety how many children under the age of 18 years in the Western Health and Social Care Trust area are diagnosed with epilepsy.

**(AQW 23329/11-15)**

**Mr Poots:** The information requested is not available.

## Health Service: Economy

**Mr Newton** asked the Minister of Health, Social Services and Public Safety how the health service can help to drive the local economy.

**(AQO 4082/11-15)**

**Mr Poots:** Health and Social Care has a significant role to play in supporting economic growth. It was in recognition of the important linkages between the health sector and the economy that the Minister for Enterprise, Trade and Investment, Arlene Foster and I agreed a Memorandum of Understanding on Connected Health and Prosperity in December 2011. The MOU sets out a number of priority areas which have formed the basis for a significant programme of work between my Department and Invest NI over the past 18 months, focusing on research and development, the establishment of a Connected Health Ecosystem and international collaboration.

In February this year my colleague Minister Foster and I also established an Economy and Jobs Initiative Task and Finish Group to bring forward proposals which could potentially have a material impact on direct employment and business development through innovation and export-led growth. The Group published its report on 15 May. It concludes that Health should be viewed as a major driver for innovation and economic growth. The Group has made a total of 7 recommendations for strengthening the economy through Health and Social Care. These include:- development of a Health and Life Sciences Strategy; establishment of a Health Innovation Life Sciences Hub to coordinate and drive individual projects and programmes coming out of the strategy; and establish a Health Innovation Infrastructure around a number of economic attractors.

We will need to ensure that we exploit fully the opportunities for strengthening the economy as highlighted in the report.

## Electroencephalogram

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety to detail the current waiting times for (i) children; and (ii) adults with epilepsy to receive an electroencephalogram.

**(AQW 23420/11-15)**

**Mr Poots:** Electroencephalogram (EEG) is only carried out in Belfast, Southern and Western HSC Trusts. Western HSC Trust introduced this service in March 2013 and is currently only performed on adults.

The waiting times to receive an EEG cannot be broken down for patients with epilepsy. The current waiting time for children and adults, as of week commencing 20th May 2013, to receive an EEG are shown in the table below.

(i)

HSC Trust	Number of Children (15 and under) waiting for EEG, by weeks waiting							Total
	0-6	>6-9	>9-13	>13-21	>21-26	>26-36	>36	
Belfast*	52	15	16	9	0	0	0	92
Southern	51	12	12	0	0	0	0	75

\* Figures for Belfast HSC Trust shown above include children of age 16 waiting for an EEG in the Royal Belfast Hospital for Sick Children

(ii)

HSC Trust	Number of Adults (16 and over) waiting for EEG, by weeks waiting							Total
	0-6	>6-9	>9-13	>13-21	>21-26	>26-36	>36	
Belfast	126	41	68	95	1	1	0	332
Southern	63	8	14	0	0	0	0	85
Western	22	0	0	0	0	0	0	22

## Department of Justice

### G4S: Disciplinary Action

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21499/11-15 and AQW 15208/11-15, what representations he made to, or discussions has he had with, G4S over its disciplinary action taken against staff.

**(AQW 22584/11-15)**

**Mr Ford (The Minister of Justice ):** None.

### Prisons: Suicides and Suicide Attempts

**Lord Morrow** asked the Minister of Justice, given the number of suicides and suicide attempts in prison and the apparent delay in mental health referrals and psychiatric appointments, whether he will consider offering vulnerable prisoners wider access to agencies, such as Yellow Ribbon Suicide Prevention, which provide specialised suicide counselling and coping skills.

**(AQW 22636/11-15)**

**Mr Ford:** Vulnerable prisoners have access to a number of specialist agencies who provide help with thoughts of suicide or self harm. The Prison Service maintains a strong partnership with the Samaritans in the provision of the peer support Listener Scheme – a confidential service available to prisoners 24 hours a day. In the absence of a Listeners Scheme in Hydebank Wood Young Offenders Centre and Prison, Samaritans volunteers provide 'one to one' emotional support during their regular visits. A dedicated Samaritans helpline is also available 24 hours a day to prisoners in distress and in need of support. In addition, prisoners can access a number of free counselling services including Lifeline, the NI crisis response helpline.

A range of other support measures are in place including CRUSE bereavement counselling; abuse counselling; prison chaplaincy; family support and diversionary activities. The Donard Programme in Maghaberry Prison provides a range of therapeutic interventions for the most vulnerable offenders including individually designed programmes delivered on a multi-agency basis.

### Courthouses: Flying Flags

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21451/11-15, to provide the relevant section of the assignment instructions for contracted staff covering the requirements for flying flags at courthouses.

**(AQW 22637/11-15)**

**Mr Ford:** The requirement to raise and lower the Union flag on designated days is referenced in the contract with Group 4 Secure Solutions (G4S) as follows:

*"The Contractor must fly the Union flag at all Court premises from 8am until sunset the same day inclusive of weekends and public holidays."*

The contract is supplemented by assignment instructions and operational management instructions. The assignment instruction extract for the Union flag is as follows:

*"If the designated flag days fall at weekends or Public Holiday, G4S key holders will perform the task of raising and lowering the Union flag."*

Additionally, operational guidance is provided by G4S site supervisors at daily briefings at all courthouses.

### Information Disclosure

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21450/11-15 and AQW 19382/11-15, to clarify, in terms of preventing disclosure of the information, on which data protection principles of schedule 1 to the 1998 Act were his answer based.

**(AQW 22638/11-15)**

**Mr Ford:** The responses provided to the Member's questions were based on the first principle outlined in schedule 1 to the Data Protection Act 1998.

### Probation Board for Northern Ireland Staff

**Mr G Robinson** asked the Minister of Justice to outline the progress that has been made in relation to a pay deal for staff at the Probation Board for Northern Ireland.

**(AQW 22659/11-15)**

**Mr Ford:** Work has been ongoing between Probation Board for Northern Ireland (PBNI) and the Department of Justice (DOJ) to develop a new pay strategy for PBNI administration staff and to obtain the necessary approvals from the Department of Finance and Personnel (DFP) to implement it. Unfortunately the process involved to achieve this has proven to be particularly complex and as a result very time consuming.

DFP approved the business case relating to the administration staff in October 2012. PBNI was subsequently required to prepare and submit a number of pay remits to cover the period from 2010 for Department of Justice (DOJ) and DFP approval.



This process has been continuing, with a number of queries raised by DFP at various points on the documentation received. These have been addressed and revised pay remits forwarded to DFP for approval.

This matter is now in its final stages and every effort continues to be made by the Department, working closely with PBNI, to bring this issue to a satisfactory conclusion.

### Maghaberry Prison: Addiction Treatment

**Lord Morrow** asked the Minister of Justice whether consideration has been given to allocating an area in Maghaberry Prison to house prisoners specifically with drug dependency issues to ensure they receive appropriate addiction treatment.

**(AQW 22661/11-15)**

**Mr Ford:** I can confirm that consideration has not been given to allocating an area within Maghaberry to house prisoners specifically with drug dependency issues.

### Northern Ireland Legal Services Commission

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21836/11-15, whether the additional payment of £6 million addressed the arrears accrued by the Northern Ireland Legal Services Commission in payments owed to legal representatives.

**(AQW 22662/11-15)**

**Mr Ford:** The Department provided total additional Resource DEL funding of £16m to the Legal Services Commission during the 2012/13 year. This increased the Commission's Resource DEL budget to £101.5m.

2012/13 Resource DEL expenditure is expected to be £107.1m (2012/13 figures have not yet been subject to audit by the Northern Ireland Audit Office and are therefore subject to change).

The forecast overspend of £5.6m has been absorbed by other underspends across the Department.

### Court Hearings

**Mr D McIlveen** asked the Minister of Justice to detail how many suspects (i) have failed to appear at their first court hearing after being granted bail; and (ii) of those, how many are still unaccounted for, in each of the last five years.

**(AQW 22664/11-15)**

**Mr Ford:** Suspects can be released on police bail pending being charged with an offence. Once charged, a defendant may be granted police bail to appear at court or may be granted court bail at his first or any subsequent court appearance. It is not possible to provide the specific information requested without incurring a disproportionate cost.

However, the table below details the number of defendants issued with at least one arrest (Magistrates' Court) or bench (Crown Court) warrant in each of the last five years who failed to surrender to court in accordance with their bail.

As at 10 May 2013, court records show that of the 8,725 defendants for which at least one arrest or bench warrant has been issued since 2008, 1,257 defendants currently have an outstanding arrest or bench warrant.

Year	Defendants on bail with an Arrest or Bench Warrant issued
2008	1,900
2009	1,932
2010	1,684
2011	1,712
2012P	1,497
<b>Total</b>	<b>8,725</b>

**Source:** Integrated Court Operations System

P 2012 Data currently provisional.

### RUC Reserve Gratuity Fund

**Mr Frew** asked the Minister of Justice, pursuant to AQW 21617/11-15, what options his Department is considering regarding the residue from the RUC Reserve gratuity fund and how will it be allocated.

**(AQW 22688/11-15)**

**Mr Ford:** There is some £392,000 remaining of the £20m funding provided by HM Treasury for the Part-Time Reserve Gratuity Scheme. This residue is held within the Department awaiting a final decision. My officials have drafted an options appraisal for consideration and a final decision is expected within a matter of weeks. Some of the options being considered

include making the residue available to the NI Policing Fund, to the Police Museum, or to police related charities. Cognisance will be taken of the original terms for the scheme and any residue set out by the then Minister of State Paul Goggins MP.

### **Northern Ireland Civil Service and the Northern Ireland Legal Services Commission**

**Mr Allister** asked the Minister of Justice what is the current starting salary of (i) an administrative officer in the Northern Ireland Civil Service; and (ii) the equivalent grade in the Northern Ireland Legal Services Commission; and to outline the reasons for any disparity.

**(AQW 22729/11-15)**

**Mr Ford:** The current starting salary for an Administrative Officer in the NICS is £18,298 per annum; applicable from 1 August 2012.

The equivalent grade in the NILSC is a Clerical Officer for which the current starting salary is £15,277 per annum; applicable from August 2009.

The NILSC is a discrete bargaining unit for pay purposes with pay remits approved through the Department of Justice and the Department of Finance and Personnel. There has been no pay award within the NILSC since 2009.

### **Northern Ireland Legal Services Commission: Accountancy Allowance**

**Mr Allister** asked the Minister of Justice whether there is an accountancy allowance available to staff within the NI Legal Services Commission and if the arrangements for obtaining the allowance are the same as in the NI Civil Service.

**(AQW 22733/11-15)**

**Mr Ford:** There is currently no Accountancy Allowance available to staff within the NI Legal Services Commission. It does not currently pay any allowances to staff.

### **Northern Ireland Legal Services Commission and Human Resources Department Staff**

**Mr Allister** asked the Minister of Justice to detail (i) how many staff are employed within the NI Legal Services Commission; (ii) how many staff are employed in the human resources department; and (iii) the reasons why HR Connect is not used.

**(AQW 22734/11-15)**

**Mr Ford:** As at 30 April 2013, 148 staff are employed by the NI Legal Services Commission (NILSC); of which six are employed in the Human Resources Department.

HR Connect is not used within the NILSC because staff are not on Northern Ireland Civil Service terms and conditions of employment.

### **Prisons: Suicides and Attempted Suicides**

**Lord Morrow** asked the Minister of Justice, in relation to suicides and attempted suicides in prison, whether any similarities have been identified in cases involving (i) crimes or alleged crimes for which the person is in custody; and (ii) illegal drugs use either prior to entering, or whilst in custody, in the last 10 years.

**(AQW 22742/11-15)**

**Mr Ford:** The Northern Ireland Prison Service has not identified any similarities in cases of suicides or attempted suicides.

### **Maghaberry Prison: Near Death of a Prisoner**

**Lord Morrow** asked the Minister of Justice, in relation to the 44 issues of concern highlighted by the Prisoner Ombudsman in the case of the near death of a prisoner in custody at Maghaberry Prison in February 2012 and, given that a number of these concerns have previously been identified and reported (i) to explain why such issues have been permitted by the Northern Ireland Prison Service to recur on a regular basis; and (ii) to provide an assessment of the causes.

**(AQW 22744/11-15)**

**Mr Ford:** The Northern Ireland Prison Service (NIPS) is committed to providing safe, secure and decent custody for all prisoners but recognises that a number of recommendations from external reports to help reduce self harm have yet to be fully implemented. All issues of concern are carefully considered by NIPS and the South Eastern Health and Social Care Trust and every effort is being made to embed the changes recommended by the Prisoner Ombudsman.

The Governor of Maghaberry has a continuous improvement plan in place to ensure that shortcomings identified are being dealt with appropriately. A Prisoner Safety and Support Team has been established to monitor and review the implementation of local safer custody procedures.

Improved performance and cultural change are being taken forward as part of the wider Prison Reform programme. Effective and lasting reform will take time to implement.

## Paid and Unpaid Invoices

**Mrs Cochrane** asked the Minister of Justice, for the period 1 April 2012 to 31 March 2013, to detail (i) the total number of invoices paid by his Department and its arm's-length bodies; (ii) the number of invoices paid within 30 calendar days of receipt; (iii) the number of invoices paid within 10 working days of receipt; (iv) how each of her Department's arm's-length bodies has performed against the 30-day payment performance targets; and (v) the number of invoices that, to date, remain unpaid.

**(AQW 22756/11-15)**

**Mr Ford:** Details on the number of invoices paid for the period 1 April 2012 to

31 March 2013 by the Department of Justice (DOJ) including its Agencies, and its Arm's-Length Bodies (ALBs); (i) in total; (ii) within 30 calendar days of receipt; (iii) within 10 working days of receipt; (iv) how each ALB has performed against the 30 Day Payment Performance Targets and; (v) the number of invoices that remain unpaid to date are shown in the tables below:

<b>The Department of Justice (incl. agencies)</b>	<b>Total Number of Invoices Paid</b>	<b>Total Number of Invoices Paid within 30 calendar days of receipt</b>	<b>Total Number of Invoices Paid within 10 working days of receipt</b>	<b>Number of Unpaid Invoices</b>
DOJ Core Department	4,384	4,229	3,899	110
Northern Ireland Prison Service	19,940	19,408	17,502	152
Compensation Agency	312	302	280	1
Forensic Science Northern Ireland	2,416	2,338	2,176	56
Youth Justice Agency	4,384	4,193	3,505	56
Northern Ireland Courts and Tribunals Service	13,961	13,565	12,798	211

<b>Arm's-Length Bodies</b>	<b>Total Number of Invoices Paid</b>	<b>Total Number of Invoices Paid within 30 calendar days of receipt</b>	<b>Total Number of Invoices Paid within 10 working days of receipt</b>	<b>% of Invoices Paid Within 30 calendar days of receipt</b>	<b>Number of Unpaid Invoices</b>
Police Service of Northern Ireland	94,082	92,877	87,688	98.72%	157
Northern Ireland Policing Board	1,949	1,949	1,884	100.00%	0
Office of the Police Ombudsman for Northern Ireland	2,125	2,123	2,098	99.91%	0
Northern Ireland Police Fund	130	130	120	100.00%	0
RUC George Cross Foundation	202	202	202	100.00%	0
Northern Ireland Legal Services Commission	773	767	763	99.22%	8
Probation Board for Northern Ireland	5,222	5,014	4,148	96.02%	101
Criminal Justice Inspection Northern Ireland	355	324	252	91.27%	1
Northern Ireland Law Commission	161	160	151	99.40%	4
Policing Rehabilitation and Retraining Trust	2,017	1,808	895	90.00%	49
Prisoner Ombudsman	216	213	178	98.60%	3
Independent Monitoring Boards	172	172	154	100.00%	9
Independent Assessor for PSNI Recruitment Applications	0	0	0	0	0

The figures provided for the number of invoices paid include invoices received in 2011-12 and paid in 2012-13. This explains why some bodies with a 100% payment record have invoices remaining unpaid.

## Legal Aid for Appeals

**Lord Morrow** asked the Minister of Justice whether he will restrict future legal aid for appeals brought by Gerry McGeough, given that Mr McGeough's appeal has been dismissed on all grounds by three senior judges, including the Lord Chief Justice. (AQW 22802/11-15)

**Mr Ford:** All applications for criminal legal aid are considered on their merits, by the Courts, in accordance with Article 6 of the European Convention on Human Rights.

## Incentives and Earned Privileges Schemes

**Mr Allister** asked the Minister of Justice, with regard to the pending changes to the incentives and earned privileges schemes in prisons in England and Wales, what plans he has to implement such changes. (AQW 22819/11-15)

**Mr Ford:** The current Progressive Regime and Earned Privileges (PREPS) Policy used by the Northern Ireland Prison Service (NIPS) is largely incentive based, with prisoners progressing through the regime levels who meet the identified standards. A comprehensive review of the policy is being taken forward and will examine prisoner payment structures for each regime level with the intention of making the PREPS system even more incentive and motivationally based.

NIPS will continue to monitor developments in neighbouring jurisdictions. However, it is intended to develop the best scheme for Northern Ireland. There are no plans to introduce changes to prisoner pay and privileges similar to changes announced for England and Wales.

## Northern Ireland Legal Services Commission Staff

**Mr Allister** asked the Minister of Justice whether staff recruited at deputy principal grade or above, to the NI Legal Services Commission, start at the mid-point on their salary scale and staff recruited to a lower grade start at the bottom of their salary scale; and to outline the reasons for any disparity in approach. (AQW 22820/11-15)

**Mr Ford:** The NI Legal Services Commission (NILSC) is a discrete bargaining unit for pay purposes with pay remits approved through the Department of Justice and the Department of Finance and Personnel.

The NILSC has provided the following information on how it appoints and promotes its staff.

The NILSC's procedure for making permanent appointments is as follows:

- (a) Clerical Officer grade following publicly advertised recruitment exercises;
- (b) Executive Officer and Staff Officer grades by way of internal promotion schemes (save for a few appointments to specialist posts which involve publicly advertised recruitment); and
- (c) Deputy Principal and above grades following publicly advertised recruitment exercises;

Staff recruited to the Clerical Officer grade are appointed to the band minimum of the relevant salary scale. As these appointments follow a publicly advertised process the NILSC has attracted a wide applicant pool.

The internal promotions for Executive Officers and Staff Officers follow well established rules for payment on promotion, namely a percentage increase on the successful applicant's current salary (currently 9%) or the band minimum of the higher grade – the higher value of these two options is applied. This also applies to all temporary promotions at all grades.

Permanent appointments to grades at Deputy Principal and Grade 7 are subject to the mid point of the salary as these appointments follow external recruitment. The NILSC has adopted this approach because there have been occasions when successful applicants were already on pay scales which were the same as, or higher than, the band minimum of the relevant pay scales.

As such this approach had to be adopted to ensure that the NILSC could appoint the best candidates. This approach also ensured that the NILSC was not susceptible to equal pay challenges for such appointments.

Appointment to Director posts with the NILSC are publicly advertised; the remuneration is determined by the recruitment panel, with the approval of the Board.

## Maghaberry Prison: Near Death of a Prisoner

**Lord Morrow** asked the Minister of Justice, given the Prisoner Ombudsman's report into the near death in custody of a prisoner at Maghaberry in February 2012, whether he will instigate a review, particularly in respect of supporting prisoners at risk procedures and have the procedures applied to all vulnerable prisoners as routine practice and introduce a traffic light grading system, which are never closed without there being a significant reduction of potential risk and being overseen by a consultant psychiatrist. (AQW 22901/11-15)

**Mr Ford:** The Prison Service's Suicide and Self Harm Prevention Policy is subject to ongoing review. I am satisfied the Supporting Prisoners At Risk procedures that are in place to care for and manage prisoners who are at risk of self harm or suicide are appropriate.

### **Northern Ireland Prison Service: Psychology Services**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21766/11-15, whether operational staff have access to psychology services as detailed in the Northern Ireland Prison Service responses at (27) and (18) to issues of concern arising from the deaths in custody of Samuel Carson and Frances McKeown at Hydebank Wood on 4 May 2011.

**(AQW 22908/11-15)**

**Mr Ford:** NIPS staff can avail of the services of Carecall and if necessary, are referred for professional counselling.

As part of the NIPS contract with Carecall, Critical Incident Stress Debriefing, known as the Post Incident Care Protocol, is also available. This critical incident stress management model is designed to prevent and/or mitigate any adverse psychological reactions staff may experience post incident.

These arrangements were activated on Thursday 5 May 2011 following a request from the Governor Hydebank Wood.

### **Professional Standards Unit**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21771/11-15, whether he would consider suspending all disciplinary matters until the professional standards unit is established in June 2013 to ensure parity for all those currently facing disciplinary action.

**(AQW 22910/11-15)**

**Mr Ford:** It is important that all cases of alleged disciplinary misconduct are investigated as soon as possible. It would therefore not be appropriate to suspend the disciplinary process in the Northern Ireland Prison Service pending the establishment of the new Professional Standards Unit.

Both Management and Trade Union side are in agreement that the current Code of Conduct and Discipline should remain operational until the new disciplinary system is introduced.

### **'Together: Building a United Community'**

**Mr Hussey** asked the Minister of Justice what discussions he has had with the Office of the First Minister and deputy First Minister in relation to the proposals included in "Together: Building a United Community."

**(AQW 22922/11-15)**

**Mr Ford:** I have had no discussions with the Office of the First Minister and deputy First Minister about these proposals.

However, my officials are now engaged in discussions with their counterparts in the Office of the First Minister and deputy First Minister in relation to the proposals, and in particular the proposal relating to interfaces.

### **Legal Services Commission Staff**

**Mr McKay** asked the Minister of Justice why staff in the Legal Services Commission are not paid the same rate as staff in his Department despite being graded in the same way.

**(AQW 22958/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission (NILSC) is a discrete bargaining unit for pay purposes with pay remits approved through the Department of Justice and the Department of Finance and Personnel.

The NILSC presently has three pay remits outstanding covering the periods 2010/11, 2011/12 and 2012/13. My officials will continue to work with the NILSC to address the outstanding issues and to ensure that, when completed, any agreed Pay Strategy is passed to DFP for financial approval.

### **Legal Service Commission Staff**

**Mr McKay** asked the Minister of Justice when staff in the Legal Service Commission will receive the same rate of pay as staff in his Department.

**(AQW 22959/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission (NILSC) is a discrete bargaining unit for pay purposes with pay remits approved through the Department of Justice and the Department of Finance and Personnel.

The NILSC presently has three pay remits outstanding covering the periods 2010/11, 2011/12 and 2012/13. My officials will continue to work with the NILSC to address the outstanding issues and to ensure that, when completed, any agreed Pay Strategy is passed to DFP for financial approval.

## Ionizing Radiation Regulations: Scanners in Prison Estates

**Mr P Ramsey** asked the Minister of Justice, pursuant to AQW 22384/11-15, whether he will notify the Assembly immediately when, under 15(1) of The Justification of Practices Involving Ionising Radiation Regulations 2004, the justifying authority informs the Northern Ireland Prison Service of the period in which the application is to be determined.

**(AQW 22994/11-15)**

**Mr Ford:** I can confirm that I will notify the Assembly as soon as possible of the timescales by which the Northern Ireland Prison Service Justification Application will be determined.

## Cybercrime Directorate

**Mr D McIlveen** asked the Minister of Justice what links the PSNI currently has with the Cybercrime directorate.

**(AQW 22996/11-15)**

**Mr Ford:** This is a matter for PSNI. I understand, however, that it currently has significant engagement and working relationships with a number of law enforcement agencies engaged in combating cyber crime across the United Kingdom. That includes early engagement with the new National Cyber Crime Unit under the shadow National Crime Agency which will incorporate the former Police e-crime Unit (PeCU) and the Serious and Organised Crime Agency's SOCA Cyber.

## Northern Ireland Police Fund

**Mr Copeland** asked the Minister of Justice to detail (i) the funding provided to groups via the Northern Ireland Police Fund in the last three years; and (ii) how many people in each of the groups benefited from the funding.

**(AQW 23001/11-15)**

**Mr Ford:** Details of the funding provided to groups via Northern Ireland Police Fund in the last three years can be found in the table below:

Organisation	2010/11 £	2011/12 £	2012/13 £
RUC GC Parents' Association	45,800.00	45,000.00	41,400.00
Disabled Police Officers' Association	55,500.00	43,000.00	42,000.00
Retired Police Officers' Association	7,500.00	0	0
RUC Benevolent Fund (including local voluntary welfare groups)	77,004.37	75,000.00	69,000.00
RUC GC Widows' Association	5,000.00	0	0
Forgotten Families	0	250.00	300.00
Carers' Association	18,000.00	0	5,000.00
<b>Total</b>	<b>208,804.37</b>	<b>163,250.00</b>	<b>157,700.00</b>

I am unable to detail how many people in each of these groups benefited from the funding over the last three years as the Northern Ireland Police Fund does not hold this information. However I can advise that the RUC GC Parents and Carers Association members are all clients of the Fund and 93 and 51 people respectively benefited in 2012/13.

## Proceeds of Crime: People with Disabilities

**Mr McMullan** asked the Minister of Justice whether assets from the proceeds of crime are used to supply equipment of support programmes for people with disabilities.

**(AQW 23042/11-15)**

**Mr Ford:** The Assets Recovery Community Scheme was first launched at the end of 2011 following the passage of the Justice Act (NI) 2011. Two calls have been made for bids for projects. These must be aimed at tackling crime and the fear of crime. A wide range of projects have been supported. The details may be found at:

<http://www.dojni.gov.uk/index/publications/publication-categories/pubs-policing-community-safety/asset-recovery-community-scheme-2012-13.pdf>

<http://www.dojni.gov.uk/index/publications/publication-categories/pubs-criminal-justice/confiscation-of-criminal-assets-funding.pdf>

One of these, "Mentoring Scheme for Disabled Offenders", is specific to disabled persons.

It is hoped that the 2013/14 call for projects will issue soon.

## Legal Services Commission Staff

**Mr McKay** asked the Minister of Justice whether staff on the Legal Services Commission have had any salary revision or pay progression since 2009.

**(AQW 23060/11-15)**

**Mr Ford:** The NILSC is a discrete bargaining unit for pay purposes with pay remits approved through the Department of Justice and the Department of Finance and Personnel. There has been no pay award within the NILSC since 2009.

The last agreed pay settlement for the Commission period covered the period 2006/07 to 2008/09. As no agreement was reached for the 2009/10 pay settlement negotiations, in July 2011, the Commission imposed a 2.6% pay award for that period which resulted in the introduction of Commission specific pay scales.

The NILSC currently has three pay remits outstanding covering the periods 2010/11, 2011/12 and 2012/13. My officials will continue to work with the NILSC to address the outstanding issues and to ensure that, when completed, any agreed Pay Strategy is passed to DFP for financial approval.

## Londonderry's Walls: Security Gates

**Mr Hussey** asked the Minister of Justice, pursuant to AQW 22856/11-15, whether, in addition to seeking the views of residents, his Department will provide a commitment that the gates will not be removed if the majority of residents consulted were opposed to the suggestion.

**(AQW 23173/11-15)**

**Mr Ford:** Engagement is an essential part of the work my Department is undertaking on interfaces. I am sensitive to both the views and perceptions of residents and the responsibility to create the conditions within which division and segregation can be consigned to the past.

The issue of consent is complex and I would not want to be prescriptive.

## Prisoners: Non-payment of Fines

**Miss M McIlveen** asked the Minister of Justice when legislation will be introduced to address the issues raised in the recent judicial review decision regarding the automatic imprisonment of people for the non-payment of fines.

**(AQO 4092/11-15)**

**Mr Ford:** As I informed the Assembly on 29 April, on 22 March 2013 the Divisional Court found that the long established practice for dealing with non-payment of fines failed to fully comply with the relevant legislative provisions.

In particular, the Court held that there should be a further court hearing at which the defendant can attend and make representations before any enforcement action is taken.

The implications of the judgment are still being evaluated. It is my intention, however, to bring forward legislation which will create a new fine collection and enforcement regime and which will incorporate all necessary procedures.

In the meantime, my officials are liaising with the Magistrates' Courts Rules Committee in order to develop any suitable interim arrangements which may be required to address the findings of the Court.

## Bangor Courthouse

**Mr Agnew** asked the Minister of Justice what action he has taken to secure an alternative use for Bangor Courthouse.

**(AQO 4090/11-15)**

**Mr Ford:** The Northern Ireland Courts and Tribunals Service is working with Land & Property Services to secure an alternative use for Bangor Courthouse. To date, no Government Department or Agency including North Down Borough Council, has expressed an interest in the building.

My officials are working with LPS to develop a marketing strategy for this property. I am happy to consider alternative community uses for Bangor Hearing Centre provided they are cost neutral for my Department.

## Legal Aid

**Mr Girvan** asked the Minister of Justice to outline the legal aid bill for the 2012-13 financial year.

**(AQO 4095/11-15)**

**Mr Ford:** Unaudited 2012-13 resource DEL expenditure is expected to be in the region of £107m; of which £51m relates to civil legal aid, £50m to criminal legal aid and £6m to running costs.

## Court Decisions

**Mr Copeland** asked the Minister of Justice what discussions he has had with the judiciary regarding the explanation of decisions taken in courts.

**(AQO 4098/11-15)**

**Mr Ford:** I have not met with the judiciary to discuss the explanation of decisions taken in court.

However, in a recent interview the Lord Chief Justice recognised the issue of public confidence in relation to the debate over bail and wanted to take the necessary steps to ensure it was maintained. He has also discussed the issue at his recent appearance at the Justice Committee and outlined a range of measures he has taken to increase the general understanding of sentencing including the publication of a guide to bail applications.

## Department for Regional Development

### Illegal Monuments

**Mr Ross** asked the Minister for Regional Development how many illegal monuments have been removed by Roads Service, in each of the last two years.

**(AQW 22238/11-15)**

**Mr Kennedy (The Minister for Regional Development):** My Department's policy, which has been approved by previous Ministers, is that it does not endorse, or support, the unauthorised use of departmental property for any purpose. The Department must also take into account the safety of those who are asked to undertake the removal and the risk of escalating the problem.

Department officials have not removed any illegal monuments in the last two years. In addition, during the terms of my predecessors Mr Conor Murphy, Mr Gregory Campbell and Mr Peter Robinson, I understand no illegal monuments were removed by officials.

### Street Furniture

**Mr Lyttle** asked the Minister for Regional Development, pursuant to AQW 22012/11-15, to detail (i) what constitutes agreement and/or support; (ii) why his officials remove illegally erected advertising without establishing agreement or support and recover costs but do not for legally erected flags; (iii) how he has contributed to the review of the flags protocol; and (iv) the timescale for the completion of a new flags protocol.

**(AQW 22529/11-15)**

**Mr Kennedy:** In my answer to AQW 22012/11-15, I stated that I do not condone or support the unauthorised use of my Department's lamp posts, street furniture or other property, for any purpose.

I also explained that my Department is generally not perceived to be the lead agency under the current Protocol. In most cases, other parties such as the PSNI, OFMDFM, NIHE, or DSD are better placed to assume the lead role in arranging for the removal of flags and emblems through their contacts with community groups, local elected representatives and other relevant contacts.

Under the protocol, my officials, when called upon by the lead Agency, will provide the access equipment and resources to remove unwanted flags once agreement has been reached that they should be taken down but if the community cannot reach them easily.

With regard to what constitutes agreement and/or support (for the removal of flags), it has its normal meaning and may include all interested parties, including the local community, elected representatives, groups, such as those who erected or supported the erection of flags in the area, and key protocol partners, such as the PSNI. However, depending on the situation, and in line with the Flags Protocol, it is generally the lead agency that advises if agreement has been reached.

It is a specific offence under Article 87 of the Roads (NI) Order 1993 to illegally erect advertising signs on street furniture. My Department arranges for the removal of such material and, in accordance with the provisions of the Roads Order, seeks to recover its costs so this work is not a drain on public funds.

In relation to the review of the flags protocol, my Department has contributed to the review of the Flags Protocol through officials' attendance and participation at all meetings to which they have been invited, and by responding to enquiries and correspondence relating to the review.

Finally, with regard to the timescale for the completion of a new Flags Protocol, this is a matter for the Office of the First Minister and Deputy First Minister, since that Department initiated, and is leading the review.



## Unadopted Roads

**Mr Campbell** asked the Minister for Regional Development how many roads, which service housing developments, are currently unadopted and the developer is being pursued because of (a) the incomplete nature of the roadway; or (b) the developer having ceased to operate as a business.

**(AQW 22615/11-15)**

**Mr Kennedy:** My Department is currently pursuing 150 proceedings against developers under Article 11 of the Private Streets Order for non-completion of roads in developments. Of these, officials are aware that 69 involve developments where the developer has ceased to operate as a business.

I should also advise that in cases where the developer has gone into liquidation or administration, the appointed receiver or representative is expected to carry out all necessary ongoing maintenance and undertake work to bring the streets up the standard required for adoption.

## A26: Dualling

**Mr Campbell** asked the Minister for Regional Development what progress has been made on the dualling of the A26 following his announcement regarding the delay in the A5 road scheme.

**(AQW 22616/11-15)**

**Mr Kennedy:** You may be aware that the Public Inquiry for the A26 scheme took place from 5-7 November 2012. My Department is now in receipt of the Inspector's report on the Public Inquiry and when this has been fully assessed, I will make a Departmental Statement outlining the way forward, which I anticipate will happen later this year.

With regard to funding, the Court ruling on the A5 Western Transport Corridor scheme, will add a significant delay to that project and will require adjustments to the capital budget, to be brought forward by the Finance Minister. In addressing the financial implications of this situation, I have set out spending proposals that my Department can deliver quickly and have provided options to the Finance Minister, which envisage other major road schemes commencing in 2014/15 including the A26. In the meantime, my Department continues to develop the A26 scheme to a procurement ready position. However, it cannot be progressed beyond this stage until a commitment of funding is made.

## Speed Limits: 20 miles per hour

**Mr Spratt** asked the Minister for Regional Development whether he will consider introducing 20 miles per hour speed limits in streets where people live, work and shop.

**(AQW 22634/11-15)**

**Mr Kennedy:** My Department's speed management policy encourages the further roll out of 20 mph zones and 20 mph speed limits in residential areas and locations, where high numbers of vulnerable road users such as pedestrians, children and cyclists, are present. The Northern Ireland Road Safety Strategy to 2020 contains Action Measures which are consistent with my Department's policy.

When assessing the potential for a road to have a 20 mph speed limit introduced, many factors are taken into account, such as mean speed, collision history, streetscape, community support, function and demographics. Each road will likely be different in terms of its suitability to have a reduced limit applied and the normal solution has been to install engineering measures, such as road humps and central islands, so the reduced speed limit is, in effect, self-enforcing.

The Road Safety Strategy also contains a commitment to pilot schemes for 20 mph limits without additional self-enforcing engineering measures. All these commitments are subject to the availability of funding. However, agreement has now been reached with the PSNI on enforcement for four pilot schemes and Roads Service is currently identifying suitable sites. Roads Service will, in due course, be monitoring the effectiveness of these schemes, along with similar pilots being undertaken in tandem by road authorities in Scotland, Wales and the Republic of Ireland, to inform the way forward on this issue.

## Bus Turning Circles: Maintenance

**Mr Weir** asked the Minister for Regional Development who has responsibility for the maintenance of bus turning circles.

**(AQW 22644/11-15)**

**Mr Kennedy:** My Department is responsible for the maintenance of bus turning circles where they form part of the adopted road network.

## Pedestrian Safety: Urban and town Settings

**Mr Weir** asked the Minister for Regional Development what steps his Department is taking to improve pedestrian safety in urban and town settings.

**(AQW 22657/11-15)**

**Mr Kennedy:** The safety of the most vulnerable road users, such as pedestrians, has always been my Department's highest priority, especially with regard to children, the elderly and the disabled.

Both controlled and uncontrolled pedestrian crossing facilities are located as close as possible to desire lines, for people to cross safely. New Puffin Crossings currently being installed or retrofitted on roads across Northern Ireland monitor pedestrians until they are safely across, before allowing traffic to move again. Tactile paving and other facilities for the visually impaired are now provided at all crossing points.

Considerable investment in improving the streetscape in town centres in recent years has been targeted at improving access for pedestrians and cyclists. As well as providing pedestrian zones, the installation of engineering measures, such as traffic calming and reduced speed limits, all contribute to providing a safer and more amenable environment for pedestrians.

Although there is no room for complacency, there has been an encouraging downward trend in pedestrian fatalities over the last ten years to which my Department and its strategic partners in road safety have made a valuable contribution by continually striving to improve facilities, and making pedestrians more aware of the dangers on our roads.

### **Speed Limits: 20 miles per hour**

**Mr Weir** asked the Minister for Regional Development for an update on the proposal to reduce speed limits in certain areas to 20 miles per hour.

**(AQW 22658/11-15)**

**Mr Kennedy:** My Department's speed management policy encourages the further roll out of 20 mph zones and 20 mph speed limits in residential areas and locations, where high numbers of vulnerable road users such as pedestrians, children and cyclists, are present. The Northern Ireland Road Safety Strategy to 2020 contains Action Measures which are consistent with my Department's policy.

When assessing the potential for a road to have a 20 mph speed limit introduced, many factors are taken into account, such as mean speed, collision history, streetscape, community support, function and demographics. Each road will likely be different in terms of its suitability to have a reduced limit applied and the normal solution has been to install engineering measures, such as road humps and central islands, so the reduced speed limit is, in effect, self-enforcing.

The Road Safety Strategy also contains a commitment to pilot schemes for 20 mph limits without additional self-enforcing engineering measures. All these commitments are subject to the availability of funding. However, agreement has now been reached with the PSNI on enforcement for four pilot schemes and my officials are currently identifying suitable sites. They will, in due course, also be monitoring the effectiveness of these schemes, along with similar pilots being undertaken in tandem by road authorities in Scotland, Wales and the Republic of Ireland, to inform the way forward on this issue.

### **Utility Companies: Restoration Works**

**Mr Weir** asked the Minister for Regional Development what requirements are placed on utility companies to restore footpaths or roads to the same standard prior to carrying out works.

**(AQW 22667/11-15)**

**Mr Kennedy:** Utility companies are required to reinstate openings in footpaths or roads to the standards set out in the Specification for Reinstatement of Openings in Roads (2nd Edition), a code of practice approved by my Department in July 2006, which prescribes the materials and standards of workmanship required for each type of road and footpath.

### **Utility Companies: Restoration Works**

**Mr Weir** asked the Minister for Regional Development what monitoring is carried out to ensure that a footpath or road is restored to its previous state after work has been carried out by a utility provider.

**(AQW 22668/11-15)**

**Mr Kennedy:** My Department inspects one in ten utility openings, selected at random, within six months of the completion of the reinstatement to ensure the footpath or road has been restored to the specified standard. A further one in ten randomly selected openings are inspected during the final three months of the guarantee period to ensure the reinstatement has complied with the specified performance requirements. Officials also extract sample cores from one in every one hundred reinstatements to ensure the correct material is being used and to the required depth.

Should any of these inspections identify a defective reinstatement, the utility company responsible is notified and required to repair or replace the reinstatement. Additional inspections are carried out to ensure the defects have been corrected.

In addition, any surface defects which are identified outside of these inspection regimes, for example, those reported by members of the public, or as the result of Roads Service's routine maintenance inspections, will be notified to the relevant utility company for remedial work to be undertaken.

### **Parking Spaces: Disabled Persons**

**Mr Hamilton** asked the Minister for Regional Development to outline what powers exist to legally enforce against the correct use of disabled persons' parking spaces.

**(AQW 22672/11-15)**

**Mr Kennedy:** My Department does not require powers to legally enforce against the correct use of disabled persons' parking spaces.

### Mains Rehabilitation Programme: Low Water Pressure

**Mrs McKeivitt** asked the Minister for Regional Development to detail which areas with low water pressure, have benefited from the mains rehabilitation programme, in each year since 2010, broken down by constituency.

**(AQW 22683/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water that a total of 1,318 properties in areas with low water pressure have benefited directly from the Mains Rehabilitation Programme since 2009/10. This information has been allocated by constituency in the table below.

Constituency	2009/10	2010/11	2011/12	2012/13	Total
East Londonderry		100	6		106
Fermanagh and South Tyrone		8			8
Foyle			6		6
Lagan Valley			40		40
Mid Ulster	20	60			80
Newry and Armagh	33				33
North Antrim	54	3	4		61
North Down	445			129	574
South Antrim		1	33		34
South Down	8		69	168	245
Strangford			62		62
Upper Bann		64	4		68
West Tyrone		1			1
<b>Total</b>	<b>560</b>	<b>237</b>	<b>224</b>	<b>297</b>	<b>1,318</b>

### Mains Rehabilitation Programme: Low Water Pressure

**Mrs McKeivitt** asked the Minister for Regional Development which areas with low water pressure have not benefited from the mains rehabilitation programme, broken down by constituency.

**(AQW 22685/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water that 1,366 properties in areas with low water pressure have not benefited from the Mains Rehabilitation Programme. This information has been allocated by constituency in the table below. NIW aims to address the low water pressure at these properties through further capital investment over the coming years.

Parliamentary Constituency	2010-2013	2013-2015	2015-2021	Total
Belfast East		56	1	57
Belfast North	4		9	13
Belfast South			29	29
Belfast West			3	3
East Antrim		7	12	19
East Londonderry		7	39	46
Fermanagh and South Tyrone	31	126	74	231
Foyle			2	2
Lagan Valley	1	35	10	46
Mid Ulster	42	43	29	114
Newry and Armagh	53		230	283
North Antrim		37	79	116

Parliamentary Constituency	2010-2013	2013-2015	2015-2021	Total
North Down			93	93
South Antrim	60	20	22	102
South Down	1		71	72
Strangford		18	24	42
Upper Bann			22	22
West Tyrone		24	52	76
<b>Total</b>	<b>192</b>	<b>373</b>	<b>801</b>	<b>1,366</b>

### Belfast to Dublin Enterprise Rail Service

**Mr Dallat** asked the Minister for Regional Development to detail (i) what discussions have taken place at cross-border meetings to assess the eligibility for European funding to replace locomotives and rolling stock for the Belfast to Dublin Enterprise rail service; and (ii) the plans in place to provide a dedicated track for the service.

**(AQW 22701/11-15)**

**Mr Kennedy:** No discussions have taken place at cross-border meetings to assess the eligibility of EU Funding for replacement of the Enterprise Train Sets. However, at a previous meeting of the North South Ministerial Council, I agreed with Minister Varadkar that longer term investment possibilities could be considered within the context of forthcoming EU decisions on the next TEN-T Programme.

Translink has no plans in place for a dedicated track for the Enterprise Service. The costs of such a dedicated track could be substantial. By way of comparison, the costs of construction and land acquisition for the recently announced High Speed Rail Lines between England and Scotland were estimated at £9.5 million per kilometre for a twin track running through a non-urban area.

Translink has made approaches to Irish Rail to participate in a joint feasibility study of options to reduce journey times on the Enterprise service to 90 minutes. These options would involve both track upgrades and replacement of rolling stock at costs for both rail companies estimated at up to £1 billion. EU support from the next TEN-T Programme is likely to be no more than 20% grant. Irish Rail is not in a position to jointly fund such a study before 2016.

### South Down: Infrastructure Projects

**Mr Hazzard** asked the Minister for Regional Development whether any additional funds will be made available for infrastructure projects in South Down as a result of the outcome of the A5 road scheme.

**(AQW 22738/11-15)**

**Mr Kennedy:** The Court ruling on the A5 scheme will add a significant delay to the project and as a result I am now obliged to declare a reduced budget requirement in relation to the 2013/14 year.

In my view, it is essential we quickly redeploy this reduced requirement to provide support to the construction sector and the local economy at this most difficult time. I consider expenditure on roads to be a specific example of activity that improves vital infrastructure and facilitates economic growth, while at the same time providing much needed local employment.

Looking further ahead, there may be knock on implications for 2014-15, and thus I have provided options to the Finance Minister for other major road schemes.

Whereas there are no major road schemes in South Down sufficiently advanced to benefit from additional funding at this time, any additional funding for structural maintenance and highway improvements will be allocated in the normal way to all regions of Northern Ireland.

### A26: Dualling

**Mr Campbell** asked the Minister for Regional Development whether consideration be given to the state of the current rural roads which serve the Ballymoney and Ballycastle areas when deciding on the timing of the dualling of the A26 to the Causeway Hospital.

**(AQW 22740/11-15)**

**Mr Kennedy:** Structural Maintenance work on the rural road network including the Ballymoney and Moyle Council areas is undertaken on an annual basis. These works are generally prioritised as a result of an assessment carried out independently of the Strategic Road Improvement Programme.

In 2012/2013 substantial resurfacing, surface dressing, patching and drainage works were carried out in the Moyle and Ballymoney Council areas at a cost in excess of £2.5 million and £2.2 million respectively.

In relation to the timing of the A26 Glarryford to Drones Road dual carriageway project, I would refer to Member to my answer to his recent Assembly Question AQW 22616/11-15.

In addressing the financial implications of the delay to the A5, I have set out spending proposals that my Department can deliver quickly and provided options to the Finance Minister which envisage other major road schemes commencing in 2014/15. The A26 Glarryford to Drones Road dual Carriageway is one of the schemes I have indicated could be advanced.

The section of the A26 between Ballymoney and Coleraine is also included in the Strategic Road Improvement Programme, however this is a longer term project which is likely to lie outside the current ISNI period.

### Blue Badges: Expired

**Mr Frew** asked the Minister for Regional Development how long, on average, does the process for reallocating expired blue badges take and what is the target time frame.

(AQW 22749/11-15)

**Mr Kennedy:** My Department does not re-allocate expired Blue Badges. However, the target time frame for the renewal of blue badges is 15 days, except for those cases which require referral to a doctor.

### Blue Badges: Disabled Parking Bays

**Mr Frew** asked the Minister for Regional Development what procedures are in place to allow a person who has applied for a new blue badge following the expiry of an old badge, to continue using disabled parking bays.

(AQW 22751/11-15)

**Mr Kennedy:** When a Blue Badge is issued, an enclosed information leaflet provides the badge holder with advice on how to use the badge, and how to apply for a new one when the expiry date approaches.

Whilst my Department will make every effort to ensure that badge holders receive an application form to renew a badge approximately four to six weeks prior to the expiry of their existing badge, it is the badge holder's responsibility to allow sufficient time to have the badge renewed before the current badge expires.

Traffic Attendants are instructed to allow a two week grace period following the expiry date displayed on a Blue Badge, to allow for any delays when applying for a new badge. A Penalty Charge Notice will not be issued to a vehicle displaying a Blue Badge during this two week grace period.

### Aughnacloy, Fivemiletown, Coalisland and Donaghmore: Parking Tickets

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 21613/11-15, to provide the same information for (i) Aughnacloy; (ii) Coalisland; (iii) Donaghmore; and (iv) Fivemiletown for (a) 2010; and (b) 2011.

(AQW 22800/11-15)

**Mr Kennedy:** Details of the number of Penalty Charge Notices (PCNs) issued in Aughnacloy, Coalisland, Donaghmore and Fivemiletown during the 12 months, to end of February 2010 and 2011, are shown in the table below:

Town	PCNs Issued	
	2010	2011
Aughnacloy	41	28
Fivemiletown	87	58
Coalisland	Nil	Nil
Donaghmore	5	1

### Translink: Try the Train Advertising

**Mr Campbell** asked the Minister for Regional Development whether Translink is planning any promotional material in addition to the Try the Train advertising.

(AQW 22824/11-15)

**Mr Kennedy:** I can advise that the following promotional activities are either in place or in progress:

- Promotion of "Great Railway Journey" via press and digital advertising and social media with NI Tourist Board.
- Joint marketing/PR for train services to events for the UK City of Culture 2013 e.g. Radio One Big Weekend; Live Theatre on-board the train event; Fleadh Cheoil na hEireann.
- On-going sponsorship/relationship with UK City of Culture including posters and banners to promote rail travel to Londonderry.
- 50% off single use voucher to incentivise travel. Valid until 28 June 2013.

- Translink 'Get Up and Go' Summer campaign promoting special bus and rail fares during July and August across the network
- Promotion of 1/3 off day return train fares.

### **Bangor: Park-and-ride Scheme**

**Mr Agnew** asked the Minister for Regional Development what plans his Department has for the park-and-ride scheme which operates near the bus and train station in Bangor.

**(AQW 22855/11-15)**

**Mr Kennedy:** In August 2011 I endorsed my Department's 'Strategic Review of Park and Ride' report and approved the proposed way forward. The report presented recommendations for the delivery and prioritisation of Park & Ride facilities.

My Department has established a Park and Ride Programme Board with responsibility for co-ordinating and prioritising the implementation of Park and Ride projects in line with the Departmental Strategy. The Programme Board has produced a 'Park and Ride Strategic Delivery Programme 2013-15' which is a schedule of Park and Ride projects, with clearly defined responsibilities for funding, implementation, maintenance and operation, to be taken forward by my Department's Transport Projects Division, Transport NI and Translink. Bangor is one of the priority locations included in the Programme.

I am aware that there is significant demand for Park and Ride facilities in Bangor and indeed the current Park and Ride site is operating at capacity levels. This demand highlights the success brought about by my Department's investment in the railway network in recent years and it is something that I would like to continue to build upon.

As a result, my Department is currently developing a business case which will consider a number of options for the provision of additional Park & Ride facilities in Bangor, to supplement those currently available at Abbey Street. The options being considered include the site of the former Bangor Leisure Centre, the Dufferin Avenue Car Park and the construction of a multi-storey car park on the existing Park and Ride site. It is anticipated that this business case process will be completed in June.

Subject to the identification of a suitable site and the satisfactory completion of the necessary processes, which may include land purchase and attaining planning permission, the new facilities could be provided in late 2014/2015.

### **A5 Western Transport Corridor**

**Mr Buchanan** asked the Minister for Regional Development why his Department did not carry out a habitats directive assessment for the proposed A5 western transport corridor.

**(AQW 22867/11-15)**

**Mr Kennedy:** As allowed by the Habitats Directive, an assessment involving a screening exercise was carried out on behalf of the Department for the proposed A5 Western Transport Corridor dualling project. The screening exercise concluded that it was unlikely that the proposed scheme would have an adverse effect on the integrity of the River Foyle and tributaries and River Finn Special Areas of Conservation and consequently that a full Appropriate Assessment was not required.

The findings and conclusion of the screening exercise were issued to the two relevant statutory bodies, the Northern Ireland Environment Agency and the Republic of Ireland's National Parks and Wildlife Services. Both bodies agreed with the findings and conclusion. The Loughs Agency was also consulted but did not respond.

### **A5 Western Transport Corridor**

**Mr Buchanan** asked the Minister for Regional Development what action his Department is taking to reinstate the farmland that was vested by Roads Service for the proposed A5 western transport corridor.

**(AQW 22868/11-15)**

**Mr Kennedy:** Subsequent to the court decision in relation to the proposed A5 Western Transport Corridor coming into effect on 15 April 2013, my Department sent all affected landowners an update letter on 23 April 2013, providing them with details of the various options regarding reinstatement works. Where reinstatement works are required, landowners were given the option of carrying out reinstatement works themselves and being compensated accordingly or alternatively, asking the Department to arrange the reinstatement works.

The issuing of these letters was followed up with a scheduled round of meetings with all the affected landowners, which have now taken place. Reinstatement works are ongoing and consultation with affected land owners will continue until all reinstatement works have been completed.

### **A5 Western Transport Corridor**

**Mr Buchanan** asked the Minister for Regional Development what contact his Department has had with the farming community affected by the A5 western transport corridor since the court hearing which prohibited any further work on the project.

**(AQW 22869/11-15)**

**Mr Kennedy:** Subsequent to the court decision in relation to the proposed A5 Western Transport Corridor coming into effect on 15 April 2013, my Department sent all affected landowners an update letter on 23 April 2013, providing them with details

of the various options in relation to reinstatement works. This was followed up with a scheduled round of meetings with all affected parties, the vast majority of which have now taken place. Letters issued on 8 May 2013 to all landowners who had submitted 90% advance compensation claims, advising them of their options. Further letters issued to all landowners on 14 May 2013, advising of the processes for agreeing reinstatement works and the procedure for submitting and payment of compensation claims for occupation of the land.

I met with representatives from the Ulster Farmers Union on 24 April 2013, and my officials also attended a meeting with the Ulster Farmers Union and landowners on 7 May 2013. Consultation with affected landowners will continue until all reinstatement works issues have been satisfactorily resolved.

### **A5 Western Transport Corridor**

**Mr Buchanan** asked the Minister for Regional Development what is his Department's position with regard to farmers on the A5 western transport corridor who have received part payment from Roads Service for their farmland.  
**(AQW 22870/11-15)**

**Mr Kennedy:** The quashing of the vesting order by the court effectively returned all vested lands and property to the original owners. Landowners, who received 90% advance payments for land or property which was vested, have been given the option of returning the payments or requesting the Department buys the affected land or property, by agreement, and complete the payment process. A letter has been sent to the land/property owners, who have received payments, explaining the option and individual meetings will be held with them, when they have had time to consider their position.

### **A5 Western Transport Corridor**

**Mr Buchanan** asked the Minister for Regional Development when his Department became aware that an environmental impact assessment under the habitats directive was required for the A5 western transport corridor.  
**(AQW 22871/11-15)**

**Mr Kennedy:** The Environmental Impact Assessment (EIA) and the Habitats Directive's Habitats Regulations Assessment (HRA) are distinct processes. The HRA considers the need for an assessment of impacts on Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and provides for a screening exercise to determine the need, or otherwise, for an Appropriate Assessment.

In relation to the A5 Western Transport Corridor (A5WTC), screening exercises were carried out on four SACs and three SPAs. The conclusions of the screening exercises were that it was unlikely the proposed A5WTC scheme would have an adverse effect on the integrity of any of the SACs or SPAs and consequently that Appropriate Assessments were not required.

The findings and conclusions of the screening exercises were issued to two relevant statutory bodies, the Northern Ireland Environment Agency (NIEA) and the Republic of Ireland's National Parks and Wildlife Services (NPWS). Both statutory bodies agreed with the findings and conclusions of the screening exercises. The Loughs Agency was also consulted but did not respond.

On 8 April 2013, while dismissing 11 of the 12 grounds of challenge, the court held that there was a need to carry out a fuller Appropriate Assessment under the Habitats Directive in relation to the River Foyle and tributaries and River Finn SACs.

### **Oldpark Road/Manor Street Junction**

**Mr Humphrey** asked the Minister for Regional Development what assessment has been carried out on the safety for motorists on the Oldpark Road/Manor Street junction.  
**(AQW 22891/11-15)**

**Mr Kennedy:** My Department's officials are aware of three recorded collisions at the Oldpark Road/Manor Street junction since 2009.

A scheme has been recently carried out to amend the carriageway markings at this junction, in conjunction with the provision of a PUFFIN controlled crossing. This crossing will enhance the safety of pedestrians wishing to cross the road and the revised carriageway markings, improves conditions for motorists by providing a right-turn pocket for north bound vehicles wishing to enter Manor Street from the Oldpark Road.

Officials will continue to monitor road safety at this junction and will consider what, if any, further enhancements to the road layout are needed.

### **Blue Badge Holders**

**Mr Weir** asked the Minister for Regional Development how many blue badge holders park in departmental car parks on average each year.  
**(AQW 22902/11-15)**

**Mr Kennedy:** My Department does not maintain an analysis of the number of blue badge holders who park in departmental car parks.

## Blue Badge Scheme

**Mr Weir** asked the Minister for Regional Development for an estimate of how many people will be newly eligible for the blue badge scheme under proposals for changes to the scheme.

**(AQW 22903/11-15)**

**Mr Kennedy:** One of the current Blue Badge Scheme options that my Department is considering, as part of the current public consultation for dealing with the introduction of the Department for Social Development led Personal Independence Payment (PIP) in Northern Ireland, is to widen current automatic eligibility for a Blue Badge. This option would entitle some additional people of working age, with mental, cognitive and intellectual or sensory impairments, who have high non-physical mobility needs to a Blue Badge.

Although it is not possible to quantify how many people will attain the required highest score of 12 under PIP Activity 11 – ‘Planning and Following Journeys’, as outlined in the consultation document, this option would potentially increase the number of people who are eligible for a Blue Badge in Northern Ireland. Views on the number of people affected by this option are being sought as part of the public consultation exercise.

## Blue Badge Holders

**Mr Weir** asked the Minister for Regional Development how many people currently hold a blue badge.

**(AQW 22905/11-15)**

**Mr Kennedy:** As of 16 May 2013, there are 104,884 current Individual Blue Badges and 1,151 Support Organisation badges.

## Newcastle Road, Kilkeel Bridge

**Mr Rogers** asked the Minister for Regional Development why work has ceased on the construction of the bridge on the Newcastle Road, Kilkeel, between Wreck Road and Pat’s Road, Ballymartin.

**(AQW 22927/11-15)**

**Mr Kennedy:** The work at Mullagh Bridge, Newcastle Road, Kilkeel is being carried out in two phases. The first phase involves work to the bridge structure and the stone work cladding. Unfortunately, the work to the stone cladding has been periodically interrupted due to adverse weather conditions but is now nearing completion.

The second phase involves the associated road works and work to the bridge embankments which is expected to start shortly, after completion of the first phase of works.

## A37 Limavady to Coleraine Road: Climbing Lane

**Mr G Robinson** asked the Minister for Regional Development whether he would consider redirecting some of the funding for the A5 road scheme for the provision of a climbing lane at Gortcorbies on the A37 Limavady to Coleraine Road.

**(AQW 22928/11-15)**

**Mr Kennedy:** My Department has received funding for the A5 dual carriageway project as a result of an Executive decision. Following the recent ruling on the scheme, I am obliged to declare a reduced budget requirement in relation to the 2013/14 year.

However, rather than await the June Monitoring round, I have already formally declared this reduced requirement to the Finance Minister, to allow the Executive to give urgent consideration as to how it can best be redeployed. I have set out spending proposals that my Department can deliver quickly and provided options to the Finance Minister, for other major road schemes which could commence in 2014/15.

In my view, it is essential we quickly redeploy this reduced requirement to provide support to the construction sector and the local economy at this most difficult time. I consider expenditure on roads to be a specific example of activity that improves vital infrastructure and facilitates economic growth, while at the same time providing much needed local employment.

Whereas Gortcorbies Climbing Lane is at an advanced stage of development, its delivery is dependent upon additional funding being received.

## East Londonderry: Park-and-ride Car Parks

**Mr Campbell** asked the Minister for Regional Development how many park-and-ride car parks are in operation in the East Londonderry constituency.

**(AQW 22993/11-15)**

**Mr Kennedy:** I can advise you that Translink has confirmed that within the East Londonderry constituency, Park & Ride facilities are available at Coleraine Bus & Rail Station. Currently there are 26 Park & Ride spaces. My Department is providing funding of £317k to Translink to extend the facilities at Coleraine and provide a total of 71 spaces. This work is expected to be completed in June this year.

My Department also operates two car parks in Limavady with ‘Park and Ride’ and/or ‘Park and Ride/Share’ facilities. Details of these car parks are provided below:

- Bus Station car park - Park and Ride/Share (108 spaces)



- Rathmore Road car park (off the Limavady By-pass) - Park and Share (26 spaces)

## G8 Summit

**Mr Frew** asked the Minister for Regional Development (i) what agreements or discussions has he or his departmental officials had in connection with the G8 Summit and the placing of a moratorium on all road works and contracts over the period of the Summit; (ii) whether this moratorium will be confined to strategic areas and routes that may be used; and (iii) the length of time the moratorium will be in place and the rationale for this.

**(AQW 23056/11-15)**

**Mr Kennedy:** Departmental officials are part of the team supporting the Executive in its role in preparing for the G8 Summit. As such, they are fully engaged in discussions surrounding the preparations for the event.

At the request of the PSNI, a moratorium has been placed on all road and street works from Sunday 9 June to Wednesday 19 June 2013. The moratorium applies to all A and B class roads, orbital and radial routes in Belfast and Londonderry and routes around Bushmills. The PSNI has, however, on request, been allowing exemptions for specific schemes. Work on the A2 and A8 schemes and any emergency works will not be affected.

## Disability Action Transport Scheme

**Mr Clarke** asked the Minister for Regional Development, pursuant to AQW 21880/11-15, to detail (i) how far in advance this service can be booked; and (ii) the method used to make payment.

**(AQW 23062/11-15)**

**Mr Kennedy:** The Disability Action Transport Scheme is operated by Disability Action which has operational responsibility for the scheme. It has advised me that in regard to (i) the service can be booked up to seven days in advance, and (ii) the current method of payment is by paying cash to the driver.

## Derry Train Station: Waiting Room

**Mr Eastwood** asked the Minister for Regional Development why the waiting room at Derry train station closes at 6.00 pm when there are departures at 7.33 pm and 9.33 pm.

**(AQW 23066/11-15)**

**Mr Kennedy:** I can advise you that Translink continually reviews station opening times and staffing levels across the railways network to try to ensure the best balance of customer service and efficiency with a need to work within available funding and ensure that resources are deployed to best benefit.

Translink has confirmed that Waterside Station is open from 06:45-18:00 Monday-Saturday and from 09:00-20:00 on Sunday. These times are in line with the peak passenger flows to and from Londonderry. Outside of these times, customer access is via the accessible night gate. Translink advises that currently there is a covered waiting area on the platform but it is reviewing these facilities. For a variety of health and safety reasons the station cannot be left open if unattended.

With the reopening of the line between Londonderry and Coleraine, Translink will continue to monitor the opening hours of the ticket office and station facilities in light of any changes in passenger numbers.

I can further advise that there is an ongoing public consultation to consider a future station in the city. Passengers are encouraged to respond to this consultation via Translink's website [www.translink.co.uk](http://www.translink.co.uk). The deadline for public responses is 24 May 2013.

## Seagahan Dam: Armagh Fisheries

**Mr Irwin** asked the Minister for Regional Development to detail the annual fee for the lease of Seagahan dam by Armagh Fisheries.

**(AQW 23099/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the current lease for Seagahan Dam expires on 31 December 2013. As NIW intends to tender for the renewal of the lease in the near future it would not be appropriate to provide details of the annual fee as this information is considered to be commercially sensitive.

## Portrush to Coleraine: 06:43 Train

**Mr G Robinson** asked the Minister for Regional Development to detail (i) the reasons for the withdrawal of the 06:43 train from Portrush to Coleraine; and (ii) why passengers are unable to use their monthly Northern Ireland Railways ticket on a connecting 140 Ulsterbus service as happens on the 17:50 service from Coleraine to Londonderry.

**(AQW 23131/11-15)**

**Mr Kennedy:** I can advise you that Translink have confirmed that:

The number of services that can be provided are limited by the single track nature of the line. A new rail timetable was introduced on 24 March 2013 following extensive public consultation with rail customers and key stakeholders. The new

timetable provides a through service from Portrush to Belfast at 06:05 and 07:05 hours arriving in Coleraine at 06.16 and 07.16 respectively. There is insufficient running time between these services to provide an additional train at 06:

- (i) 43 hours. A bus service from Portrush to Coleraine runs at 06.20.

Translink will make specific arrangements, including ticketing, for existing customers who wish to use the 140 bus service from Portrush to connect with the 06:

- (ii) 52 hours train departure from Coleraine to Belfast.

I remain determined to provide the best possible public transport service for all in Northern Ireland and I will continue to seek funding support to further improve the rail network.

### Metro Bus Passengers

**Mr Copeland** asked the Minister for Regional Development to detail to total number of metro bus passengers in (i) 2012-2013; (ii) 2011-2012; and (iii) 2010-2011.

**(AQW 23144/11-15)**

**Mr Kennedy:** Translink have provided the following patronage information showing the progress made in increasing the number of Metro bus passenger journeys:

2012/13	26.198m
2011/12	25.934m
2010/11	25.843m

### Newtownabbey and Carrickfergus: Door-to-Door Transport Service

**Mr Dickson** asked the Minister for Regional Development whether he is aware of the difficulties that users of the door-to-door transport service in Newtownabbey and Carrickfergus are experiencing following the introduction of the Disability Action contract, and if so, what measures he has put in place to improve the service.

**(AQW 23234/11-15)**

**Mr Kennedy:** The Disability Action Transport Scheme (DATS) which commenced on 1 April 2013 is operated by Disability Action. My officials were made aware that Disability Action wrote to all customers in the Newtownabbey and Carrickfergus areas at the end of March 2013 advising that due to operational issues in relation to the availability of accessible vehicles from Northern Ireland providers that there would be a limited service in April 2013.

However Disability Action has advised me that since then additional vehicles have been sourced and transport provision in that area has improved with a 43% increase in the number of trips undertaken since the end of April.

### Unadopted Roads

**Mr F McCann** asked the Minister for Regional Development for an update on the progress made in relation to the recommendations in the inquiry into unadopted roads, following his recent contact with stakeholders.

**(AQO 4099/11-15)**

**Mr Kennedy:** As you will be aware, the Committee for Regional Development's Inquiry into Unadopted Roads made 10 recommendations. In January this year, I met with representatives of the Law Society, the Construction Employers Federation and the National House Building Council to discuss the report and its recommendations. Officials have been engaging further with stakeholders over recent months.

Progress has been made and I have indicated to the Committee I hope to be in a position to provide a further substantive response to its recommendations by the autumn of this year.

### Belfast to Dublin Enterprise Service

**Mr Dallat** asked the Minister for Regional Development what plans are in place to upgrade or replace the locomotives and rolling stock on the Belfast-Dublin Enterprise line.

**(AQO 4100/11-15)**

**Mr Kennedy:** I welcome your continued interest in the railways which is a major success story. Passenger numbers on rail continue to grow, and last year over 11 million passenger journeys took place by rail. This is the highest level recorded since 1967. This trend was also evident on the Enterprise Service which saw passenger numbers of 827,000 in 2012/2013, an increase of over a tenth from the previous year.

Furthermore, at the end of March we re-opened the Coleraine to Londonderry railway line - this work was completed ahead of time and within budget.

In terms of the Enterprise rail service, this is, of course, of huge importance for both business and tourism. However, the service is run jointly between Northern Ireland Railways and Irish Rail and we therefore have to agree the arrangements and funding with Irish Rail before any upgrades or replacement of the rolling stock are undertaken.

An Economic Appraisal for the Enterprise Overhaul Programme was completed last year. The total cost of the project is estimated at £14m, shared equally North and South. While it will take a few years before the whole Overhaul Programme will be completed due to funding implications, I can confirm that both parties have committed to £2.4m (£1.2m each) to a first phase of this project which is now progressing and involves safety work to the 4 train sets. This is due to happen this year.

### **Craigtlet Crossroads**

**Mr Agnew** asked the Minister for Regional Development for an update on the proposed road and roundabout development at the Craigtlet crossroads.

**(AQO 4103/11-15)**

**Mr Kennedy:** My Department lodged a planning application for this scheme in early 2012. In response, local residents proposed a number of alternative scheme layouts.

I have asked for all the alternative proposals to be fully evaluated – while I had hoped that this work would be completed by the end of January 2013, additional field and design work was required and, as a result, it is now anticipated this study, including an updated economic assessment, will be completed by the end of June 2013.

Although it goes without saying, I wish to make clear that no decisions will be taken before the outcome of this study is known.

### **Queens Avenue, Magherafelt**

**Mr I McCrea** asked the Minister for Regional Development for an update on the resurfacing scheme for Queens Avenue, Magherafelt.

**(AQO 4108/11-15)**

**Mr Kennedy:** In 2010, sections of Queens Avenue were resurfaced in conjunction with implementation of a traffic calming scheme.

I am pleased to advise the Member that my Department plans to commence a resurfacing scheme on Queens Avenue, Magherafelt on Monday 27 May 2013, at a cost in excess of £150,000.

This will complete the resurfacing of Queens Avenue. As part of this scheme, the adjacent Kirk Avenue and Kirk Lane will also be resurfaced. Temporary traffic management measures will be in place and local access will be accommodated.

### **Car Parks: Euro Exchange Rate**

**Ms Fearon** asked the Minister for Regional Development whether he has any plans to review the pay-and-display euro exchange rate in car parks in border areas.

**(AQO 4109/11-15)**

**Mr Kennedy:** My Department has recently completed a review of the Euro rate applicable to Pay and Display machines in car parks and I will very soon be in a position to announce details of the new rate.

In future, the rates will be subject to an annual review. The member will appreciate the need to balance the significant administrative cost of very regular adjustments to the rate, with the fairly minimal impact on the cost of parking for those paying in Euros.

I should also highlight this service is provided as an additional facility for drivers from the Republic of Ireland in the event that they do not have sterling change to pay for parking. Thus the approach both provides the motorist with an additional option at the point of service, and allows them to avoid incurring their own banking charges in respect of currency conversion.

I note that a reciprocal facility is not provided in the Republic of Ireland for motorists from Northern Ireland.

### **Castlemara, Carrickfergus: Sewerage System**

**Mr Hilditch** asked the Minister for Regional Development for an update on the further investigations into the sewerage system in Castlemara, Carrickfergus.

**(AQO 4111/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that following further investigations into the sewerage system in Castlemara, Carrickfergus a defect was identified and repaired at the end of April 2013. The sewerage system in the area is now operating normally and NIW is confident that the sewerage issue has been resolved.

### **Roadside Shrines**

**Mr D McIlveen** asked the Minister for Regional Development what plans he has to dismantle illegal roadside shrines to terrorists.

**(AQO 4112/11-15)**

**Mr Kennedy:** My Department's policy, which has been approved by previous Ministers, does not endorse, or support, the unauthorised use of departmental property for any purpose, including the erection of roadside shrines to terrorists. However, the Department must also take into account the safety of those who are asked to undertake the removal and the risk of escalating the problem.

Given these circumstances I, like my predecessors Mr Conor Murphy, Mr Gregory Campbell and Mr Peter Robinson, am not in a position to direct my officials to remove terrorist commemorations on departmental controlled or associated property, unless such structures pose a danger to road users, or there is a clear indication that removal would have the widespread support of the local community.

I should further advise that unauthorised memorials on the property of the Department's arms-length bodies are matters for the Boards of those organisations.

## Integrated Transport

**Mr McDevitt** asked the Minister for Regional Development to outline the time scale for implementing a policy on integrated transport.

**(AQO 4113/11-15)**

**Mr Kennedy:** I am determined to pursue a more integrated and sustainable approach to the development and future delivery of transport and, in March 2012, I launched a New Approach to Regional Transportation which sets High Level Aims and Strategic Objectives for transportation in Northern Ireland.

My Department is currently developing an integrated and sustainable transport delivery plan, which will feed into the Programme for Government 2015-19 budget process.

A cross-organisation Working Group is also currently considering the potential opportunities to integrate publicly funded passenger transport services on a pilot basis in the Dungannon/Cookstown area. This pilot will assist in determining the long-term approach to more integrated local public transport planning.

The Dungannon/Cookstown pilot is expected to begin on the ground in autumn 2013, with phased implementation continuing thereafter as problems are resolved. There will be ongoing evaluation of the pilot to determine what works and what refinements are needed with a view to wider roll-out in due course.

## Department for Social Development

### Ballyearl Estate, Newtownabbey

**Mr Girvan** asked the Minister for Social Development for an update on the Ballyearl estate, Newtownabbey.

**(AQW 22286/11-15)**

**Mr McCausland (The Minister for Social Development):**

#### Newbuild

Following a period with little housing need within the New Mossley area, there is now a social housing requirement for the area. Based on the March 2012, waiting list there is a 5 year projected need for 45 homes.

The Housing Executive's initial proposals to meet this need were to transfer land on Carn Way to Connswater Housing Association for the building of social housing.

However, following a meeting on the 18 June 2012 between Housing Executive Planning & Feasibility and DOE Planning, and a further meeting with Connswater Housing Association on 25 June 2012, the decision was taken to develop part of the New Mossley Central Green site instead. It is understood that the community are fully in support of the newbuild moving to this site.

Connswater Housing Association is currently developing plans for submission to Planning Service and the scheme is programmed to commence this financial year (2013/14).

#### Double Glazing Programme

A double glazing scheme that includes 224 dwellings in New Mossley is currently programmed to commence in January 2014.

#### Public Footpath Adoption

A scheme for the Ballyearl Court area, which is designed to bring public footpaths up to adoption standards and then seek their adoption by the Roads Service, is also programmed for 2013/14.

## Boiler Replacement Scheme Applications

**Mr Flanagan** asked the Minister for Social Development (i) how many completed applications for the boiler replacement scheme were received by his Department, in each month since September 2012; (ii) how many have been processed successfully; and (iii) how many are waiting to be processed for (a) the initial application forms; and (b) installer forms. (AQW 22523/11-15)

**Mr McCausland:** The Northern Ireland Housing Executive who administers the scheme on my department's behalf are currently collating the detailed monthly information that you have asked for and I will write to you again once they provide me with the information. They have advised that they should have the information provided to me within the next three weeks.

However for the scheme in general to date there have been;

- 13,764 application forms received,
- 13,276 processed
- 488 unprocessed application forms
- 8,316 boiler installer application forms received,
- 7,281 boiler installer forms processed,
- 1,035 unprocessed installer forms.

In the context of 'unprocessed cases' reasons for these include;

- cases where there are errors or incomplete information on the forms,
- where corrections or amendments are required on the form,
- where inconsistencies are being investigated or where detailed checks are being carried out

The Housing Executive is continuing to action these cases to ensure that the relevant information is received so that the cases can be processed as quickly as possible.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

## Crisis Loans

**Mr Eastwood** asked the Minister for Social Development to detail the (i) target processing time for crisis loans; and (ii) current processing time for crisis loans in each of the 35 jobs and benefit and social security offices. (AQW 22731/11-15)

**Mr McCausland:** The clearance time target for processing Crisis Loans is 2 days. The current processing time in each of the 35 Jobs and Benefits Offices and Social Security Offices against this target is shown in the table below:

Office	Processing Time (Days) *	Office	Processing Time (Days) *	Office	Processing Time (Days) *
Andersonstown	1.0	Downpatrick	1.0	Lurgan	1.0
Antrim	1.0	Dungannon	1.0	Magherafelt	1.0
Armagh	1.0	Enniskillen	1.0	Newcastle	1.0
Ballymena	1.0	Falls Road	1.0	Newry	1.0
Ballymoney	1.0	Foyle	1.1	Newtownabbey	1.0
Ballynahinch	1.0	Hollywood Road	1.0	Newtownards	1.0
Banbridge	1.0	Kilkeel	1.0	Omagh	1.0
Bangor	1.0	Knockbreda	1.0	Portadown	1.0
Carrickfergus	1.0	Larne	1.0	Shaftesbury Sq	1.0
Coleraine	1.0	Limavady	1.0	Shankill	1.0
Cookstown	1.0	Lisburn	1.0	Strabane	1.0
Corporation St	1.0	Lisnagelvin	1.0		

\*The latest processing times are for the month ended April 2013

### Community Care Grants/Community Care Crisis Grants

**Mr Eastwood** asked the Minister for Social Development to detail the (i) target processing time for community care grants; and (ii) current processing time for community care crisis grants in each of the 35 jobs and benefit and social security offices. (AQW 22732/11-15)

**Mr McCausland:** The clearance time target for processing Community Care Grants is 12 days. Community Care Grants are processed in only eight of the Social Security Agency's Jobs and Benefits Offices and Social Security Offices and the current processing time in each office against this target is shown in the table below:

Office	Current Processing Time (Days) *
Antrim	10.9
Armagh	8.8
Downpatrick	8.6
Falls Road	3.7
Foyle	22.5
Knockbreda	10.5
Lisburn	7.0
Omagh	5.6

\*The latest processing times are for the month ended April 2013

### Housing Executive Properties: Prefabricated and Relocatable Extensions

**Mr Durkan** asked the Minister for Social Development how many prefabricated, relocatable extensions have been constructed and attached to Housing Executive properties in each constituency, in each of the last five years. (AQW 22781/11-15)

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not routinely collate information by Parliamentary constituency. However, to date there have been twelve prefabricated re-locatable extensions installed in Housing Executive properties in the following areas:

Belfast	2
Bangor	1
Lisburn	2
Castlereagh	1
Newtownards	1
Carrickfergus	1
Londonderry	1
Limavady	1
Portadown	2

All 12 were constructed in the 2008/09 financial year following a recommendation from an Occupational Therapist.

### Health and Social Care Trust Areas: Prefabricated and Relocatable Extensions

**Mr Durkan** asked the Minister for Social Development how many prefabricated, relocatable extensions to homes have been constructed, in each Health and Social Care Trust area, in response to recommendations from his Department, in each of the last five years. (AQW 22783/11-15)

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not routinely collate information by Health and Social Care Trust area. However, in 2008/09 twelve prefabricated re-locatable extensions were installed in Housing Executive properties in the following areas:-

Belfast	2
Bangor	1

Lisburn	2
Castlereagh	1
Newtownards	1
Carrickfergus	1
Londonderry	1
Limavady	1
Portadown	2

In addition, the Housing Executive has processed one Disabled Facilities Grant for a privately owned property in Strabane which included a prefabricated extension. This was completed in February 2013.

### Employment and Support Allowance: Migration Process

**Ms Lo** asked the Minister for Social Development for his assessment of the impact of the employment and support allowance migration process on the health of people going through the process; and whether he will ensure that the written confirmation of the assessment clearly states whether an applicant has been successful.

**(AQW 22832/11-15)**

**Mr McCausland:** There is no data currently held on the impact of the Employment and Support Allowance migration process (Incapacity Reassessment) on the health of claimants undergoing migration.

On completion of the Incapacity Benefit Reassessment process, where a telephone number is held, three attempts are initially made to contact the claimant to advise them that their Incapacity Benefit is being migrated to Employment and Support Allowance.

All successful applicants also receive written notification advising them that their benefit is changing to Employment and Support Allowance and that this will replace their Incapacity Benefit.

### Employment and Support Allowance: Medical Assessment Process

**Ms Lo** asked the Minister for Social Development how his Department monitors the employment and support allowance medical assessment process for quality control purposes.

**(AQW 22833/11-15)**

**Mr McCausland:** In August 2011 the Department appointed an independent Health Assessment Adviser, a medical health professional, to be responsible for providing independent assurance on the quality of the medical processes and outcomes undertaken by the healthcare professionals employed to carry out medical assessments by Atos Healthcare

To date, all audits completed by the Health Assessment Adviser have indicated a high level of compliance with the agreed processes and a high quality of medical assessments.

### Employment and Support Allowance: Medical Assessment Process

**Ms Lo** asked the Minister for Social Development whether his Department is apprised of complaints received by ATOS on the employment and support allowance medical assessment process; and to detail the action taken by his Department to address any concerns raised.

**(AQW 22834/11-15)**

**Mr McCausland:** My Department receives monthly reports in relation to complaints received by the service provider. These reports include complaints on the Employment and Support Allowance medical assessment process. The service provider also produces a quarterly complaints report detailing figures and trends. This report details the action the service provider has taken to address complaints. My Department monitors progress against the identified actions.

The Social Security Agency's Health Assessment Advisor independently monitors the quality of the service provider's medical performance and will discuss any medical assessment issues and areas for improvements with the provider.

### North Down: Housing Waiting List

**Mr Weir** asked the Minister for Social Development how many people on the housing waiting list in North Down are eligible for (i) three; (ii) four; or (iii) five bedroom accommodation.

**(AQW 22839/11-15)**

**Mr McCausland:** The Housing Executive has calculated the requirements of applicants currently on the Housing Waiting List in their Bangor District Office area as follows:

Minimum Bedrooms required	Number of Applicants
3	234
4	77
5	16

### North Down: Housing Executive Properties

**Mr Weir** asked the Minister for Social Development to detail the nature of any outstanding repairs and maintenance schemes required for Housing Executive properties in North Down.

(AQW 22840/11-15)

**Mr McCausland:** The number of outstanding repairs can change on a daily basis. However, the Housing Executive has advised that at the 13 May 2013 there were 569 jobs for the Housing Executive's Bangor District Office area as follows:

Job Type	Number issued	Number overdue
Change of tenancy	25	0
Disabled adaptation	23	11
Routine	464	40
Urgent	46	2#
Emergency	2	1#
Immediate call out	9	8*
<b>Total</b>	<b>569</b>	

# Jobs already completed by 20 May 2013

\* The nine immediate call out jobs were all completed on time but eight appear on the Housing Executive's system as overdue as the invoice has not been finalised.

Contractor performance is monitored closely in the North Down area and there are always a small number of jobs overdue in any contract this size. The Local Office is in daily contact with the contractor and formal performance review meetings are held each month in addition to a weekly meeting held specifically to monitor performance on change of tenancy repairs.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Young People: Training

**Ms Fearon** asked the Minister for Social Development what funding is available in his Department for organisations which provide training for young people with a diverse range of needs.

(AQW 22847/11-15)

**Mr McCausland:** Within my Department there is no specific funding programme for organisations which provide training for young people with a diverse range of needs.

However, my Department through the Neighbourhood Renewal Programme supports a number of organisations that provide training for young people ranging from employability skills to awareness training in general health and wellbeing issues.

Where a priority need has been identified in the Neighbourhood Renewal Area's local Action Plan and where resources can be made available, my Department will consider funding.

### Newcastle, County Down: Town Centre Public Realms Work and Urban Regeneration

**Mr Agnew** asked the Minister for Social Development how much money was provided by his Department for town centre public realms work and urban regeneration in Newcastle, County Down between 2005 and 2009.

(AQW 22851/11-15)

**Mr McCausland:** My Department provided funding of £3,519,103 for town centre works and urban regeneration in Newcastle town centre during the period 2005 and 2009. These improvements were undertaken to compliment the work carried out along the promenade by Down District Council and the overall scheme has won a number of design awards.



### Queen's Parade, Bangor

**Mr Agnew** asked the Minister for Social Development whether his Department will have responsibility for the developing or regeneration of the seaward side of Queen's Parade, Bangor, along with the landward side.

**(AQW 22852/11-15)**

**Mr McCausland:** My Department is taking forward development plans for the Queen's Parade site as set out in the Bangor Town Centre Masterplan and the development boundary relates to the landward side of Queen's Parade. My Department may consider extending the development boundary to include the seaward side of Queen's Parade if Crown Estates and North Down Borough Council were in agreement and if this made the scheme more attractive and viable.

### Queen's Parade, Bangor

**Mr Agnew** asked the Minister for Social Development whether there will be ongoing public involvement in the development of the Queen's Parade site in Bangor; and what stakeholders will be involved in this engagement.

**(AQW 22853/11-15)**

**Mr McCausland:** My Department is responsible for taking forward development plans for the Queen's Parade site and DSD will engage with interested stakeholders as part of this process. DSD intends establishing a community engagement partnership comprising representatives from local community groups, business representatives and members of North Down Borough Council to assist with the process

### Queen's Parade, Bangor

**Mr Agnew** asked the Minister for Social Development whether developers will be required to continue to work with local stakeholders to develop detailed plans for the Queen's Parade site in Bangor; and what stakeholders will be involved in this process.

**(AQW 22854/11-15)**

**Mr McCausland:** My Department is responsible for taking forward development plans for the Queen's Parade site and DSD will engage with interested stakeholders as part of this process and this requirement will also be placed on the future developer. DSD intends establishing a community engagement partnership comprising representatives from local community groups, business representatives and members of North Down Borough Council to assist with the process.

### Owner-occupied Houses: Oil to Gas Switch

**Mr Copeland** asked the Minister for Social Development to detail the average cost for an owner-occupied house to switch from oil to gas.

**(AQW 22860/11-15)**

**Mr McCausland:** Based on Invoice Amounts submitted by installers under the Boiler Replacement Scheme, the average cost of converting from oil to gas is £2,145.92. However it is important to note that this figure may include additional works over and above boiler replacement.

The price range from the warm homes scheme schedule of rates for a gas conversion is £2,980 to £3,668 (Inclusive of VAT). The price range is due to variable work content which may not apply in every case eg: provision of additional radiators, vertical flues etc.

### Boiler Replacement Scheme

**Mr Copeland** asked the Minister for Social Development to detail the number of applications received for the boiler replacement scheme by parliamentary constituency; and how many applications (i) were successful; (ii) were unsuccessful; and (iii) are awaiting a final decision.

**(AQW 22861/11-15)**

**Mr McCausland:** The Northern Ireland Housing Executive, which administers the scheme on my Department's behalf are currently collating the detailed information that you have asked for and I will write to you again once they provide me with the information. The information that you have requested by Parliamentary Constituency is not available as it is not collated in this format, however the Housing Executive will be able to provide details by District Council. They have advised that they should have the information provided to me within the next three weeks.

However for the scheme in general there have been;

- |                                      |  |
|--------------------------------------|--|
| ■ 13,764 application forms received, | ■ 8,316 boiler installer application forms received, |
| ■ 13,276 processed                   | ■ 7,281 boiler installer forms processed,            |
| ■ 488 unprocessed application forms  | ■ 1,035 unprocessed installer forms.                 |

In the context of 'unprocessed cases' reasons for these include;

- cases where there are errors or incomplete information on the forms,
- where corrections or amendments are required on the form,

- where inconsistencies are being investigated or where detailed checks are being carried out

The Housing Executive is continuing to action these cases to ensure that the relevant information is received so that the cases can be processed as quickly as possible.

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### Department Audit: Work Capability Assessments

**Mr Durkan** asked the Minister for Social Development in each year since 2008, (i) how many work capability assessments were included in his Department's audit; (ii) how this sample size was chosen; and (iii) where this sample was located, broken down by constituency area.

**(AQW 22862/11-15)**

**Mr McCausland:** In August 2011 the Department appointed an independent Health Assessment Adviser to monitor the quality of the medical outcomes from Atos Healthcare. As part of the Social Security Agency's Quality Assurance Framework, the Health Assessment Adviser began auditing work capability assessments and outcomes from December 2011.

- (i) The Health Assessment Adviser has undertaken a total of 1,329 audits during the period December 2011 until April 2013.
- (ii) The number of quarterly audits conducted is based on the random selection of a statistically valid sample.
- (iii) The information is not available in this format requested. The sample selected for audit is based on the total number of work capability assessment outcomes, it is not broken down by location or constituency area.

### Employment and Support Allowance: Work Capability Assessment

**Mr Durkan** asked the Minister for Social Development to detail the number of (i) disallowances; (ii) appeals; (iii) successful appeals; and (iv) cases, in each year since 2008, that were included in the most recent audit of the work capability assessment in relation to Employment Support Allowance claims.

**(AQW 22863/11-15)**

**Mr McCausland:** The information requested is not available in the format requested.

The work capability assessment quality audits are conducted by the Social Security Agency's Health Assessment Adviser.

During the period December 2011 to April 2013 the Health Assessment Adviser completed a total of 1,329 audits, all of which indicated a very high level of compliance with the agreed processes and a very high quality of medical assessments.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Work Capability Assessment Decisions: Foyle

**Mr Durkan** asked the Minister for Social Development to detail the number of claimants in the Foyle constituency who have (i) appealed their work capability assessment decision; and (ii) succeeded in their appeal, in each of the last six years.

**(AQW 22864/11-15)**

**Mr McCausland:** The information requested is not available in the format requested. However, details of all Employment and Support Allowance appeals found in both the claimants' favour and the Department's favour is set out in the table below:

Year	Appeals allowed in claimant favour	Appeals upheld in Department's favour
2009-10	354	860
2010-11	1,410	3,374
2011-12	2,067	3,778
2012-13	2,770	5,181

Employment and Support Allowance was introduced in October 2008 and the first appeal outcomes were known in June 2009.

### Employment and Support Allowance: Foyle

**Mr Durkan** asked the Minister for Social Development to detail the number of claimants in the Foyle constituency that received employment and support allowance in each of the years since 2008.

**(AQW 22865/11-15)**

**Mr McCausland:** Employment and Support Allowance was introduced on 27 October 2008. Data prior to 2009 was unreliable and therefore information for 2008 cannot be provided. The table below shows the number of Employment and Support Allowance claimants in the Foyle constituency from November 2009 to November 2012.

Year	Number of ESA Claimants
Nov-09	920
Nov-10	1,420
Nov-11	2,090
Nov-12	4,250

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Work Capability Assessments

**Mr Durkan** asked the Minister for Social Development how many work capability assessments have been carried out in the last three years.

**(AQW 22866/11-15)**

**Mr McCausland:** There were 133,293 Work Capability Assessments conducted between April 2010 and March 2013.

### North Antrim: Social Housing

**Mr Swann** asked the Minister for Social Development, pursuant to AQW 21837/11-15, to detail the areas of social housing in North Antrim that are yet to be fitted with double glazing; and the proposed start date for any window replacement schemes in these areas.

**(AQW 22875/11-15)**

**Mr McCausland:** The information provided is based on the Housing Executive's District office areas of Ballymena, Ballymoney and Ballycastle. There are 268 properties included in the Ballymena double glazing Phase 2 which is currently programmed for February 2014. This scheme includes properties in:

- Ballymena town centre
- Dunclug
- Harryville
- Glarryford
- Slatt/Straid
- Kells
- Moorfields/Glenwherry
- Tullygarley
- Dunvale

In Ballymoney there are 104 properties included in the double glazing scheme which is currently programmed for December 2013. This scheme includes small numbers of properties in:

- Ballymoney town
- Balnamore
- Bendooragh
- Dervock
- Killrammer
- Dunloy
- Rasharkin
- Seacon
- Cloughmills
- Corkey
- Loughgiel
- Clintyfinnan

The Housing Executive double glazing programme within their Ballycastle district office area is complete.

### North Antrim: Housing Schemes

**Mr Swann** asked the Minister for Social Development to detail the number of supported housing schemes to be developed in the North Antrim area, in each of the next three years; and the number of units in each scheme.

**(AQW 22876/11-15)**

**Mr McCausland:** The supported housing schemes currently programmed for North Antrim (i.e. Moyle, Ballymoney, Ballymena council areas) are detailed below:

- 2013/14 - Cushendall Road, Ballymena, 5 units for people with a learning disability, Triangle Housing Association,
- 2014/15 - Rathmoyle, Ballycastle, 28 units for older people, Clanmil Housing Association.

There are markers for 2015/16 for both learning disability and mental health resettlements in the Northern Health & Social Care Trust (NHSCT) area (each 20 units), however there is no indication at this stage as to where exactly they might be.

### Child Maintenance Service Staff

**Mrs Dobson** asked the Minister for Social Development what steps he is taking to reduce the delays created whilst child maintenance service staff are addressing queries from clients which require them to liaise with staff in Bolton.

(AQW 22899/11-15)

**Mr McCausland:** I am currently introducing a new Child Maintenance System with supporting I.T. that should in time remove the need for any Northern Ireland cases to be managed in Bolton or elsewhere in Great Britain.

The new system is being introduced gradually on a 'Pathfinder' basis. In the meantime I recognise we still have a number of cases from the older child support systems that have to be managed clerically in Central Processing sites in Great Britain. My Child Maintenance Service has appointed a dedicated member of staff in their Belfast office to act as a single point of contact for Northern Ireland clients to facilitate any discussions necessary with staff in Great Britain processing those cases.

### 'Together: Building a United Community'

**Mr Hussey** asked the Minister for Social Development what discussions he has had with the Office of the First Minister and deputy First Minister in relation to the proposals included in 'Together: Building a United Community'.

(AQW 22926/11-15)

**Mr McCausland:** It is too early to make definitive decisions on the way forward. I will be bringing forward proposals as requested by OFMDFM within the given time frame.

### Shared Neighbourhood Developments

**Mr Copeland** asked the Minister for Social Development how the proposals for 10 new shared neighbourhood developments, announced in the 'Together: Building a United Community' document, differ from existing policies, including the Northern Ireland Housing Executive's (i) shared future housing programme; and the (ii) shared neighbourhood programme.

(AQW 22935/11-15)

**Mr McCausland:** It is too early to make definitive decisions on the way forward. Plans are being drawn up now and will be considered when completed.

### Shared Neighbourhood Developments

**Mr Copeland** asked the Minister for Social Development whether the proposals for the 10 new shared neighbourhood developments, announced in the 'Together: Building a United Community' document, will be funded through the existing social housing development programme; and when the projects will be (i) commenced; and (ii) completed.

(AQW 22936/11-15)

**Mr McCausland:** It is too early to make definitive decisions on the way forward. Plans are being drawn up now and will be considered when completed.

### Saintfield: Social Housing Newbuilds

**Mr Hamilton** asked the Minister for Social Development to outline any plans for social housing newbuilds in the Saintfield area.

(AQW 23112/11-15)

**Mr McCausland:** The Social Housing Development Programme (SHDP) for 2013/14 includes the following schemes:

- Trinity Housing - Former PSNI site at 26 Crossgar Road, Saintfield -10 units for General Needs Housing; and
- Connswater Homes – Former PSNI site at 6 Saintfield Road, Crossgar -10 units for General Needs Housing.

Information relating to the SHDP is published on the Housing Executive's website and can be found at the following link: [http://www.nihe.gov.uk/index/services/housing\\_need.htm](http://www.nihe.gov.uk/index/services/housing_need.htm)

### Regional Infrastructure Support Programme

**Mr Durkan** asked the Minister for Social Development what action his Department has taken to ensure the delivery of the regional infrastructure support programme for the women's sector.

(AQW 23167/11-15)

**Mr McCausland:** My Department has put in place interim arrangements to ensure the continued delivery of regional infrastructure support for women in disadvantaged/rural areas, pending the development of new arrangements geared to ensure a more collaborative approach and better quality services, which are planned to come into effect in October 2013.

### Foyle Jobs and Benefits Office: MLA Visit

**Mr Durkan** asked the Minister for Social Development why a request from a local MLA to visit the Foyle jobs and benefits office was declined.

(AQW 23168/11-15)

**Mr McCausland:** The Social Security Agency received a request for a visit to be made to Foyle Jobs and Benefit Office for the purpose of meeting and greeting staff and providing an overview of how each of the sections within the office is functioning. The request was considered and taking account of the size of the office and the multiple functions performed it was felt that a meeting with the Regional Manager would be more appropriate in the first instance, in order to facilitate a wider discussion on any service issues.

Should there be any subsequent requests to visit, arrangements may then be made for a visit to focus on specific sections where areas of concerns have been raised on the service provided.

### Information Leaflets

**Mr Copeland** asked the Minister for Social Development, pursuant to AQW 22761/11-15, (i) which organisation was instructed to produce the information leaflets; (ii) how the tender process operated; and (iii) how many leaflets were produced. (AQW 23169/11-15)

**Mr McCausland:**

- (i) Corporate Document Services was the organisation instructed to produce the information leaflets.
- (ii) The Social Security Agency currently has a contract with Corporate Document Services for the publication of documents and this provision was utilised. No tendering process was therefore required.
- (iii) 774,000 leaflets were produced.

## Northern Ireland Assembly Commission

### Surplus Food Project

**Mr McKay** asked the Assembly Commission whether it will explore the possibility of involving the Assembly in a surplus food project where food that is fit for purpose, but no longer has any commercial outlet, is redistributed. (AQW 22803/11-15)

**Mr P Ramsey (The Representative of the Assembly Commission):** The current catering contractor, Compass-Eurest, has stated that they would not be able to participate in redistributing food fit for purpose, with no commercial value due to traceability and food safety issues. As a large catering organisation they are under strict legal obligations to account for how they transport, store and use all of their products. In order to comply with the legislation in this area, they have detailed procedures and policies to ensure that they can trace and account for all of their products up to its purchase and consumption.

Accordingly, Compass-Eurest cannot therefore provide products to end consumers without being in full control of them to ensure they are correctly dealt with in compliance with food and health and safety law. Should an issue arise with a particular product, Compass-Eurest will not be able to account for the period of time the products leave their care, are ultimately consumed and will not be able to identify the cause of any resulting issue.

The House of Commons and the Scottish Parliament or their catering contractors have also stated that they do not participate in redistributing food fit for purpose, with no commercial value due to traceability and Health & Safety risks.

### Leftover Food from Functions

**Mr McKay** asked the Assembly Commission for an estimate of the amount of left-over food from functions and events in the Assembly that is wasted every year. (AQW 22804/11-15)

**Mr P Ramsey (The Representative of the Assembly Commission):** In relation to Functions, food is prepared in accordance with the numbers as advised by the organiser. Compass-Eurest prepare food in accordance with the final numbers confirmed. The food wastage is therefore minimal except for food left on a customer's plate. On occasions, customers attending a function are less than those originally confirmed; therefore this can result in minor wastage.

An estimate of wastage for functions has been calculated by Compass-Eurest at being around 2% - 5%.

In terms of food for events, which is largely made-up refreshments such as tea, coffee, scones, sandwiches and light finger food, event organisers confirm orders for the exact number of guests. However, unlike functions it has become more common for the number of refreshments required/confirmed to be less than the expected total number of guests attending.

An estimate of wastage for events has been calculated by Compass-Eurest at being around 2%.

### Ormiston House

**Mr Kinahan** asked the Assembly Commission for an update on the sale of Ormiston House; and whether any alternative use of the site was considered before the decision to place it on the open market was taken. (AQW 22857/11-15)

**Mr P Ramsey (The Representative of the Assembly Commission):** Ormiston House has been for sale on the open market since January 2011 and there has been considerable interest in the property for a range of development opportunities.

In June 2012, the Commission successfully achieved planning approval for limited development of the site which includes for the restoration of the listed buildings (the house, the mews and the gate lodge).

Although some offers have been received for the property, to date the Commission has been unable to agree a sale with any of the interested parties.

Prior to agreeing to place the property for sale, the Commission considered a range of alternative uses for the site. The property was also placed on the government's surplus assets register but no interest was registered.

### **Defamation Proceedings**

**Mr Allister** asked the Assembly Commission, pursuant to AQW 22020/11-15, who makes the decision whether to grant indemnity.

**(AQW 23045/11-15)**

**Mr Weir (The Representative of the Assembly Commission):** Whether a claim is indemnified under the terms of the policy is a matter for the insurers. Each case is assessed by the insurers on an individual basis.

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# Northern Ireland Assembly

Friday 31 May 2013

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### Appeal Applications

**Mr Weir** asked the First Minister and deputy First Minister, pursuant to AQW 22646/11-15, what is the average length of time taken for a decision to be made on an appeal application.

**(AQW 23053/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The Planning Appeals Commission is an independent tribunal Non-Departmental Public Body. Given its status, we have asked its Chief Commissioner to provide a response directly to you.

#### Planning Appeals Commission: Temporary Staff

**Mr Agnew** asked the First Minister and deputy First Minister why temporary staff were not appointed to the Planning Appeals Commission to oversee planning appeals when decisions were delayed due to a backlog in workload.

**(AQW 23428/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Planning Appeals Commission is an independent Tribunal which operates at arm's length from Government and exercises its functions independently of our Department.

While OFMDFM holds sponsorship responsibility for the Commission and provides financial and administrative support, the Chief Commissioner is responsible for day to day operation of the Commission and for deployment of its resources to meet the prevailing workload.

However, in recognition of the challenges and pressures facing the Commission we made a commitment through the previous Programme for Government to deliver increased resources to enable it to address increases in workload.

We allocated significant additional funding to the Commission over the three year period 2008 to 2011; this enabled us to appoint an additional 14 fee-paid Panel Commissioners to address the backlog of planning appeals, and to increase the Commission's capacity at senior levels to manage this process.

As a result, the planning appeals backlog has reduced from over 3,000 in 2007 to 212 at the end of April 2013.

### Department of Agriculture and Rural Development

#### Severe Weather: Fishing Fleet Assistance

**Mr Frew** asked the Minister of Agriculture and Rural Development, in light of the hardship fund being established for the farming community affected by the severe weather crisis, what measures can be put in place to assist the fishing fleet to deal with the severe weather that it has experienced.

**(AQW 21973/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The Hardship Fund being established for the farming community is aimed at assisting a sector that has experienced actual stock losses that have to be replaced. I appreciate that vessels have had difficulty getting to sea over the last few months, however, fishing opportunities in terms of quota and days at sea remain for 2013. Therefore I believe that matters will improve and fishing opportunities will be taken.

However, I have recently announced a package of financial measures that will assist the fishing industry to respond to Common Fisheries Policy reforms. Financial resources will be made available through the European Fisheries Fund (EFF) to include the establishment of a "research and development fund" specifically to develop fishing gear with very low catch rates of unwanted fish. In addition further financial assistance will be provided to the industry to improve skills and safety. Finally and subject to the completion of a business case, I will consider support for the full cost of replacing the fishing fleet's current vessel satellite monitoring systems with new multifunctional systems.

## Fishing Fleet: Light Dues

**Mr Frew** asked the Minister of Agriculture and Rural Development whether she plans to pay light dues on behalf of the fishing fleet, given the stance of the Department for the Environment, Food and Rural Affairs and the Republic of Ireland's authorities. (AQW 21974/11-15)

**Mrs O'Neill:** I have no current plans to pay for light dues. Light dues are payable by all owners of fishing vessels over 10 metres in length and vessel owners here and in Scotland pay light dues. DEFRA agreed to pay for light dues in 2008 on behalf of their fishermen, as part of their hardship package in response to the economic downturn and other pressures facing the industry at that time. Each Administration took a different approach and here we funded harbour charges for one year whilst England did not. I understand that whilst DEFRA have paid for light dues since 2008 and including 2013, the matter is currently under review.

## Fishing Industry: Light Dues

**Mr Allister** asked the Minister of Agriculture and Rural Development why local fishermen are required to pay light dues themselves, in contrast to the rest of the British Isles; and why her Department does not offer assistance, particularly in view of current hardship in the industry. (AQW 21978/11-15)

**Mrs O'Neill:** Light dues are paid by owners of fishing vessels over 10 metres in length to the General Lighthouse Authorities, and are the responsibility of the Department of Transport (DTR). Fishing vessels here and in Scotland pay light dues. DEFRA agreed to pay for light dues in 2008 as part of their hardship package in response to the economic downturn and other pressures facing the industry at that time. Each Administration took a different approach and here we funded harbour charges for one year whilst England did not. I understand that whilst DEFRA have paid for light dues since 2008 and including 2013, the matter is currently under review.

However, I have recently announced a package of financial measures that will assist the fishing industry to respond to Common Fisheries Policy reforms. Financial resources will be made available through the European Fisheries Fund (EFF) to include the establishment of a "research and development fund" specifically to develop fishing gear with very low catch rates of unwanted fish. In addition further financial assistance will be provided to the industry to improve skills and safety. Finally and subject to the completion of a business case, I will consider support for the full cost of replacing the fishing fleet's current vessel satellite monitoring systems with new multifunctional systems.

## Pet First Aid Training Courses

**Mr Agnew** asked the Minister of Agriculture and Rural Development whether she is aware of any pet first aid training courses. (AQW 22942/11-15)

**Mrs O'Neill:** While I am aware that there are a number of organisations which provide training in pet first aid across Britain and Ireland I do not have any details regarding the accreditation of particular courses nor the standards of the training provided.

The College of Agriculture, Food and Rural Enterprise (CAFRE) provides training in veterinary nursing but does not run a specific course on pet first aid.

## Rural Development Funding

**Ms Fearon** asked the Minister of Agriculture and Rural Development what progress has been made in establishing a new round of rural development funding. (AQW 22961/11-15)

**Mrs O'Neill:** To keep to the EU Commission timetable for the development of the 2014-2020 Rural Development Programme it has been necessary to begin policy development in the absence of knowing the final agreed regulation and the available budget. Internal policy groups were established in January 2012 to take forward policy development for both Pillar 1 and Pillar 2. A Rural Development Programme Stakeholder Consultation Group was established in November 2012 and independent programme evaluators appointed in February 2013. Proposals for the next round of funding have been discussed at three meetings of the Stakeholder Group. My officials will continue to refine these proposals in conjunction with our stakeholders and the programme evaluators in preparation for a full public consultation later this year.

## Single Farm Payment: Applications in 2010 and 2012

**Mr Campbell** asked the Minister of Agriculture and Rural Development how many staff were employed in processing single farm payment applications in (i) 2010; and (ii) 2012. (AQW 22991/11-15)

**Mrs O'Neill:** The number of permanent administrative staff employed to process Single Farm Payment (SFP) applications as of April 2010 and April 2012 are 66 and 76 respectively. These staff are located in Orchard House.



The above figures include those staff directly responsible for the processing of approximately 37,800 Single Application Forms (SAF) including the acknowledgement of these forms, transferring claim information from application forms to the Department's databases, carrying out administrative checks on all claims, resolving queries by telephone or letter, applying inspection findings to claims, applying adjustments and reductions and authorising payments. These figures also include those responsible for processing applications to trade SFP entitlements and any changes to farm business details or membership details.

A small number of staff are also employed on a casual basis for a few months each year to cover seasonal activity such as the initial handling of Single Applications submitted in April to June each year.

The figures do not include those staff based in local DARD offices who are involved in carrying out and recording the results of on-farm checks and the associated mapping work, those involved in other work linked to the process such as the testing and development of computer systems or staff employed to review decisions under the Departments Review of Decisions Procedures.

## Bovine TB

**Mr McMullan** asked the Minister of Agriculture and Rural Development how her Department is working to reassure the farming community that bio-security is viewed by the EU as a major factor in combating bovine TB.  
(AQW 22999/11-15)

**Mrs O'Neill:** My Department has a robust EU Commission approved TB eradication programme that is based on testing to detect infected cattle, removing infected animals and reducing the risks of disease spread through movement controls and other biosecurity measures.

Good biosecurity is important in disease control and can help reduce the spread of all diseases. To encourage better biosecurity, the Department publishes generic information for use by all herdkeepers and provides specific advice to those who have a TB herd breakdown. The "Biosecurity Code for NI Farms" was drafted in association with industry stakeholders and issued to all farmers in 2006. The publication "TB in your Herd" is issued to all herdkeepers who have a TB herd breakdown. These publications are available on the DARD website. In addition, DARD Veterinary Officers and Animal Health and Welfare Inspectors give on-farm advice to farmers in relation to specific biosecurity issues particularly relevant to them.

The importance of biosecurity is also reflected in DARD commissioned research projects. The results of the TB Biosecurity Study, which is being finalised by AFBI, may help inform future biosecurity advice to herdkeepers. AFBI is also undertaking DARD commissioned research to establish the extent of badger-cattle interactions at pasture and within farm buildings. The results of this AFBI research will inform badger exclusion biosecurity advice. Also underway is an assessment of farmers' attitudes to and understanding of biosecurity measures when dealing with diseases.

The initiatives being developed by Animal Health and Welfare NI to deal with production diseases, such as Bovine Viral Diarrhoea (BVD) and Johne's Disease, also provide advice on biosecurity in protecting animal health more generally.

The Department has also worked closely with key industry stakeholders to produce biosecurity information leaflets for distribution at industry events. Statutory Brucellosis biosecurity guidance has been issued to all cattle herdowners and the advice contained therein will also be relevant to TB.

The new EU Animal Health Law, a draft of which has recently been published, is intended to simplify existing animal health legislation and provide for a more prevention driven and risk based approach. The new law will set down basic principles for animal health responsibilities, which will include biosecurity measures. Formal negotiations are at an early stage and any change to domestic legislation is unlikely for at least another 2 years.

## Northern Ireland Rural Development Programme 2007 – 2013

**Mr Eastwood** asked the Minister of Agriculture and Rural Development to detail the amount of funding awarded to each of the local action groups via the Northern Ireland rural development programme 2007 – 2013.  
(AQW 23016/11-15)

**Mrs O'Neill:** Funding allocated to the Local Action Groups implementing Axis 3 of the Rural Development Programme on behalf of my Department is as follows:-

Cluster	Allocation
GROW	8,890,899
NER	13,181,300
LRP	8,691,556
DRAP	13,498,066
SOAR	16,731,839
ARC	18,484,112

Cluster	Allocation
SWARD	20,522,227
<b>Total</b>	<b>99,999,999</b>

### Northern Ireland Rural Development Programme 2007 – 2013

**Mr Eastwood** asked the Minister of Agriculture and Rural Development to detail the amount of funding awarded to rural communities via the Northern Ireland rural development programme 2007 – 2013.

**(AQW 23017/11-15)**

**Mrs O'Neill:** The amounts of funding awarded to rural communities through various measures in the NI Rural Development Programme 2007-2013 are detailed in the table attached.

#### Breakdown of funding awarded to rural communities by Axis and Measure

Axis 1 – Letters of Offer awarded by March 2013	£m
0.1 Vocational Training	3.4
1.2 Processing & Marketing	18.1
1.3 Farm Modernisation including METS	23.9
1.4 Supply Chain Development	0.1

Axis 2 – Agreements to be paid to December 2013	£m
2.1 Less Favoured Areas	165.0
2.2 Agri-environment Programme	174.0
2.3 First Afforestation Schemes	10.8
2.4 Forest Environment Schemes	

Axis 3 – Letters of Offer awarded by March 2013	£m
3.1 Farm Diversification	12.2
3.2 Business Creation & Development	8.6
3.3 Tourism	14.8
3.4 Basic Services including Broadband	26.1
3.5 Village Renewal	7.1
3.6 Conservation of Rural Heritage	4.9

### Northern Ireland Rural Development Programme 2007 – 2013

**Mr Eastwood** asked the Minister of Agriculture and Rural Development to detail (i) when applications to the Northern Ireland rural development programme 2007 – 2013 end; (ii) any projected underspend.

**(AQW 23019/11-15)**

**Mrs O'Neill:**

(i) The information on closure times of the NIRDP 2007-13 is shown in the table below.

<b>Axis 1 Focus Farm Programme</b>	<b>Closed for applications. However the programme is open for visitors to Focus Farms up until 31 March 2014.</b>
Benchmarking Programme	Open for data collection up until 31 March 2015.
Farm Family Options (FFO) Business Mentoring Programme	Open for applications up until 31 March 2014.
Farm Family Options (FFO) Collective Training Programme	Open for applications up until 31 March 2014.

<b>Axis 1</b> <b>Focus Farm Programme</b>	<b>Closed for applications. However the programme is open for visitors to Focus Farms up until 31 March 2014.</b>
Processing & Marketing Grant Scheme (PMG)	The final call for applications to the PMG Scheme closed in January 2013. Applications will be processed over the coming months.
Farm Modernisation Programme (FMP)	FMP Tranche 3 opened for application on 4 September 2012 and closed on 19 October 2012.
Manure Efficiency Technology Scheme (METS)	Intention to open Tranche 3 of METS by 31 March 2014. No closing date has yet been set.
Supply Chain Development Programme	Closed for applications at 31 March 2013
<b>Axis 2</b> Less Favoured Areas Compensatory Allowances Scheme	15 May 2014
NI Countryside Management Scheme	31 March 2010
Organic Farming Scheme	1 April 2011.
<b>Axis 3</b>	DARD has established a project completion date of 31 March 2015.

- (ii) Following a spend review of the Rural Development Programme, I announced my intention in December to increase the value of the programme from approximately £507m to £540m to accommodate;
- A further £5m available for the provision of rural broadband;
  - To make provision of around £5m available for a further round of capital grant funding for Axis 1;
  - To pay for the Less Favoured Areas Compensatory Allowance scheme in 2014 from the current programme budget.

These proposed changes have been agreed with the Programme Monitoring Committee and my officials will continue to monitor Programme expenditure and make any adjustments to ensure the drawdown of funds is maximised.

## Northern Ireland Rural Development Programme 2007 – 2013

**Mr Eastwood** asked the Minister of Agriculture and Rural Development what programme will replace the Northern Ireland rural development programme 2007 – 2013.

**(AQW 23020/11-15)**

**Mrs O'Neill:** The EU proposals for rural development for 2014-2020 were published as part of the CAP Reform Proposals in October 2011. Each Member State can design their rural development programme from a selection of up to twenty three measures to take into account their own specific needs and in line with the six EU rural development priorities; only the agri-environment-climate measure is compulsory. As with the current programme the EU requires the programme to be developed in conjunction with our partners and stakeholders and proposals for the next round of funding have been discussed at three meetings of the Stakeholder Group. My officials will continue to refine these proposals in conjunction with our stakeholders and the programme evaluators in preparation for a full public consultation later this year. Any agreement with the EU on a future programme of support for rural development will be subject to the outcome of the EU negotiations on CAP Reform which are still on-going.

## Single Farm Payment

**Mr Frew** asked the Minister of Agriculture and Rural Development to detail (i) the maximum eligible area, in hectares, for single farm payment; and (ii) the number of entitlements.

**(AQW 23058/11-15)**

**Mrs O'Neill:** In order to be paid Single Farm Payment (SFP) a business must hold SFP entitlements. These entitlements were established against each farm business upon application to SFP in 2005. Entitlements can be traded or sold between farm businesses and if not claimed for two consecutive years are confiscated. European Council legislation requires that Member States recover entitlements that have been unduly allocated as a result of factually incorrect applications.

The maximum eligible area, in hectares, for fields included on maps for 2012 SFP, was 1,000,378.63 hectares. The actual eligible area will be lower due to the presence of ineligible features which are not currently included on maps, for example, areas of scrub or tress below 0.1 hectares.

The number of SFP Entitlements held for the 2012 scheme year was 988,837 at 1 May 2013.

## Single Farm Payment: Claims

**Mr Buchanan** asked the Minister of Agriculture and Rural Development what steps her Department is taking to ensure that single farm payment claims will be assessed and paid on time.

**(AQW 23063/11-15)**

**Mrs O'Neill:** This will be a challenging year for the completion of Single Farm Payments. Many farmers have followed the advice provided by my Department in relation to checking their maps and reflected the new mapping area information on their Single Applications. While we would hope that most claims will be accurate, and thus can be paid quickly, we are obliged to assess eligibility in accordance with EU rules and can only make payments when eligibility has been fully established.

The assessment of Single Farm Payment claims is carried out through a series of administrative, land eligibility on-the-spot and cross-compliance checks.

My Department is unable to release any payments until these checks are completed. To enable the release of the first Single Farm Payments (SFP) in early December 2013, my Department is planning to start its land eligibility on the spot checks in late June to ensure that all these are completed by mid-November. This year approximately half of the land eligibility on the spot checks will be conducted using satellite imagery and remote sensing techniques, with the remainder being carried out as field inspections.

As in previous years, my Department will be working to complete as many 2013 Single Farm Payments as possible at the earliest practical date. A payment timetable will be published in November 2013 setting out our payment timeline and processing targets

## Fodder and Silage: Shortage

**Mr Frew** asked the Minister of Agriculture and Rural Development whether she intends to put measures in place to alleviate the pressure on the farming community, particularly in relation to the shortage of fodder and silage.

**(AQW 23081/11-15)**

**Mrs O'Neill:** I am pleased to confirm that I secured an additional £1m from the Executive on 16th May 2013 that enabled me to introduce a Fodder Transport Scheme.

This scheme will run from midnight on Saturday 18th May until midnight on 31st May 2013, and provides financial assistance towards the cost of transporting fodder into the north. My objective is to increase the supply of fodder in the north to help farmers in difficulty.

In addition I have established a Fodder Taskforce, which will bring together industry stakeholders and the Department to consider medium to long term issues facing the livestock industry and propose interventions.

CAFRE advisers and Veterinary staff will continue to provide advice and support to those farmers that are currently experiencing difficulties on their farms.

## Fodder and Silage: Transportation

**Mr Frew** asked the Minister of Agriculture and Rural Development will she consider introducing a haulage grant similar to that in the Republic of Ireland, to assist farmers to transport fodder and silage.

**(AQW 23082/11-15)**

**Mrs O'Neill:** I am please to confirm that I secured an additional £1m by agreement of Executive Colleagues on 16th May 2013. I instructed my officials to consider options to deliver a scheme similar to that in the South. From midnight on 18th May 2013 my Department brought into operation a Fodder Transport Scheme that will offset the transport costs of fodder delivered into the North.

## Farm Modernisation Schemes

**Mr Frew** asked the Minister of Agriculture and Rural Development, given that many applicants for farm modernisation schemes cannot fulfil the terms and conditions of the scheme, what trends she has identified in the schemes in the last six months.

**(AQW 23083/11-15)**

**Mrs O'Neill:** The requirements for the Farm Modernisation Programme have been clearly and concisely laid out in the Explanatory Booklets published for each tranche. Farmers were advised to read these carefully before deciding to submit an application. In addition, the Farm Modernisation Programme's managing agent – Countryside Agri-Rural Partnership – operates a helpline to assist farm businesses with queries on the Programme requirements. When submitting an application, farmers were required to declare that they had understood the programme requirements as set out in the Explanatory Booklet. Successful applicants were further advised to carefully read the conditions of financial support of their Letter of Offer and, if in any doubt, to seek advice before accepting the funding offer.

To date, the very few ineligible claims submitted indicate that there are no discernable trends arising as a result of promoters failing to fulfil the terms and conditions of their Letters of Offer. However, the availability of match funding does appear to have resulted in a significant proportion of projects not proceeding or not spending their full funding allocation in each of the first

two tranches. Whilst Tranche 3 is still at an early stage of claims processing, initial indications suggest that this trend will be repeated.

### **Farmers: Welfare**

**Mr Frew** asked the Minister of Agriculture and Rural Development what assessment has she made in relation to the amount of deceased stock leaving farms, excluding the numbers through the carcass collection scheme and the severe weather around Easter; and what measures she will take to assist the welfare of farmers.

**(AQW 23118/11-15)**

**Mrs O'Neill:** Since the 1st January to 30th April this year my Department have recorded 34,518 cattle disposed off from farms in the north, excluding the stock disposed of as a result of the severe weather under the carcass disposal part of the 'Severe Weather Scheme'.

My staff have been in contact with Rural Support and the Health Trusts and I am aware of the pressures farmers and their families face during these difficult times. In response to the significant fodder shortage I secured £1million from the Executive for the Fodder Scheme to help those farmers who advise us they have a shortage of fodder.

Apart from this most recent initiative, I have also made earlier payments on some subsidies and with the support of the Assembly established a hardship scheme for those significantly affected by the severe weather.

My officials are available to provide advice and assistance to farmers whose animals are experiencing serious welfare issues and where the farmer him/herself is unable to cope. We actively promote the help available through Rural Support on our website and other interactions with farmers where appropriate.

My Department and I will continue to work closely with the industry as we work our way through the current difficulties facing the sector.

### **Ballygawley Flood Relief Scheme**

**Mr Byrne** asked the Minister of Agriculture and Rural Development when work will start on the Ballygawley flood relief scheme and whether there is an estimated completion date.

**(AQW 23207/11-15)**

**Mrs O'Neill:** I am pleased to be able to inform you that construction of the Ballygawley Flood Alleviation Scheme commenced in January 2013.

I can also report that work is progressing well. If this continues it is expected that the scheme will be completed early next year.

### **Broadband Black Spot Areas**

**Mr McElduff** asked the Minister of Agriculture and Rural Development to outline the steps that residents in areas of West Tyrone such as, Greencastle, Cloughfin, and Broughderg, can take to ensure maximum benefit from, and access to, the recently announced £5 million funding package to tackle broadband black spot areas.

**(AQW 23209/11-15)**

**Mrs O'Neill:** A final review of the postcodes to be considered as not spots and therefore eligible for funding under the BDUK project will be published shortly as part of the final consultation process. I will ensure that officials from my Department contact you so that you can inform constituents in these areas to take part in the consultation exercise. Additionally my Officials are working with a group from this area to see what can be done to improve access to broadband.

### **Agrifood Enforcement Legislation**

**Lord Morrow** asked the Minister of Agriculture and Rural Development, pursuant to AQW22109/11-15, given that there have been no substantive changes to primary agrifood enforcement legislation in the last five years, why the enforcement training was deemed necessary; and whether the original inspector accreditation in enforcement is no longer sufficient.

**(AQW 23220/11-15)**

**Mrs O'Neill:** It is important that staff are equipped with the training to perform their roles effectively and that they have opportunity for continued professional development in line with businesses need. This is consistent with my Department's policy as an Investor's in People organisation and indeed NICS policy.

Although there have been no substantive changes recently to agri-food enforcement legislation, processes and procedures are continually reviewed and amended to improve their effectiveness. All staff, and in particular new staff, require ongoing training in all aspects of their work. This is prioritised in Departmental Training Plans and Personal Development Plans.

Agri-food Inspection Branch identified that their staff required either refresher training or initial training in enforcement. They agreed that the accredited course run by Veterinary Service Investigation Branch provided a comprehensive and cost effective programme which met their needs. This course, unlike any previous training provided to their staff in this area, is accredited; provides greater understanding on the whole area of enforcement; and sets the role of the branch and its staff in context with others involved in investigation and enforcement within DARD.

### **'Going for Growth'**

**Mr Swann** asked the Minister of Agriculture and Rural Development why 'Going for Growth' was not made available to the Committee for Agriculture and Rural Development yet the Committee for Enterprise, Trade and Investment received the publication on 16 May 2013.

**(AQW 23224/11-15)**

**Mrs O'Neill:** An advance electronic copy of Going for Growth was issued by my office to the Chair of the Committee for Agriculture and Rural Development (ARD) on 15 May 2013 and hard copies were made available to ARD Committee members on 16 May 2013.

### **Northern Ireland Agrifood Industry**

**Mr Swann** asked the Minister of Agriculture and Rural Development, in light of the publication of the Strategic Action Plan for the Northern Ireland Agrifood industry, whether she plans to reduce inspection and cost burdens for farmers who are certified by both the farm quality assurance scheme and the red tractor scheme, whereby one inspection and one fee would be suffice to meet accreditation under both schemes.

**(AQW 23255/11-15)**

**Mrs O'Neill:** The DETI Minister and I are currently considering the many detailed recommendations contained in the Agri-Food Strategy Board's report, 'Going for Growth'. It will take some time to assess the implications of these and we are not in a position at this stage to make any decisions regarding individual issues.

In the meantime, my Department will continue to work closely with industry to deal with any excessive regulatory and administrative burdens identified. We are striving to simplify procedures wherever we can and ensure that the balance between regulation and simplification creates an environment which allows businesses to grow further.

I would, also, point out that both the Farm Quality Assurance Scheme and the Red Tractor Assurance Scheme are voluntary initiatives run by and on behalf of industry. They are not government schemes and therefore DARD has no direct influence or control over their administration.

### **Shanaghy Road, Ballymoney: Flooding**

**Mr McKay** asked the Minister of Agriculture and Rural Development what measures the Rivers Agency is taking to prevent a repeat of the flooding of residential property on Shanaghy Road, Ballymoney.

**(AQW 23270/11-15)**

**Mrs O'Neill:** The recurring flooding problem at this location is caused by overland flow and inadequate undesignated internal drainage within and through the site. Rivers Agency has responded to a number of flooding incidents since 2008 and has provided advice on how drainage systems could be improved. This advice has not been taken. Rivers Agency has recently carried out a comprehensive drainage and CCTV survey at this location and a meeting has been arranged with residents on 6 June 2013 at which further advice will be provided along with an estimate of cost. It is hoped that residents will agree to carry out the necessary works without the Agency having to consider formal enforcement under the Drainage (NI) Order 1973.

### **Shanaghy Road, Ballymoney: Flooding**

**Mr McKay** asked the Minister of Agriculture and Rural Development what measures the Rivers Agency has taken to address the flooding of residential property on Shanaghy Road, Ballymoney, in the last five years.

**(AQW 23273/11-15)**

**Mrs O'Neill:** The recurring flooding problem at this location is caused by overland flow and inadequate undesignated internal drainage within and through the site. Rivers Agency has responded to a number of flooding incidents since 2008 and has provided advice on how drainage systems could be improved. This advice has not been taken. Rivers Agency has recently carried out a comprehensive drainage and CCTV survey at this location and a meeting has been arranged with officials and local elected representatives on 6 June 2013 at which further advice will be provided along with an estimate of cost. It is hoped that residents will agree to carry out the necessary works without the Agency having to consider formal enforcement under the Drainage (NI) Order 1973.

### **Fishing Fleet: Financial Support**

**Mr Wells** asked the Minister of Agriculture and Rural Development, following her recent announcement of aid to the farming community, whether she plans to provide financial support to the fishing fleet.

**(AQW 23275/11-15)**

**Mrs O'Neill:** I have recently announced a package of financial measures that will assist the fishing industry to respond to Common Fisheries Policy reforms that will bring new challenges, including an obligation to land all catches of fish.

Financial resources will be made available through the European Fisheries Fund (EFF) and will include the establishment of a "research and development fund" specifically to develop fishing gear with very low catch rates of unwanted fish. In addition I also announced further financial assistance to the industry to improve skills and safety. Finally and subject to the completion

of a business, I will consider support for the full cost of replacing current satellite monitoring systems with new multifunctional systems.

### **Londonderry Port and Harbour: Fodder Transport Scheme**

**Mr Swann** asked the Minister of Agriculture and Rural Development why Londonderry Port and Harbour was not included as a port in her Department's fodder transport scheme.

**(AQW 23278/11-15)**

**Mrs O'Neill:** The Ports used for the 2013 Fodder Transport scheme were selected on the criteria that they have a 'roll on roll off' facility and service for road hauliers with mainland Britain.

The Port and Harbour of Derry does not meet these criteria.

### **South Tyrone: Rural Regeneration: Villages**

**Ms McGahan** asked the Minister of Agriculture and Rural Development how much has been spent on rural regeneration in villages in South Tyrone.

**(AQW 23280/11-15)**

**Mrs O'Neill:** Under the 'Quality of Life' Axis (3) of the Rural Development Programme 2007-13, my department has a specific measure relating to Village Renewal. This is aimed at enabling and encouraging residents of villages and surrounding areas to create an integrated action plan to ensure the full potential of such areas is achieved and to support integrated village initiatives. This measure is being delivered by 7 Joint Council Committees (JCC) working with a Local Action Group (LAG) in each area. Under the Village Renewal measure South West Action for Rural Development (SWARD) set aside a budget of £1.7m to support 31 villages across the cluster area (Magherafelt, Cookstown, Dungannon and Fermanagh councils).

Six villages in South Tyrone (Caledon, Ballygawley, Galbally, Killeeshil Donaghmore and Aughnacloy) have been successful in receiving funding support following an open call for applications. To date £202,269 from the £400,000 awarded has been spent on projects within those villages.

### **Farmers: Future Capital Grant Scheme**

**Mrs Dobson** asked the Minister of Agriculture and Rural Development for an update on the work she has undertaken regarding a future capital grant scheme for farmers.

**(AQW 23358/11-15)**

**Mrs O'Neill:** The development of the future Rural Development Programme, which includes a capital grant scheme for Farm businesses, is well underway and the proposals for the new programme have been discussed at the Stakeholder Consultation Group which was established last November. A public consultation on the draft Rural Development Programme is planned for later this year.

As you will be aware EU negotiations on the rural development proposals are continuing and I am working with Defra and the other Devolved Administrations to ensure the Commission's proposals remain flexible enough to meet the needs of the agri-food industry and the other broader rural areas. A key issue is the amount of funding which will be available for the Rural Development Programme and my understanding is that the allocation of the CAP Pillar 2 budget to Member States has still to be finalised.

### **East Belfast: Flooding**

**Mr Agnew** asked the Minister of Agriculture and Rural Development to detail (i) the capital investment her Department has undertaken in East Belfast since 27 June 2012 to ensure that the flooding, which occurred last summer, is not repeated this summer; (ii) the investment in capital projects to improve the infrastructure that has been allocated by her Department to prevent flooding in East Belfast; and (iii) the investment in capital projects to improve the infrastructure that is being considered by her Department to prevent flooding in East Belfast.

**(AQW 23499/11-15)**

**Mrs O'Neill:** Since the flooding in East Belfast in June 2012 Rivers Agency has undertaken capital works to provide interim improvements to the levels of flood defence in the vicinity of Orangefield. Once completed these works will have cost approximately £490k. In total Rivers Agency have approval to spend in the region of £11.7m on a Flood Alleviation Scheme associated with the East Belfast Greenway project. This will include flood alleviation works scheduled for this year within Orangefield and Victoria parks (approximately £1.4m), and upgrading of major road culverts on the Knock and Loop River systems (approximately £3m). In the longer term Rivers Agency will be investing approximately £5.3m in further flood alleviation works on the Loop and Connswater Rivers planned to commence during 2014-15. Rivers Agency is also considering further additional works along the Knock River upstream of Sandown road to provide increased flood protection to properties in this area.

## Fodder Scheme

**Mrs Hale** asked the Minister of Agriculture and Rural Development to outline the details of the fodder scheme.  
(AQW 23655/11-15)

**Mrs O'Neill:** I implemented the 2013 Fodder Transport Scheme after securing £1m of funds by agreement of my Executive colleagues on 16th May 2013. The scheme started at Midnight on 18th May and closed at Midnight on 31 May 2013

The intervention aid provided was a subsidy towards the cost of transport for fodder imported to the North from Britain and other EU countries. Fodder transported from the South was not eligible. The scheme was funding under EU State Aid rules which stipulate that a farmer cannot receive in excess of €7500 State Aid in any three year period.

The initial rate of intervention was set at £90/t for all types of fodder. The Department monitored the Scheme and following an analysis introduced a separate rate of £45/t for silage/haylage from Midnight 22 May 2013. The rate for hay / straw continued at £90/t.

The scheme was much needed by farmers and I am pleased to report it has had made a difference to the situation in the north providing increased availability of fodder that has been delivered to all 6 counties. This has eased both the fodder supply and price pressures that the industry was facing.

## Ash Dieback Disease

**Mr A Maginness** asked the Minister of Agriculture and Rural Development to provide an update on her Department's actions to tackle ash dieback disease.  
(AQO 4134/11-15)

**Mrs O'Neill:** Our general surveillance to date of trees planted within the last five years and tracing plant movements found 77 infected premises, mainly from planting during 2010, 2011 and 2012. The widespread nature of infection is disappointing, but at this stage we are still regarding the disease as one caused by imported plants and not spread within the wider environment. Statutory Plant Health Notices have issued requiring destruction of affected ash saplings and plant debris. Forest Service has provided assistance to ensure sites were dealt with swiftly.

The focus now must be on surveillance over the summer. We are co-operating closely with authorities in the South on a "Fortress Ireland"-type approach, and with authorities in Britain. We consulted stakeholders about our approach as outlined in the draft All-Ireland Chalara Control Strategy, which addresses the risk of the disease becoming established; supports the need for research on how disease spreads and resistance develops; encourages stakeholder and public engagement; and addresses the need for resilience should the disease become established.

The Department has commenced its 2013 survey. We are adopting a risk-based, intelligence-led and targeted approach. The survey covers all of the North, including recently-planted sites of ash in public & private woodland; roadside plantings; established trees & hedgerows and nurseries. We will sample suspect trees and decisions will be informed by laboratory testing and prevalence of disease in the locality.

I am grateful for continued stakeholder co-operation and engagement, with the most recent event on 25 April. I know the ARD Committee took the opportunity to see at first-hand the principles that govern our work protecting the North from new introductions of disease, and what happens when disease is found.

I encourage stakeholders to be vigilant of disease symptoms and report any concerns to the Department. Comprehensive information and reporting arrangements are outlined on our website.

## Farming: Fodder Crisis

**Dr McDonnell** asked the Minister of Agriculture and Rural Development what measures her Department has taken to address the fodder crisis affecting farmers.  
(AQO 4135/11-15)

**Mrs O'Neill:** My Department has been monitoring the fodder situation carefully. We are currently experiencing wet, cool weather which has had a significant negative impact on grazing conditions for livestock and this has been combined with a late spring leading to a sharp rise in fodder costs. In response to discussions with the Industry on Thursday 16 May and the Department's assessment of the situation, I secured £1m to fund a Fodder Transport scheme in the north which started at Midnight on 18 May and will end at Midnight on 31 May 2013.

The objective of the scheme is to offset the transport costs and ensure that fodder is made available to farmers, in the North who have found themselves with a shortage of supply, as quickly as possible.

Indications are that fodder is available but farmers are unable to utilise this due to the exceptional weather conditions we are experiencing.

I have also asked CAFRE advisers and Veterinary staff to prioritise their work to advise and assist farmers who are currently experiencing difficulties on their farms.

I am continuing to monitor the situation and have asked my officials to set up a taskforce to review the issues likely to face the industry in the coming months, and to consider what interventions the Department and the industry should prepare.



## Forestry Act (Northern Ireland) 2010

**Mr McCarthy** asked the Minister of Agriculture and Rural Development for her assessment of the implementation of the Forestry Act (Northern Ireland) 2010.

**(AQO 4136/11-15)**

**Mrs O'Neill:** Compared with the 1953 Act which it replaced, the Forestry Act 2010 is multi-faceted and capable of supporting a forward looking forestry strategy. It gives the powers to deliver a wide and integrated spectrum of benefits.

The Forestry Act 2010, made on 28 June 2010, has had three commencement orders. The first order, made in September 2010, introduced a general duty to promote afforestation and sustainable forestry, powers to carry out forestry operations and under section 4, provision for other use of forestry land.

Since then, we have developed a business case for commercial development of forestry land for wind farms and tourism and have assessed the potential for tourism development on forestry land. This work informed our bid for £4 million under the Executive's Economy and Jobs Initiative, and this money will help develop tourism projects linked to caravanning in forests over the next two years.

Section 7 of the Act gave us the power to avail of partnerships, an approach subsequently used to improve the recreational infrastructure of forests.

Under section 6(3) of the Act we are developing a register of the location and size of woodlands and their types of trees. Preliminary results were published on the Forest Service website in March 2012 and will be revised as new data becomes available. Preliminary results showed an increase in area of woodland to about 8% of land area.

The second commencement order, made in February 2013, introduced a public right of pedestrian access to the Department's forestry land, subject to new forestry land byelaws to promote responsible enjoyment and protection of public safety, property and the forest environment.

The third order, made on 15 May 2013, regulates the felling of trees in woodlands and will play a major role in our duty to promote sustainable forestry.

## Fraud Prosecutions

**Mr Swann** asked the Minister of Agriculture and Rural Development for her assessment of the success of fraud cases recommended for prosecution by the central investigation service.

**(AQO 4137/11-15)**

**Mrs O'Neill:** The Department's Central Investigation Service (CIS) is a small reactive unit within the Department consisting of 3 full time members of staff. The Unit investigates incidences of suspected fraud, breaches of Scheme conditions and non compliance with regulations referred by other business areas.

Since 2008 there have been 27 DARD prosecutions in relation to non compliance cases and 6 in respect of fraudulent activity.

In addition to the cases investigated, the CIS plays a vital role in the prevention and deterrence of fraud, performing a range of counter fraud functions. This includes training in fraud awareness, investigation procedures and court skills. They also provide important advice and guidance to line management within DARD on managing the risk of fraud and fraud proofing. This is particularly important when designing new schemes such as the Rural Development Programme.

CIS also have a number of Service Level Agreements in place with other Departments and Arm's length Bodies which commit CIS to provide advice and expertise when requested.

Given the range of activities conducted by the Unit, as well as the outcomes achieved, I am content with the success achieved to date. I want to build upon this success and to ensure our processes and procedures are in line with current best practice. To facilitate this I have asked the Minister for Justice to include CIS in the list of organisations to be reviewed by the Criminal Justice inspectorate.

## Farmers: Hardship Scheme

**Mr McGlone** asked the Minister of Agriculture and Rural Development what system of payment has been put in place to facilitate the hardship scheme.

**(AQO 4138/11-15)**

**Mrs O'Neill:** I have obtained Executive agreement to hardship funding measures to assist farmers worst affected by livestock losses arising from the recent snow storm.

The first element of these measures is that my Department is paying for the costs of collection and disposal of animals that died as a direct result of the March snow storm. The second element is the Hardship Payment Scheme which will help to mitigate the costs of the livestock losses that have been sustained by farmers arising from the snow storm.

Under the scheme farmers, who had fallen stock collected and disposed of during the relevant period by approved renderers, will be eligible for this hardship funding.

Hardship payments, evidenced and verified with reference to the collection and disposal data, will be at a flat rate, based on average replacement cost, predominantly on the basis of the age of the animal, which will be attributed to relevant livestock.

The payment will be under the EU de minimis rules and capped at a maximum of 7,500 euro per farmer to include the collection and disposal costs.

Farmers will not need to apply for this funding. Eligible farmers will receive letters in early June indicating their hardship entitlement and how to claim. All farmers are encouraged to respond promptly to these letters. On that basis all payments are expected to be made by the end of June.

## Farm Safety

**Mr Durkan** asked the Minister of Agriculture and Rural Development to outline what work has been done to promote farm safety. (AQO 4139/11-15)

**Mrs O'Neill:** I am please to advise that my Department joined with the Health & Safety Executive Northern Ireland, the Ulster Farmers' Union, Northern Ireland Agricultural Producers Association, National Farmers Union Mutual and the Young Farmers Clubs for Ulster to form the Farm Safety Partnership the purpose of which is to reduce and, ultimately, eradicate work related fatalities on farms.

The Partnership launched its comprehensive Action Plan in November 2012. The Plan will deliver on 4 key areas:-

- Provision of Information and Promotion of Safe Working;
- Health and Safety Training;
- Motivating Good Practice and Discouraging Poor Practice; and
- Collection and Analysis of Information.

On 25 March 2013 the Partnership launched a multi media campaign which is hard hitting and is designed to change the attitudes of farmers to risk and also targets their family members as influencers. The campaign covers TV, Radio and News media. I am confident that the campaign will make farmers Stop, and Think S.A.F.E. (Slurry, Animals, Falls & Equipment).

Indications are that farmers are well aware of the risks and what they should do. It is a matter of changing the mind set to think about the risk before taking action.

My Department plays its part in delivering the farm safe message in a number of ways.

Through locally based CAFRE Development Advisers, information is distributed to farmers attending training events and workshops across the north. Currently the information being distributed is focussed on slurry mixing, including the dangers from gases, and safe use of machinery when mixing and spreading.

Also my Department is currently rolling out the FarmSafe Awareness course to 3,000 farmers of all ages across the north. The FarmSafe course covers the four key risk areas on the farms:-

- Tractors and Machinery;
- Livestock;
- Falls from Height; and
- Slurry.

## A5 Dual Carriageway: Return of Land

**Mr Spratt** asked the Minister of Agriculture and Rural Development what discussions she has had with the Minister for Regional Development in relation to the return of land to farmers who were affected by the recent court ruling on the A5 project.

(AQO 4140/11-15)

**Mrs O'Neill:** My Department has a limited role as far as this ruling is concerned.

Our interest in the court's decision related to the use of the land and whether, because this was returned to farmers in April, it could be used to support claims to 2013 Single Farm Payment.

Shortly after the ruling was announced, my officials contacted DRD to clarify the number of farm business affected by the initial vesting and to gain an appreciation of the work already undertaken on the land. From this, my Department agreed that force majeure provisions would apply and that this land could be used to support a 2013 SFP. At this stage, a set of Frequently Asked Questions specific to the A5 land use were made available through the DARD website. More recently, on 7 May, DARD attended a UFU meeting in Omagh and, during this, dealt with specific questions relating to 2013 Single Application.

## Belfast Hills

**Ms McCorley** asked the Minister of Agriculture and Rural Development to outline the work that her Department has funded in the Belfast hills.

(AQO 4141/11-15)

**Mrs O'Neill:** Through Axis 3 of the Rural Development Programme Lagan Rural Partnership has approved funding to the value of just over £700,000 to 3 different applicants, Belfast City Council, Belfast Hills Partnership and Colin Glen Trust. The funding is helping to develop Belfast Hills with walking trails and open up the hills to the wider community. Funding has also been used to develop the village of Hannahstown and an outdoor pursuit centre in Colin Glen. Rural Belfast is often forgotten about but has an important role to play.

Under Axis 2 of the Rural Development Programme, my Department provides funding to farmers in agri-environment schemes who manage their land for environmental benefit. These farmers create new and manage existing habitats to benefit wildlife and the landscape in the local area.

### **Common Agricultural Policy and Common Fisheries Policy**

**Mr Maskey** asked the Minister of Agriculture and Rural Development to provide an update on her negotiations in Europe on the Common Agricultural Policy and the Common Fisheries Policy.

**(AQO 4142/11-15)**

**Mrs O'Neill:** The changes being proposed by both the EU Council and Parliament in the CAP reform negotiations are moving towards the position I had outlined last April in my response to the Commission's original proposals. There are welcome signs that the Commission is prepared to move away from its insistence that a flat rate support regime be reached by 2019. I have argued that 2019 is too soon for payments to be made on a flat rate basis. The EU Council has agreed changes to the greening proposals that would exempt predominantly grassland farms with small arable areas from crop diversification and ecological focus area requirements and I will be pushing to ensure these amendments remain in the final agreement. Regional flexibility has been agreed in principle but I am seeking further clarification to ensure that all decisions can be taken at regional level. We will also continue to press our alternative approach to the active farmer issue, although there are no guarantees that it will be included in the final agreement.

In relation to the Common Fisheries Policy, I, together with fellow Ministers in Britain agreed a revised negotiating mandate that will enable the Irish Presidency (led by Simon Coveney TD) to bring negotiations with the European Parliament to a conclusion, before the end of June 2013. The revised mandate still includes provisions for meaningful regionalisation of fisheries management through co-operative working with other Member States such as the South to work on tailored and practical conservation and technical measures for the better management of fisheries in the Irish Sea. Another key reform is a new obligation to land all catches to address the wasteful practice of discarding unwanted fish. This will be phased in from January 2015 for different stocks and sea areas and be completed by 2019.

### **Single Farm Payments**

**Mr Rogers** asked the Minister of Agriculture and Rural Development to detail the total value of single farm payments paid during 2012-13 to landowners who do not carry out farming enterprises.

**(AQW 23677/11-15)**

**Mrs O'Neill:** While my Department does not hold the information requested, I can advise that as at 30 May 2013, the total value of 2012 Single Farm Payments paid out was £241 million. These payments are made to those applicants who satisfy all the scheme rules, including undertaking agricultural activity on the land they are claiming. Agricultural activity is defined in the EU legislation as producing, growing or rearing agricultural products, including harvesting crops or keeping animals for milking, breeding or other farming purposes or, as a minimum, maintaining the land in good agricultural and environmental condition (GAEC).

If DARD finds evidence that any applicant is not undertaking agricultural activity on a parcel of land claimed under the SFP scheme, it will investigate the case and will consider removing that land from the claim. The claim will be readjusted and, if appropriate over declaration penalties applied.

## **Department of Culture, Arts and Leisure**

### **UK City of Culture 2013**

**Mr Allister** asked the Minister of Culture, Arts and Leisure at what point during the events and celebrations of Londonderry as UK City of Culture will the flag of the United Kingdom be displayed.

**(AQW 20221/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I am advised by Derry City Council, the licensee for City of Culture, that it does not currently display any flags or emblems at Council facilities or public places controlled by the Council, either internally or externally.

## DCAL Information Service

**Mr Allister** asked the Minister of Culture, Arts and Leisure to detail the (i) number; and (ii) annual cost of staff employed in her Department's information service.

**(AQW 20255/11-15)**

**Ms Ní Chuilín:** A total of 6 staff (4 Executive Information Service Officers and 2 Administrative staff) were employed in DCAL's Information Service during the 2011/12 financial year.

Information Officers provide a professional communications service - including media, online, internal communications and advertising services - with office support by general administration staff.

Pay Bill costs (includes salary, employer national insurance and superannuation costs and all overtime and allowance costs) for the 2011/12 financial year amounted to £201,637.98.

## Shooting Sports

**Lord Morrow** asked the Minister of Culture, Arts and Leisure for her assessment of the recently published figures which show that shooting is worth £45 million a year to the local economy, which is equivalent to 2,100 full time jobs; and how she proposes to promote the sport further.

**(AQW 20358/11-15)**

**Ms Ní Chuilín:** My Department is aware of the figures published in a 2006 survey which suggest that shooting is worth £45m per year to the local economy and supports the equivalent of 2,100 full time jobs. The study that produced these figures, however, was focussed on live quarry shooting which is not recognised as a sporting activity. As such it would not be eligible for promotional support from my Department or its arms length body, Sport NI.

Responsibility for the promotion of the recognised shooting sports - namely clay pigeon and target shooting - rests, in the first instance, with the governing bodies of those sports. These bodies already receive support from Sport NI to assist them in promoting their sports further. Over the last five financial years, Sport NI has provided £591,693 towards the promotion and development of the various disciplines of clay pigeon, small bore and full bore shooting.

In addition, Sport NI has supported these sports in undertaking a restructuring and modernisation of their governance arrangements so that they are better placed to promote their activities further in the future. As a result of this exercise, a new NI Federation of Shooting Sports has been established to oversee the co-ordinated development of recognised shooting sport. This federation is made up of:

- Ulster Clay Pigeon Shooting Association
- NI Small-bore Shooting Union
- Ulster Rifle Association

## Giro d'Italia 2014

**Mr Ross** asked the Minister of Culture, Arts and Leisure how she plans to ensure that local cyclists and cycling clubs can benefit from the recent announcement that the Grande Partenza (Big Start) of the Giro d'Italia 2014 is to be in Northern Ireland.

**(AQW 20387/11-15)**

**Ms Ní Chuilín:** I am aware of the recent announcement that the Grande Partenza of the Giro d'Italia will take place in the north of Ireland in 2014. This will be a welcome return to Ireland for one of cycling's Grand Tour events, the Tour de France having visited these shores in 1998. Both my officials and Sport NI will actively pursue, with their counterparts in the south, how the benefits to cyclists and cycling clubs can be maximised throughout the whole of the island, particularly in areas of social need and deprivation.

## Cycling Clubs

**Mr Ross** asked the Minister of Culture, Arts and Leisure how many cycling clubs there are.

**(AQW 20388/11-15)**

**Ms Ní Chuilín:** Sport NI, which is an arms length body of my Department, has advised that there are currently 78 cycling clubs in the north of Ireland which are affiliated to the recognised governing body of cycling, Cycling Ireland.

I am also aware of work undertaken by charity organisations Sustrans and the Cyclists Touring Club (CTC), to establish clubs in schools and local communities throughout the north of Ireland. Sport NI advises that, over the last 3 years, CTC in partnership with Belfast City Council, has established 28 'Bike Clubs'.

## Cycling Club: Funding

**Mr Ross** asked the Minister of Culture, Arts and Leisure how many cycling clubs receive funding from (i) her Department; and (ii) its arm's-length bodies.

**(AQW 20389/11-15)**

**Ms Ní Chuilín:** Over the last five financial years, up to 31 March 2012, Sport NI has provided exchequer funding directly to three cycling clubs totalling £22,075. The details are provided in the table below: -

Date	Club Name	Programme	Amount
11/2/2010	Clann Eireann Cycling Club	Awards for Sport	£1,590
11/2/2010	Newry Wheelers Cycling Club	Awards for Sport	£3,161
16/12/2010	Ballymoney Cycling Club	Sport Matters: Capital and Equipment Programme	£17,324

This is in addition to the £1,119,797 provided to Cycling Ulster.

### Elite Cyclists: Funding

**Mr Ross** asked the Minister of Culture, Arts and Leisure how many elite cyclists receive funding from (i) her Department; and (ii) its arm's-length bodies.

**(AQW 20390/11-15)**

**Ms Ní Chuilín:** Over the last 3 years a total of eleven high performance cyclists have received funding from Sport NI, an arms length body of my Department, towards training to compete in Olympic, Paralympic and Commonwealth Games competitions.

In addition, Sport NI supports these cyclists through the Sports Institute at Jordanstown and also through a number of Performer Development Centres where they receive world class sports science and sports medicine support.

### Cyclists

**Mr Ross** asked the Minister of Culture, Arts and Leisure to detail any targets to increase the number of cyclists.

**(AQW 20391/11-15)**

**Ms Ní Chuilín:** Responsibility for establishing targets to increase the number of cyclists in the north of Ireland is a matter, in the first instance, for the governing body of the sport, Cycling Ulster. However, Sport NI, an arm's-length body of my Department, has provided both exchequer and lottery funding of £1,119,797 over the last five years to help Cycling Ulster develop the sport in the north, including increasing participation rates.

Furthermore, I am aware that the Executive and the Department for Regional Development (DRD) both have specific targets to increase the number of cyclists. The Executive's Programme for Government 2011-15 includes a target (by 2015) to create the conditions to facilitate at least 36% of primary school pupils and 22% of secondary school pupils to walk or cycle to school as their main mode of transport.

DRD's Active Travel Strategy, Building an Active Travel Future for NI, includes the following targets:

- To increase the average distance cycled to be in line with our UK counterparts by 2020;
- Increase the percentage of trips taken by cycling to be in line with our UK counterparts by 2020;
- To quadruple the number of trips by cycle (on 2000 figures) by the end of 2015; and
- Beyond 2015 we will also seek to ensure that by 2019, 40% of primary school pupils and 25% of secondary school pupils should be walking or cycling to school as their main mode of travel.

Other organisations with targets to increase cycling include Sustrans with their Bike-It Scheme which has a target of 15% of children regularly cycling to school and the Derry City 2020 "One Plan" which has a target to have 6% of trips by bike by 2020.

### Commercial Pike Fishing

**Mr Allister** asked the Minister of Culture, Arts and Leisure, in light of the social media campaign on commercial pike fishing in Lough Erne, whether her Department has any evidence of the illegal netting of pike in the lough.

**(AQW 20471/11-15)**

**Ms Ní Chuilín:** DCAL Fisheries Protection Officers have conducted boat and shore patrols and quay checks on and around Lough Erne and no evidence has been found of any illegal netting of pike or other fish.

### Band Funding

**Mr Easton** asked the Minister of Culture, Arts and Leisure what funding opportunities her Department provides for bands.

**(AQW 20476/11-15)**

**Ms Ní Chuilín:** Funding in support of bands in the north of Ireland is disbursed through the Arts Council and the Ulster Scots Agency.

The Arts Council's Musical Instruments for Bands Programme provides grants from £500 to £5k for the purchase of instruments. This scheme is available to bands based in the north of Ireland, which are formally constituted.

Funding up to £10,000 is also awarded by the Arts Council through its lottery funded Small Grants Programme for band related activity which includes projects, tuition and equipment such as music stands, rostra etc.

Bands can apply for funding for musical tuition from the Ulster-Scots Agency through its Financial Assistance Scheme.

My Department also allocates Community Festival Funding which district councils administer and bands may be eligible to apply.

### Ulster-Scots Newspaper

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure what is the circulation of the Ulster-Scots newspaper.  
(AQW 20484/11-15)

**Ms Ní Chuilín:** The circulation of the Ulster-Scots newspaper is currently 40,000 per issue.

### Radio One Big Weekend

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure for her assessment of the benefits to the Derry City Council area of hosting the Radio One Big Weekend.

(AQO 4149/11-15)

**Ms Ní Chuilín:** It is very encouraging to see such a high profile event taking place in Derry as part of the City of Culture programme in what has already been a fantastic year for the City in 2013. Radio one Big Weekend is expected to contribute to benefit targets for 2013 relating to increasing GVA, tourism and training and employment opportunities.

Not only did the main event itself bring some of the most high profile musical acts in the world to Derry, but there were also direct local community benefits through the week long BBC Academy which provided local young people with an opportunity to gain musical and media industry skills.

There has been very strong demand for accommodation across the North West and national and international media coverage of One Big Weekend. This will help enhance the positive profile of the City of Culture as a place to visit and re-affirm Lonely Planet's endorsement as "One of the Top Cities in the World to visit" in 2013.

### Rugby

**Mr Ross** asked the Minister of Culture, Arts and Leisure what steps she is taking to increase participation in rugby.  
(AQO 4150/11-15)

**Ms Ní Chuilín:** My Department's strategy for sport, Sport Matters, identifies a number of high level targets aimed at increasing participation rates in sport generally, including rugby.

A Sport Matters Action Plan has been developed which outlines the key actions and steps being taken to achieve the Sport Matters participation targets. This Action Plan is published on the Sport NI website and Ulster Rugby is one of the contributors to the plan.

In line with the Sport Matters Action Plan, Sport NI as part of an investment of £1.07 million over the past 3 years, has supported Ulster Rugby in the employment of a Participation Manager whose work focuses on improving rugby club structures, club capacity and participation in the sport and a Women's Development Officer for Ulster Rugby who is responsible for developing the game and increasing participation amongst girls and women from grassroots to senior level.

Under the Regional Stadiums Programme, £14.7m has been earmarked for Ulster Rugby to assist in redeveloping Ravenhill Rugby ground. The development of this facility is expected to enhance the sustainability of Rugby in the longer term and so encourage more people to take up the sport.

My Department has allocated a further £1.5m to UBIRFU over a three year period split between capital and revenue spend. This additional funding will be directed towards projects that aim to tackle my Department's priorities of promoting participation while tackling inequalities and social exclusion.

### Quaker Heritage

**Mr Gardiner** asked the Minister of Culture, Arts and Leisure what steps she has taken to celebrate Quaker heritage.  
(AQO 4151/11-15)

**Ms Ní Chuilín:** My Department and ALBs have not received any applications to fund or assist projects to celebrate Quaker heritage.

### UK City of Culture: Legacy Plan

**Mr McCartney** asked the Minister of Culture, Arts and Leisure for an overview of the legacy plan following the UK City of Culture 2013.

(AQO 4152/11-15)

**Ms Ní Chuilín:** A draft Legacy Plan has been developed by Derry City Council, however, further work is required to develop specific actions, structures and targets.

I have informed the Council's Town Clerk and CEO, who is also the project's Senior Responsible Owner, that I expect the Legacy plan to be prioritised and finalised as soon as possible.

A suite of stakeholder workshops are currently being held by the Council to seek input on the City of Culture legacy. Public consultation will begin with a Legacy Conference in the city on 5 July and will last 12 weeks.

Derry City Council will be detailing how the public can get involved in the coming weeks. I would encourage local stakeholders to fully participate in this process.

### **Athletics: UK Teams**

**Mr Allister** asked the Minister of Culture, Arts and Leisure what progress has been made in advancing the opportunity for Northern Ireland athletes to compete internationally for UK national teams.

**(AQO 4153/11-15)**

**Ms Ní Chuilín:** As Sports Minister I believe that north of Ireland athletes should have as many opportunities as possible to compete in international competitions and gain medal success. It is through such competition opportunities that our athletes can gain valuable experience and improve their performance.

When such opportunities arise, north of Ireland athletes have demonstrated that they can perform at the highest international standards.

I believe that north of Ireland athletes generally have better opportunities to experience international competition and perform at the highest standards as part of an Irish national team or in a north of Ireland team in the Commonwealth Games.

The success of our local boxers, for example, at the 2010 Commonwealth Games and 2012 Olympic Games provides ample evidence of this.

### **Irish and Ulster Scots: Rural Areas**

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure whether her long-term plans for the availability of the Irish language and Ulster Scots in rural areas will be similar to the Carntogher example.

**(AQO 4154/11-15)**

**Ms Ní Chuilín:** The effort and commitment of the Carntogher Community Association is an inspiration to all those interested in the development of language, culture and community based regeneration.

Carntogher Community Association promotes a range of economic, social, cultural and environmental projects aimed at developing a prosperous and environmentally sustainable rural community and it is an example that I would like to see replicated in other rural areas in the north.

In addition to Carntogher the Irish Language Strategy and various programmes such as Lófa which includes the Gaeltacht Bursary Scheme, will help promote, enhance and maintain the development of the Irish language in both urban and rural areas. This in turn provides the opportunity for addressing social exclusion and inequality.

Proposals are being developed by the Ulster-Scots Agency to promote and support Ulster-Scots Hairtlan areas, the aim is to preserve, protect and promote Ulster-Scots heritage through geographical designations, similar to Carntogher. The Agency will examine various cultural initiatives in order to identify best practice, which will develop and encourage greater levels of local participation.

Work is ongoing and at different stages of development for the Irish Language and Ulster-Scots Academies. Through the Academy approach, we will aim to make both the Irish Language and Ulster-Scots more accessible to all communities in the north, including in rural areas.

### **Creative Industries: South Antrim**

**Mr Girvan** asked the Minister of Culture, Arts and Leisure what support her Department has given to the creative industries sector in South Antrim, in the last three years.

**(AQO 4155/11-15)**

**Ms Ní Chuilín:** Creative enterprises across the north of Ireland can apply to the Creative Industries Innovation Fund. A digital media company based in South Antrim has received support to develop a digital asset library. This will help the company to further develop games for mobile devices and tap into global markets.

And the work of NI Screen in attracting major film and television productions to the north of Ireland has resulted in the internationally acclaimed Game of Thrones being shot on location in Toome and Randalstown.

Two feature films (Lemon and Wipers Times) were shot on location in Ballyclare and a further two (Our Robot Overlords and Dracula) are currently in pre-production and are scheduled to shoot in Parkgate and Shilvodan.

This provides a global showcase for South Antrim and the north of Ireland as a film production and tourism location.

## Sport and Physical Activity in Northern Ireland

**Mrs Dobson** asked the Minister of Culture, Arts and Leisure for her assessment of the experience of sport and physical activity by adults in Northern Ireland survey.

**(AQO 4156/11-15)**

**Ms Ní Chuilín:** The findings of the 2011/12 Continuous Household Survey on Experience of Sport and Physical Activity reaffirms the need, identified in my Sport Matters strategy, to improve participation rates in sport across the population and to focus special attention on those who live in the most deprived areas of the north, women, older people and people with a disability.

The findings, when compared against previous surveys, would equally suggest that progress is being made in tackling these issues. In particular, the figures indicate that participation rates generally are currently stabilising rather than falling as was the case when the Executive originally approved Sport Matters.

The survey figures also suggest that the target in Sport Matters to halt the decline in adult participation in sport by 2013 is presently on track for achievement. However, further surveys will be required in future years in order to determine whether this target, and other Sport Matters targets aimed at subsequently increasing participation, will be achieved within the timescales set within the strategy.

## Department of Education

### Pomeroy: Primary School

**Mrs D Kelly** asked the Minister of Education who granted permission for a primary school in Pomeroy to exceed its stated admissions limit.

**(AQW 22077/11-15)**

**Mr O'Dowd (The Minister of Education):** There are two primary schools in Pomeroy – Queen Elizabeth II Primary School and St Mary's Primary School. Only the Department has the power to permit a school to exceed its approved admissions number. For the 2013/14 school year the Department approved one additional place at St Mary's Primary School, Pomeroy.

### 'Together: Building a United Community'

**Mr Kinahan** asked the Minister of Education whether he has identified a list of schools which could come together in the 10 shared education campuses announced in the 'Together: Building a United Community' document.

**(AQW 22933/11-15)**

**Mr O'Dowd:** As the work on delivery of this commitment is still at a very early stage a list of schools which could come together in the 10 shared education campuses has not yet been identified. Any potential shared campus will have to be considered within the context of the area planning work being taken forward.

### Preschool Education Places

**Mr D McIlveen** asked the Minister of Education, pursuant to AQW 22539/11-15, for a breakdown the 1338 funded preschool education places by establishment.

**(AQW 22992/11-15)**

**Mr O'Dowd:** The following tables list the names and number of places in each funded pre-school education setting in the North Antrim constituency:

#### Statutory Sector

Name	Type	Number of Places
Ballymena Nursery School	Nursery school	104
Ballymoney Nursery School	Nursery school	104
Dunclug Nursery School	Nursery school	78
Buick Memorial Primary School	Nursery unit	26
Harryville Primary School	Nursery unit	26
Gracehill Primary School	Nursery unit	26
Clough Primary School	Nursery unit	26
Bushmills Primary School	Nursery unit	26
Kilmoyle Primary School	Nursery unit	16



<b>Name</b>	<b>Type</b>	<b>Number of Places</b>
Broughshane Primary School	Nursery unit	26
Ballykeel Primary School	Nursery unit	52
St Mary's Primary School	Nursery unit	26
St Patrick's Primary School	Nursery unit	26
St Patrick's Primary School	Nursery unit	26
St Joseph's Primary School	Nursery unit	52
St Patrick's & St Brigid's Primary School	Nursery unit	52
Gaelscoil an Chaistil	Nursery unit	26
Ballycastle Integrated Primary School	Nursery unit	26
Braidside Integrated Primary School	Nursery unit	26

**Voluntary/Private Sector**

<b>Name</b>	<b>Type</b>	<b>Number of funded places</b>
Early Days Country Playgroup	Private Playgroup	14
The Country Playgroup	Private Playgroup	20
Rasharkin Community Playgroup	Voluntary Playgroup	9
St Louis Playgroup	Voluntary Playgroup	20
Happitots Playgroup	Voluntary Playgroup	24
Gracehill and Galgorm Playgroup	Voluntary Playgroup	23
First Steps Playgroup	Voluntary Playgroup	24
SeeSaw Playgroup	Voluntary Playgroup	23
Taylorstown CC Playgroup	Voluntary Playgroup	26
Broughshane Centre of Early Learning	Voluntary Playgroup	22
Jack Horner Community Playgroup	Voluntary Playgroup	15
Portglenone Community Playgroup	Voluntary Playgroup	21
Loughgiel Early Years	Voluntary Playgroup	15
Armoy Cross Community Playgroup	Voluntary Playgroup	24
Ballymoney & District Community Playgroup	Voluntary Playgroup	40
Glenravel Community Playgroup	Voluntary Playgroup	32
High Kirk Community Playgroup	Voluntary Playgroup	19
Tiny Tots Community Playgroup	Voluntary Playgroup	36
Stepping Stones Playgroup	Voluntary Playgroup	24
Ballee Pre-School Playgroup	Voluntary Playgroup	32
Kenbaan Community Playgroup	Voluntary Playgroup	26
Kirkinriola Early Years	Voluntary Playgroup	8
Cloughmills Early Years	Voluntary Playgroup	19
Dervock Community Playgroup	Voluntary Playgroup	20
Stepping Stones Playgroup	Voluntary Playgroup	19
Castletower PreSchool	Voluntary Playgroup	13

## North Down: Nursery Pupils

**Mr Weir** asked the Minister of Education how many nursery pupils in North Down did not receive a place in their first choice nursery unit in the 2013-14 intake; and what action he will take to address this shortfall.

**(AQW 23147/11-15)**

**Mr O'Dowd:** Funded pre-school education places are available in nursery schools, nursery units attached to primary schools and in voluntary and private pre-school settings participating in the Pre-School Education Programme.

At the end of Stage 1 of the pre-school admissions process, of the 887 children whose 1st preference application was to a provider in the North Down Council area, 155 were not offered a place in their first preference setting. 110 of these children were offered a place in a setting listed as a subsequent preference on their application form, and 45 children remained unplaced. 63 funded places remained available for parents to make application to during Stage 2 of the process. Stage 2 concludes on 31st May 2013.

I am satisfied that overall there is sufficient funded pre-school provision in the North Down Council area to meet demand.

## North Down: Primary 1 Places

**Mr Weir** asked the Minister of Education to detail the maximum enrolment number for primary 1 places in 2013-14 in each school in North Down.

**(AQW 23149/11-15)**

**Mr O'Dowd:** The number of P1 places available is defined by a primary school's admissions number. Across the North Down constituency there were 1,119 places available at the start of the 2013/14 primary admissions process. Details of individual school admissions numbers are available in booklets published by Education and Library Boards on their websites. For schools in North Down these can be viewed at:

[http://www.seelb.org.uk/schools/Procedures\\_12\\_13/PDFs/Primary/2012/ArdsN.Down.pdf](http://www.seelb.org.uk/schools/Procedures_12_13/PDFs/Primary/2012/ArdsN.Down.pdf)

## Primary 1 Places: Capped Enrolment Numbers

**Mr Weir** asked the Minister of Education which primary schools have been allowed to increase their capped enrolment numbers for primary 1 places in 2013-14.

**(AQW 23150/11-15)**

**Mr O'Dowd:** The following schools have applied for, and been given approval to, temporary increases of their primary 1 admissions numbers for 2013/14:

- Scoil an Droichid, Belfast
- Gaelscoil na Mona, Belfast
- Forge Integrated Primary School, Belfast
- Kesh Primary School
- Ballougy Primary School
- Greenhaw Primary School, Derry
- Gaelscoil Neachtain, Dungiven
- St Ninnidh's Primary School, Derrylin
- St Mary's Primary School, Mullymesker
- St Mary's Primary School, Killyclogher
- Drumlish Primary School,
- St Lawrence's Primary School, Fintona
- St Columbkille's Primary School, Carrickmore
- St Patrick's Primary School, Castlederg
- St Dympna's Primary School, Dromore
- Gaelscoil Na Gcrann, Omagh
- Enniskillen Integrated Primary School
- Oakgrove Integrated Primary School
- Greenisland Primary School
- Fourtowns Primary School
- Culcrow Primary School, Aghadowey
- Damhead Primary School, Coleraine
- Creggan Primary School, Randalstown
- Mount St Michael's Primary School, Randalstown
- St Brigid's Primary School, Tirkane
- St Trea's Primary School, Magherafelt
- St John's Primary School, Swatragh
- St Patrick's & St Joseph's Primary School, Garvagh
- St Oliver Plunkett's PS, Toomebridge
- St Brigid's Primary School, Magherafelt
- St Macnissi's Primary School, Newtownabbey
- St Columba's Primary School, Kilrea
- St Patrick's Primary School, Glen, Maghera
- St Brigid's Primary School, Ballymena
- Gaelscoil Eanna, Glengormley
- Grey Abbey Primary School
- Londonderry Primary School, Newtownards
- St Francis Primary School, Drumaroad
- St Mary's Primary School, Ardglass
- St Colman's Primary School, Lisburn
- Our Lady Queen of Peace Primary School, Dunmurry
- St Mary's Primary School, Newcastle
- Kircubbin Integrated Primary School
- Oakwood Integrated Primary School, Dunmurry
- Millennium Integrated Primary School, Saintfield
- Drumlins Integrated Primary School, Ballynahinch
- Rowandale Integrated Primary School, Moira
- Clare Primary School, Tandragee
- Waringstown Primary School
- Aghnacloy Primary School

- Augher Central Primary School
- Markethill Primary School
- Drumadonnell Primary School
- Orchard County Primary School, Portadown
- Killyman Primary School, Dungannon
- St Patrick's Primary School, Crossmaglen
- St Brigid's Primary School, Crossmaglen
- St Mary's Primary School Barr, Newry
- St Patrick's Primary School, Mayobridge
- St Mary's Primary School, Cabragh, Dungannon
- St Patrick's Primary School, Hilltown, Newry
- St Joseph's Primary School, Galbally, Dungannon
- St Mary's Primary School, Banbridge
- St Mary's Primary School, Pomeroy
- St Jarlath's Primary School, Blackwatertown
- St Mary's Primary School, Aughnacloy
- St Francis' Primary School, Aghderg
- St Colman's Primary School, Saval, Newry
- St John's Primary School, Middletown, Armagh
- St Francis Primary School, Lurgan
- St Joseph & St James Primary School, Poyntzpass
- Seagoe Primary School, Portadown
- Gaelscoil Aodha Rua, Dungannon
- Portadown Integrated Primary School,
- Phoenix Integrated Primary School, Cookstown

### Maintained Primary Schools: Pupils

**Mr Rogers** asked the Minister of Education how many pupils from maintained primary schools are transferring and applying to the controlled sector.

**(AQW 23187/11-15)**

**Mr O'Dowd:** Letters issued on 24 May 2013 advising parents to which post-primary school their child has been admitted to. The Education and Library Boards have advised us that statistics relating to your query will be produced in due course. My office will ensure that you receive the requested information when available.

### Pupil Places: Year 1

**Lord Morrow** asked the Minister of Education the list the schools that have received an increased number of year 1 pupil places for the 2013-14 school year; and how many places each school has received.

**(AQW 23288/11-15)**

**Mr O'Dowd:** The primary schools for which a temporary increase of their year one pupil admissions for the 2013/14 school year has been approved, and the number of places approved, are set out in the table below:

School	Additional Places
Scoil an Droichid, Belfast	3
Gaelscoil na Mona, Belfast	1
Forge Integrated Primary School, Belfast	11
Kesh Primary School	4
Ballougry Primary School	5
Greenhaw Primary School, Derry	1
Gaelscoil Neachtain, Dungiven	8
St Ninnidh's Primary School, Derrylin	7
St Mary's Primary School, Mullymesker	8
St Mary's Primary School, Killyclogher	2
Drumlisk Primary School	1
St Lawrence's Primary School, Fintona	4
St Columbkille's Primary School, Carrickmore	6
St Patrick's Primary School, Castlederg	3
St Dympna's Primary School, Dromore	4
Gaelscoil Na Gcrann, Omagh	6
Enniskillen Integrated Primary School	3
Oakgrove Integrated Primary School	2
Greenisland Primary School	2

<b>School</b>	<b>Additional Places</b>
Fourtowns Primary School	1
Culcrow Primary School, Aghadowey	5
Damhead Primary School, Coleraine	2
Creggan Primary School, Randalstown	2
Mount St Michael's Primary School, Randalstown	2
St Brigid's Primary School, Tirkane	3
St Trea's Primary School, Magherafelt	1
St John's Primary School, Swatragh	2
St Patrick's & St Joseph's Primary School, Garvagh	5
St Oliver Plunkett's PS, Toomebridge	3
St Brigid's Primary School, Magherafelt	12
St Macnissi's Primary School, Newtownabbey	2
St Columba's Primary School, Kilrea	1
St Patrick's Primary School, Glen, Maghera	2
St Brigid's Primary School, Ballymena	16
Gaelscoil Eanna, Glengormley	18
Grey Abbey Primary School	1
St Francis Primary School, Drumaroad	2
St Mary's Primary School, Ardglass	1
St Colman's Primary School, Lisburn	5
St Mary's Primary School, Newcastle	7
Kircubbin Integrated Primary School	4
Oakwood Integrated Primary School, Dunmurry	1
Millennium Integrated Primary School, Saintfield	15
Drumlins Integrated Primary School, Ballynahinch	4
Rowandale Integrated Primary School, Moira	4
Clare Primary School, Tandragee	1
Waringstown Primary School	2
Aughnacloy Primary School	1
Augher Central Primary School	1
Markethill Primary School	1
Drumadonnell Primary School	15
Orchard County Primary School, Portadown	3
Killyman Primary School, Dungannon	3
St Patrick's Primary School, Crossmaglen	5
St Brigid's Primary School, Crossmaglen	5
St Mary's Primary School Barr, Newry	4
St Patrick's Primary School, Mayobridge	4
St Mary's Primary School, Cabragh, Dungannon	2
St Patrick's Primary School, Hilltown, Newry	21
St Joseph's Primary School, Galbally, Dungannon	8

School	Additional Places
St Mary's Primary School, Banbridge	1
St Mary's Primary School, Pomeroy	1
St Mary's Primary School, Aughnacloy	4
St Francis' Primary School, Aghderg	1
St Colman's Primary School, Saval, Newry	1
St John's Primary School, Middletown, Armagh	7
St Francis Primary School, Lurgan	6
St Joseph & St James Primary School, Poyntzpass	3
Seagoe Primary School, Portadown	7
Gaelscoil Aodha Rua, Dungannon	2
Portadown Integrated Primary School,	14
Phoenix Integrated Primary School, Cookstown	5

**Note:** The data provided is for the period up to 28 May 2013

### Literacy and Numeracy Project

**Mr Kinahan** asked the Minister of Education to list the schools that his Department is inviting to participate in the literacy and numeracy project.

**(AQW 23291/11-15)**

**Mr O'Dowd:**

- 1 The Delivering Social Change Signature Project to improve literacy and numeracy was announced by OFMDFM in October 2012 and my Department is working with the Western Education and Library Board to deliver this important project. A Strategic Oversight Group with representation from the broad education community was established to develop the scheme, including the criteria for the selection of schools.  
  
The list of primary and post primary schools that have met the eligibility criteria for participation in the project is attached below.
- 2 Members of the Strategic Oversight Group met with a number of representative groups from the five Education and Library Boards during the development of the criteria for the selection of schools. The heads of Curriculum Advisory and Support Service also had considerable input based on their knowledge of schools and informal consultations with principals.  
  
Further, in relation to the consultation with the principals and teachers of the eligible schools, the principal of every eligible school has been invited to attend an information session arranged in their Education and Library Board area.
- 3 The consultation with parents of pupils who are identified as requiring extra support to improve their educational achievement will be carried out by the schools involved in the project.

### Primary Schools that Meet the Eligibility Criteria for Participation in the Dsc Literacy and Numeracy Project

ELB Area	School	Sector
BELB	Avoniel PS, Belfast	Controlled
BELB	Blackmountain PS, Belfast	Controlled
BELB	Blythefield PS, Belfast	Controlled
BELB	Botanic PS, Belfast	Controlled
BELB	Bunscoil Bheann Mhadagain, Belfast	Irish-medium
BELB	Bunscoil Mhic Reachtain, Belfast	Irish-medium
BELB	Cliftonville Integrated PS, Belfast	Controlled Integrated
BELB	Currie PS, Belfast	Controlled
BELB	Donegall Road PS, Belfast	Controlled
BELB	Edenbrooke PS, Belfast	Controlled

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
BELB	Edmund Rice (CB) PS, Belfast	Catholic Maintained
BELB	Elmgrove PS, Belfast	Controlled
BELB	Euston Street PS, Belfast	Controlled
BELB	Fane Street PS, Belfast	Controlled
BELB	Gaelscoil an Lonnain, Belfast	Irish-medium
BELB	Gaelscoil na Mona, Belfast	Irish-medium
BELB	Glenwood PS, Belfast	Controlled
BELB	Harmony PS, Belfast	Controlled
BELB	Holy Family PS, Belfast	Catholic Maintained
BELB	Holy Trinity PS, Belfast	Catholic Maintained
BELB	Knocknagoney PS, Belfast	Controlled
BELB	Ligoniel PS, Belfast	Controlled
BELB	Lowwood PS, Belfast	Controlled
BELB	Malvern PS, Belfast	Controlled
BELB	Nettlefield PS, Belfast	Controlled
BELB	Sacred Heart PS, Belfast	Catholic Maintained
BELB	Springfield PS, Belfast	Controlled
BELB	St Aidan's (CB) PS, Belfast	Catholic Maintained
BELB	St Clare's PS, Belfast	Catholic Maintained
BELB	St Joseph's PS, Belfast	Catholic Maintained
BELB	St Kevin's PS, Belfast	Catholic Maintained
BELB	St Malachy's PS, Belfast	Catholic Maintained
BELB	St Mary's PS, Belfast	Catholic Maintained
BELB	St Mary's Star of the Sea PS, Belfast	Catholic Maintained
BELB	St Matthew's PS, Belfast	Catholic Maintained
BELB	St Paul's PS, Belfast	Catholic Maintained
BELB	St Vincent de Paul PS, Belfast	Catholic Maintained
BELB	Star of the Sea Girls' PS, Belfast	Catholic Maintained
BELB	Taughmonagh PS, Belfast	Controlled
BELB	Victoria Park PS, Belfast	Controlled
BELB	Wheatfield PS, Belfast	Controlled
NEELB	Abbots Cross PS, Newtownabbey	Controlled
NEELB	Altayeskey PS, Draperstown	Catholic Maintained
NEELB	Ballycraigy PS, Muckamore	Controlled
NEELB	Ballykeel PS, Ballymena	Controlled
NEELB	Ballysally PS, Coleraine	Controlled
NEELB	Carhill Controlled Integrated PS, Garvagh	Controlled Integrated
NEELB	Crumlin Controlled Integrated PS	Controlled Integrated
NEELB	Earlview PS, Newtownabbey	Controlled
NEELB	Gaelscoil an Chaistil, Ballycastle	Irish-medium
NEELB	Groggan PS, Randalstown	Controlled

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
NEELB	Harpur's Hill PS, Coleraine	Controlled
NEELB	Harryville PS, Ballymena	Controlled
NEELB	Hollybank PS, Newtownabbey	Controlled
NEELB	Kirkinriola PS, Ballymena	Controlled
NEELB	Parkhall PS, Antrim	Controlled
NEELB	Rathcoole PS	Controlled
NEELB	Rathenraw Integrated PS, Antrim	Controlled Integrated
NEELB	Roundtower Integrated PS, Antrim	Controlled Integrated
NEELB	Silverstream PS, Greenisland	Controlled
NEELB	St Mary's PS, Greenlough	Catholic Maintained
NEELB	Sunnylands PS, Carrickfergus	Controlled
NEELB	The Diamond PS, Cullybackey	Controlled
NEELB	The Wm Pinkerton Memorial PS, Ballymoney	Controlled
NEELB	Woodlawn PS, Carrickfergus	Controlled
SEELB	Belvoir Park PS	Controlled
SEELB	Bloomfield Road PS, Bangor	Controlled
SEELB	Clandeboye PS, Bangor	Controlled
SEELB	Downpatrick PS	Controlled
SEELB	Drumlins Integrated PS, Ballynahinch	GM Integrated
SEELB	Killyleagh PS	Controlled
SEELB	Knockmore PS, Lisburn	Controlled
SEELB	Lisburn Central PS	Controlled
SEELB	Old Warren PS, Lisburn	Controlled
SEELB	Seymour Hill PS, Dunmurry	Controlled
SEELB	St Colmcille's PS, Downpatrick	Catholic Maintained
SEELB	St Kieran's PS, Dunmurry	Catholic Maintained
SEELB	St Luke's PS, Dunmurry	Catholic Maintained
SEELB	St Mark's PS, Dunmurry	Catholic Maintained
SEELB	St Nicholas' PS, Ardglass	Catholic Maintained
SEELB	The Good Shepherd PS, Dunmurry	Catholic Maintained
SEELB	Tonagh PS, Lisburn	Controlled
SEELB	Tullycarnet PS, Belfast	Controlled
SEELB	West Winds PS, Newtownards	Controlled
SELB	Donaghmore PS	Controlled
SELB	Mount St Catherine's PS, Armagh	Catholic Maintained
SELB	Primate Dixon PS, Coalisland	Catholic Maintained
SELB	St Colman's PS, Kilkeel	Catholic Maintained
SELB	St Francis of Assisi PS, Keady	Catholic Maintained
SELB	St Joseph's PS, Bessbrook	Catholic Maintained
SELB	St Malachy's PS, Carnagat	Catholic Maintained
SELB	St Mary's PS, Annalong	Catholic Maintained

ELB Area	School	Sector
SELB	St Mary's PS, Pomeroy	Catholic Maintained
SELB	St Michael's PS, Clady	Catholic Maintained
SELB	St Patrick's PS, Crossmaglen	Catholic Maintained
SELB	St Patrick's PS, Newry	Catholic Maintained
SELB	St Teresa's PS, Tullyherron	Catholic Maintained
SELB	Stewartstown PS	Controlled
SELB	Tullygally PS, Lurgan	Controlled
WELB	Aghadrumsee PS	Controlled
WELB	Ashlea PS, Derry	Controlled
WELB	Barrack Street Boys' PS, Strabane	Catholic Maintained
WELB	Belleek (2) PS	Controlled
WELB	Bunscoil an Traonaigh, Lisnaskea	Irish-medium
WELB	Chapel Road PS, Derry	Catholic Maintained
WELB	Donemana PS	Controlled
WELB	Drumachose PS, Limavady	Controlled
WELB	Ebrington Controlled PS	Controlled
WELB	Fountain PS, Derry	Controlled
WELB	Gaelscoil Eadain Mhoir, Derry	Irish-medium
WELB	Gaelscoil na gCrann, Omagh	Irish-medium
WELB	Holy Child PS, Derry	Catholic Maintained
WELB	Holy Family PS, Omagh	Catholic Maintained
WELB	Nazareth House PS, Derry	Catholic Maintained
WELB	Newbuildings PS	Controlled
WELB	Roe Valley Integrated PS, Limavady	GM Integrated
WELB	Rosemount PS, Derry	Catholic Maintained
WELB	St Caireall's PS, Castledearg	Catholic Maintained
WELB	St Columbkille's PS, Carrickmore	Catholic Maintained
WELB	St Joseph's PS (Glenmornan)	Catholic Maintained
WELB	St Mary's PS, Strabane	Catholic Maintained
WELB	St Oliver Plunkett PS, Strathfoyle	Catholic Maintained
WELB	St Paul's PS, Slievemore, Derry	Catholic Maintained

**Post-Primary Schools that Meet the Eligibility Criteria for Participation in the Dsc Literacy and Numeracy Project**

ELB Area	School	Sector
BELB	Ashfield Boys' High School	Controlled
BELB	Ashfield Girls' High School	Controlled
BELB	Belfast Boys' Model School	Controlled
BELB	Belfast Model School For Girls	Controlled
BELB	Campbell College	Voluntary Grammar
BELB	Christian Brothers School	Catholic Maintained
BELB	Colaiste Feirste	Irish-medium



<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
BELB	Corpus Christi College	Catholic Maintained
BELB	De La Salle College	Catholic Maintained
BELB	Hazelwood College	GM Integrated
BELB	Little Flower Girls' School	Catholic Maintained
BELB	Malone Integrated (GM) College	GM Integrated
BELB	Mercy College	Catholic Maintained
BELB	Orangefield High School	Controlled
BELB	St Genevieve's High School	Catholic Maintained
BELB	St Joseph's College	Catholic Maintained
BELB	St Louise's Comprehensive College	Catholic Maintained
BELB	St Mary's Christian Brothers' GS	Voluntary Grammar
BELB	St Patrick's College	Catholic Maintained
BELB	St Rose's High School	Catholic Maintained
NEELB	Ballee Community High School	Controlled
NEELB	Ballycastle High School	Controlled
NEELB	Ballyclare Secondary School	Controlled
NEELB	Ballymoney High School	Controlled
NEELB	Carrickfergus College	Controlled
NEELB	Coleraine College	Controlled
NEELB	Cross and Passion College, Ballycastle	Catholic Maintained
NEELB	Crumlin Integrated College	Controlled Integrated
NEELB	Cullybackey High School	Controlled
NEELB	Downshire School	Controlled
NEELB	Dunclug College	Controlled
NEELB	Dunluce School	Controlled
NEELB	Edmund Rice College, Newtownabbey	Catholic Maintained
NEELB	Glengormley High School	Controlled
NEELB	Larne High School	Controlled
NEELB	Magherafelt High School	Controlled
NEELB	Monkstown Community School	Controlled
NEELB	Newtownabbey Community High School	Controlled
NEELB	North Coast Integrated College	GM Integrated
NEELB	Our Lady of Lourdes High School, Ballymoney	Catholic Maintained
NEELB	Parkhall Integrated College	Controlled Integrated
NEELB	Slemish College	GM Integrated
NEELB	Sperrin Integrated College	GM Integrated
NEELB	St Benedict's College, Randalstown	Catholic Maintained
NEELB	St Colm's High School, Draperstown	Catholic Maintained
NEELB	St Joseph's College, Coleraine	Catholic Maintained
NEELB	St Killian's College, Carnlough	Catholic Maintained
NEELB	St Mary's College, Clady	Catholic Maintained

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
NEELB	St Patrick's Co-ed Comprehensive College, Maghera	Catholic Maintained
NEELB	St Patrick's College, Ballymena	Catholic Maintained
NEELB	St Paul's College, Kilrea	Catholic Maintained
NEELB	St Pius X College, Magherafelt	Catholic Maintained
NEELB	Ulidia Integrated College	GM Integrated
SEELB	Bangor Academy and 6th Form College	Controlled
SEELB	Blackwater Integrated College	GM Integrated
SEELB	De La Salle High School, Downpatrick	Catholic Maintained
SEELB	Dundonald High School	Controlled
SEELB	Fort Hill College	Controlled Integrated
SEELB	Glastry College	Controlled
SEELB	Knockbreda High School	Controlled
SEELB	Lagan College	GM Integrated
SEELB	Laurelhill Community College	Controlled
SEELB	Lisnagarvey High School	Controlled
SEELB	Movilla High School	Controlled
SEELB	Nendrum College	Controlled
SEELB	Newtownbreda High School	Controlled
SEELB	Priory College	Controlled Integrated
SEELB	Saintfield High School	Controlled
SEELB	Shimna Integrated College	GM Integrated
SEELB	St Colman's High School, Ballynahinch	Catholic Maintained
SEELB	St Colmcille's High School, Crossgar	Catholic Maintained
SEELB	St Colm's High School, Dunmurry	Catholic Maintained
SEELB	St Columbanus' College, Bangor	Catholic Maintained
SEELB	St Columba's College, Portaferry	Catholic Maintained
SEELB	St Malachy's High School, Castlewellan	Catholic Maintained
SEELB	St Mary's High School, Downpatrick	Catholic Maintained
SEELB	St Patrick's Academy, Lisburn	Catholic Maintained
SEELB	Strangford Integrated (GM) College	GM Integrated
SEELB	The High School Ballynahinch	Controlled
SELB	Aughnacloy High School	Controlled
SELB	Banbridge High School	Controlled
SELB	Brownlow Integrated College	Controlled Integrated
SELB	City Armagh High School	Controlled
SELB	Cookstown High School	Controlled
SELB	Craigavon Senior High School	Controlled
SELB	Dromore High School	Controlled
SELB	Drumcree College	Catholic Maintained
SELB	Drumglass High School	Controlled
SELB	Fivemiletown College	Controlled

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
SELB	Holy Trinity College, Cookstown	Catholic Maintained
SELB	Integrated College Dungannon	GM Integrated
SELB	Kilkeel High School	Controlled
SELB	Lismore Comprehensive School	Catholic Maintained
SELB	Markethill High School	Controlled
SELB	New-Bridge Integrated College	GM Integrated
SELB	Newry High School	Controlled
SELB	Newtownhamilton High School	Controlled
SELB	Rathfriland High School	Controlled
SELB	St Brigid's High School, Armagh	Catholic Maintained
SELB	St Catherine's College, Armagh	Catholic Maintained
SELB	St Ciaran's High School, Ballygawley	Catholic Maintained
SELB	St Columban's College, Kilkeel	Catholic Maintained
SELB	St Joseph's Boys' High School, Newry	Catholic Maintained
SELB	St Joseph's College, Coalisland	Catholic Maintained
SELB	St Joseph's High School, Crossmaglen	Catholic Maintained
SELB	St Mark's High School, Warrenpoint	Catholic Maintained
SELB	St Mary's High School, Lurgan	Catholic Maintained
SELB	St Mary's High School, Newry	Catholic Maintained
SELB	St Patrick's College, Banbridge	Catholic Maintained
SELB	St Patrick's College, Dungannon	Catholic Maintained
SELB	St Patrick's High School, Keady	Catholic Maintained
SELB	St Paul's High School, Bessbrook	Catholic Maintained
SELB	St Paul's Junior High School, Lurgan	Catholic Maintained
WELB	Castledearg High School	Controlled
WELB	Dean Maguirc College	Catholic Maintained
WELB	Devenish College	Controlled
WELB	Drumragh College	GM Integrated
WELB	Erne Integrated College	GM Integrated
WELB	Holy Cross College, Strabane	Catholic Maintained
WELB	Immaculate Conception College	Catholic Maintained
WELB	Limavady High School	Controlled
WELB	Lisnaskea High School	Controlled
WELB	Lisneal College	Controlled
WELB	Oakgrove Integrated College	GM Integrated
WELB	Omagh High School	Controlled
WELB	Sacred Heart College, Omagh	Catholic Maintained
WELB	St Aidan's High School, Derrylin	Catholic Maintained
WELB	St Brigid's College, Derry	Catholic Maintained
WELB	St Cecilia's College, Derry	Catholic Maintained
WELB	St Comhghall's College, Lisnaskea	Catholic Maintained

ELB Area	School	Sector
WELB	St Eugene's College, Roslea	Catholic Maintained
WELB	St Fanchea's College, Enniskillen	Catholic Maintained
WELB	St John's High School, Dromore	Catholic Maintained
WELB	St Joseph's Boys' School, Derry	Catholic Maintained
WELB	St Joseph's College, Enniskillen	Catholic Maintained
WELB	St Mary's College, Derry	Catholic Maintained
WELB	St Mary's College, Irvinestown	Catholic Maintained
WELB	St Mary's High School, Brollagh	Catholic Maintained
WELB	St Mary's Limavady	Catholic Maintained
WELB	St Patricks & St Brigids HS, Claudy	Catholic Maintained
WELB	St Patrick's College, Dungiven	Catholic Maintained
WELB	Strabane Academy	Controlled Grammar

### Literacy and Numeracy Project

**Mr Kinahan** asked the Minister of Education what consultation he conducted with principals and teachers from schools eligible for the literacy and numeracy project, prior to selecting the participating schools.

(AQW 23293/11-15)

**Mr O'Dowd:**

- 4 The Delivering Social Change Signature Project to improve literacy and numeracy was announced by OFMdfM in October 2012 and my Department is working with the Western Education and Library Board to deliver this important project. A Strategic Oversight Group with representation from the broad education community was established to develop the scheme, including the criteria for the selection of schools.

The list of primary and post primary schools that have met the eligibility criteria for participation in the project is attached below.

- 5 Members of the Strategic Oversight Group met with a number of representative groups from the five Education and Library Boards during the development of the criteria for the selection of schools. The heads of Curriculum Advisory and Support Service also had considerable input based on their knowledge of schools and informal consultations with principals.

Further, in relation to the consultation with the principals and teachers of the eligible schools, the principal of every eligible school has been invited to attend an information session arranged in their Education and Library Board area.

- 6 The consultation with parents of pupils who are identified as requiring extra support to improve their educational achievement will be carried out by the schools involved in the project.

### Primary Schools that Meet the Eligibility Criteria for Participation in the Dsc Literacy and Numeracy Project

ELB Area	School	Sector
BELB	Avoniel PS, Belfast	Controlled
BELB	Blackmountain PS, Belfast	Controlled
BELB	Blythefield PS, Belfast	Controlled
BELB	Botanic PS, Belfast	Controlled
BELB	Bunscoil Bheann Mhadagain, Belfast	Irish-medium
BELB	Bunscoil Mhic Reachtain, Belfast	Irish-medium
BELB	Cliftonville Integrated PS, Belfast	Controlled Integrated
BELB	Currie PS, Belfast	Controlled
BELB	Donegall Road PS, Belfast	Controlled
BELB	Edenbrooke PS, Belfast	Controlled
BELB	Edmund Rice (CB) PS, Belfast	Catholic Maintained

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
BELB	Elmgrove PS, Belfast	Controlled
BELB	Euston Street PS, Belfast	Controlled
BELB	Fane Street PS, Belfast	Controlled
BELB	Gaelscoil an Lonnain, Belfast	Irish-medium
BELB	Gaelscoil na Mona, Belfast	Irish-medium
BELB	Glenwood PS, Belfast	Controlled
BELB	Harmony PS, Belfast	Controlled
BELB	Holy Family PS, Belfast	Catholic Maintained
BELB	Holy Trinity PS, Belfast	Catholic Maintained
BELB	Knocknagoney PS, Belfast	Controlled
BELB	Ligoniel PS, Belfast	Controlled
BELB	Lowwood PS, Belfast	Controlled
BELB	Malvern PS, Belfast	Controlled
BELB	Nettlefield PS, Belfast	Controlled
BELB	Sacred Heart PS, Belfast	Catholic Maintained
BELB	Springfield PS, Belfast	Controlled
BELB	St Aidan's (CB) PS, Belfast	Catholic Maintained
BELB	St Clare's PS, Belfast	Catholic Maintained
BELB	St Joseph's PS, Belfast	Catholic Maintained
BELB	St Kevin's PS, Belfast	Catholic Maintained
BELB	St Malachy's PS, Belfast	Catholic Maintained
BELB	St Mary's PS, Belfast	Catholic Maintained
BELB	St Mary's Star of the Sea PS, Belfast	Catholic Maintained
BELB	St Matthew's PS, Belfast	Catholic Maintained
BELB	St Paul's PS, Belfast	Catholic Maintained
BELB	St Vincent de Paul PS, Belfast	Catholic Maintained
BELB	Star of the Sea Girls' PS, Belfast	Catholic Maintained
BELB	Taughmonagh PS, Belfast	Controlled
BELB	Victoria Park PS, Belfast	Controlled
BELB	Wheatfield PS, Belfast	Controlled
NEELB	Abbots Cross PS, Newtownabbey	Controlled
NEELB	Altayeskey PS, Draperstown	Catholic Maintained
NEELB	Ballycraigy PS, Muckamore	Controlled
NEELB	Ballykeel PS, Ballymena	Controlled
NEELB	Ballysally PS, Coleraine	Controlled
NEELB	Carhill Controlled Integrated PS, Garvagh	Controlled Integrated
NEELB	Crumlin Controlled Integrated PS	Controlled Integrated
NEELB	Earlview PS, Newtownabbey	Controlled
NEELB	Gaelscoil an Chaistil, Ballycastle	Irish-medium
NEELB	Groggan PS, Randalstown	Controlled
NEELB	Harpur's Hill PS, Coleraine	Controlled

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
NEELB	Harryville PS, Ballymena	Controlled
NEELB	Hollybank PS, Newtownabbey	Controlled
NEELB	Kirkinriola PS, Ballymena	Controlled
NEELB	Parkhall PS, Antrim	Controlled
NEELB	Rathcoole PS	Controlled
NEELB	Rathenraw Integrated PS, Antrim	Controlled Integrated
NEELB	Roundtower Integrated PS, Antrim	Controlled Integrated
NEELB	Silverstream PS, Greenisland	Controlled
NEELB	St Mary's PS, Greenlough	Catholic Maintained
NEELB	Sunnylands PS, Carrickfergus	Controlled
NEELB	The Diamond PS, Cullybackey	Controlled
NEELB	The Wm Pinkerton Memorial PS, Ballymoney	Controlled
NEELB	Woodlawn PS, Carrickfergus	Controlled
SEELB	Belvoir Park PS	Controlled
SEELB	Bloomfield Road PS, Bangor	Controlled
SEELB	Clandeboye PS, Bangor	Controlled
SEELB	Downpatrick PS	Controlled
SEELB	Drumlins Integrated PS, Ballynahinch	GM Integrated
SEELB	Killyleagh PS	Controlled
SEELB	Knockmore PS, Lisburn	Controlled
SEELB	Lisburn Central PS	Controlled
SEELB	Old Warren PS, Lisburn	Controlled
SEELB	Seymour Hill PS, Dunmurry	Controlled
SEELB	St Colmcille's PS, Downpatrick	Catholic Maintained
SEELB	St Kieran's PS, Dunmurry	Catholic Maintained
SEELB	St Luke's PS, Dunmurry	Catholic Maintained
SEELB	St Mark's PS, Dunmurry	Catholic Maintained
SEELB	St Nicholas' PS, Ardglass	Catholic Maintained
SEELB	The Good Shepherd PS, Dunmurry	Catholic Maintained
SEELB	Tonagh PS, Lisburn	Controlled
SEELB	Tullycarnet PS, Belfast	Controlled
SEELB	West Winds PS, Newtownards	Controlled
SELB	Donaghmore PS	Controlled
SELB	Mount St Catherine's PS, Armagh	Catholic Maintained
SELB	Primate Dixon PS, Coalisland	Catholic Maintained
SELB	St Colman's PS, Kilkeel	Catholic Maintained
SELB	St Francis of Assisi PS, Keady	Catholic Maintained
SELB	St Joseph's PS, Bessbrook	Catholic Maintained
SELB	St Malachy's PS, Carnagat	Catholic Maintained
SELB	St Mary's PS, Annalong	Catholic Maintained
SELB	St Mary's PS, Pomeroy	Catholic Maintained

ELB Area	School	Sector
SELB	St Michael's PS, Clady	Catholic Maintained
SELB	St Patrick's PS, Crossmaglen	Catholic Maintained
SELB	St Patrick's PS, Newry	Catholic Maintained
SELB	St Teresa's PS, Tullyherron	Catholic Maintained
SELB	Stewartstown PS	Controlled
SELB	Tullygally PS, Lurgan	Controlled
WELB	Aghadrumsee PS	Controlled
WELB	Ashlea PS, Derry	Controlled
WELB	Barrack Street Boys' PS, Strabane	Catholic Maintained
WELB	Belleek (2) PS	Controlled
WELB	Bunscoil an Traonaigh, Lisnaskea	Irish-medium
WELB	Chapel Road PS, Derry	Catholic Maintained
WELB	Donemana PS	Controlled
WELB	Drumachose PS, Limavady	Controlled
WELB	Ebrington Controlled PS	Controlled
WELB	Fountain PS, Derry	Controlled
WELB	Gaelscoil Eadain Mhoir, Derry	Irish-medium
WELB	Gaelscoil na gCrann, Omagh	Irish-medium
WELB	Holy Child PS, Derry	Catholic Maintained
WELB	Holy Family PS, Omagh	Catholic Maintained
WELB	Nazareth House PS, Derry	Catholic Maintained
WELB	Newbuildings PS	Controlled
WELB	Roe Valley Integrated PS, Limavady	GM Integrated
WELB	Rosemount PS, Derry	Catholic Maintained
WELB	St Caireall's PS, Castlederg	Catholic Maintained
WELB	St Columbkille's PS, Carrickmore	Catholic Maintained
WELB	St Joseph's PS (Glenmornan)	Catholic Maintained
WELB	St Mary's PS, Strabane	Catholic Maintained
WELB	St Oliver Plunkett PS, Strathfoyle	Catholic Maintained
WELB	St Paul's PS, Slievemore, Derry	Catholic Maintained

**Post-Primary Schools that Meet the Eligibility Criteria for Participation in the Dsc Literacy and Numeracy Project**

ELB Area	School	Sector
BELB	Ashfield Boys' High School	Controlled
BELB	Ashfield Girls' High School	Controlled
BELB	Belfast Boys' Model School	Controlled
BELB	Belfast Model School For Girls	Controlled
BELB	Campbell College	Voluntary Grammar
BELB	Christian Brothers School	Catholic Maintained
BELB	Colaiste Feirste	Irish-medium
BELB	Corpus Christi College	Catholic Maintained

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
BELB	De La Salle College	Catholic Maintained
BELB	Hazelwood College	GM Integrated
BELB	Little Flower Girls' School	Catholic Maintained
BELB	Malone Integrated (GM) College	GM Integrated
BELB	Mercy College	Catholic Maintained
BELB	Orangefield High School	Controlled
BELB	St Genevieve's High School	Catholic Maintained
BELB	St Joseph's College	Catholic Maintained
BELB	St Louise's Comprehensive College	Catholic Maintained
BELB	St Mary's Christian Brothers' GS	Voluntary Grammar
BELB	St Patrick's College	Catholic Maintained
BELB	St Rose's High School	Catholic Maintained
NEELB	Ballee Community High School	Controlled
NEELB	Ballycastle High School	Controlled
NEELB	Ballyclare Secondary School	Controlled
NEELB	Ballymoney High School	Controlled
NEELB	Carrickfergus College	Controlled
NEELB	Coleraine College	Controlled
NEELB	Cross and Passion College, Ballycastle	Catholic Maintained
NEELB	Crumlin Integrated College	Controlled Integrated
NEELB	Cullybackey High School	Controlled
NEELB	Downshire School	Controlled
NEELB	Dunclug College	Controlled
NEELB	Dunluce School	Controlled
NEELB	Edmund Rice College, Newtownabbey	Catholic Maintained
NEELB	Glengormley High School	Controlled
NEELB	Larne High School	Controlled
NEELB	Magherafelt High School	Controlled
NEELB	Monkstown Community School	Controlled
NEELB	Newtownabbey Community High School	Controlled
NEELB	North Coast Integrated College	GM Integrated
NEELB	Our Lady of Lourdes High School, Ballymoney	Catholic Maintained
NEELB	Parkhall Integrated College	Controlled Integrated
NEELB	Slemish College	GM Integrated
NEELB	Sperrin Integrated College	GM Integrated
NEELB	St Benedict's College, Randalstown	Catholic Maintained
NEELB	St Colm's High School, Draperstown	Catholic Maintained
NEELB	St Joseph's College, Coleraine	Catholic Maintained
NEELB	St Killian's College, Carnlough	Catholic Maintained
NEELB	St Mary's College, Clady	Catholic Maintained
NEELB	St Patrick's Co-ed Comprehensive College, Maghera	Catholic Maintained



<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
NEELB	St Patrick's College, Ballymena	Catholic Maintained
NEELB	St Paul's College, Kilrea	Catholic Maintained
NEELB	St Pius X College, Magherafelt	Catholic Maintained
NEELB	Ulidia Integrated College	GM Integrated
SEELB	Bangor Academy and 6th Form College	Controlled
SEELB	Blackwater Integrated College	GM Integrated
SEELB	De La Salle High School, Downpatrick	Catholic Maintained
SEELB	Dundonald High School	Controlled
SEELB	Fort Hill College	Controlled Integrated
SEELB	Glastry College	Controlled
SEELB	Knockbreda High School	Controlled
SEELB	Lagan College	GM Integrated
SEELB	Laurelhill Community College	Controlled
SEELB	Lisnagarvey High School	Controlled
SEELB	Movilla High School	Controlled
SEELB	Nendrum College	Controlled
SEELB	Newtownbreda High School	Controlled
SEELB	Priory College	Controlled Integrated
SEELB	Saintfield High School	Controlled
SEELB	Shimna Integrated College	GM Integrated
SEELB	St Colman's High School, Ballynahinch	Catholic Maintained
SEELB	St Colmcille's High School, Crossgar	Catholic Maintained
SEELB	St Colm's High School, Dunmurry	Catholic Maintained
SEELB	St Columbanus' College, Bangor	Catholic Maintained
SEELB	St Columba's College, Portaferry	Catholic Maintained
SEELB	St Malachy's High School, Castlewellan	Catholic Maintained
SEELB	St Mary's High School, Downpatrick	Catholic Maintained
SEELB	St Patrick's Academy, Lisburn	Catholic Maintained
SEELB	Strangford Integrated (GM) College	GM Integrated
SEELB	The High School Ballynahinch	Controlled
SELB	Aughnacloy High School	Controlled
SELB	Banbridge High School	Controlled
SELB	Brownlow Integrated College	Controlled Integrated
SELB	City Armagh High School	Controlled
SELB	Cookstown High School	Controlled
SELB	Craigavon Senior High School	Controlled
SELB	Dromore High School	Controlled
SELB	Drumcree College	Catholic Maintained
SELB	Drumglass High School	Controlled
SELB	Fivemiletown College	Controlled
SELB	Holy Trinity College, Cookstown	Catholic Maintained

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
SELB	Integrated College Dungannon	GM Integrated
SELB	Kilkeel High School	Controlled
SELB	Lismore Comprehensive School	Catholic Maintained
SELB	Markethill High School	Controlled
SELB	New-Bridge Integrated College	GM Integrated
SELB	Newry High School	Controlled
SELB	Newtownhamilton High School	Controlled
SELB	Rathfriland High School	Controlled
SELB	St Brigid's High School, Armagh	Catholic Maintained
SELB	St Catherine's College, Armagh	Catholic Maintained
SELB	St Ciaran's High School, Ballygawley	Catholic Maintained
SELB	St Columban's College, Kilkeel	Catholic Maintained
SELB	St Joseph's Boys' High School, Newry	Catholic Maintained
SELB	St Joseph's College, Coalisland	Catholic Maintained
SELB	St Joseph's High School, Crossmaglen	Catholic Maintained
SELB	St Mark's High School, Warrenpoint	Catholic Maintained
SELB	St Mary's High School, Lurgan	Catholic Maintained
SELB	St Mary's High School, Newry	Catholic Maintained
SELB	St Patrick's College, Banbridge	Catholic Maintained
SELB	St Patrick's College, Dungannon	Catholic Maintained
SELB	St Patrick's High School, Keady	Catholic Maintained
SELB	St Paul's High School, Bessbrook	Catholic Maintained
SELB	St Paul's Junior High School, Lurgan	Catholic Maintained
WELB	Castledearg High School	Controlled
WELB	Dean Maguirc College	Catholic Maintained
WELB	Devenish College	Controlled
WELB	Drumragh College	GM Integrated
WELB	Erne Integrated College	GM Integrated
WELB	Holy Cross College, Strabane	Catholic Maintained
WELB	Immaculate Conception College	Catholic Maintained
WELB	Limavady High School	Controlled
WELB	Lisnaskea High School	Controlled
WELB	Lisneal College	Controlled
WELB	Oakgrove Integrated College	GM Integrated
WELB	Omagh High School	Controlled
WELB	Sacred Heart College, Omagh	Catholic Maintained
WELB	St Aidan's High School, Derrylin	Catholic Maintained
WELB	St Brigid's College, Derry	Catholic Maintained
WELB	St Cecilia's College, Derry	Catholic Maintained
WELB	St Comhghall's College, Lisnaskea	Catholic Maintained
WELB	St Eugene's College, Roslea	Catholic Maintained

ELB Area	School	Sector
WELB	St Fanchea's College, Enniskillen	Catholic Maintained
WELB	St John's High School, Dromore	Catholic Maintained
WELB	St Joseph's Boys' School, Derry	Catholic Maintained
WELB	St Joseph's College, Enniskillen	Catholic Maintained
WELB	St Mary's College, Derry	Catholic Maintained
WELB	St Mary's College, Irvinestown	Catholic Maintained
WELB	St Mary's High School, Brollagh	Catholic Maintained
WELB	St Mary's Limavady	Catholic Maintained
WELB	St Patricks & St Brigids HS, Claudy	Catholic Maintained
WELB	St Patrick's College, Dungiven	Catholic Maintained
WELB	Strabane Academy	Controlled Grammar

### Literacy and Numeracy Project

**Mr Kinahan** asked the Minister of Education what consideration his Department gave to parents and community groups when selecting the schools to participate in the literacy and numeracy project.

**(AQW 23295/11-15)**

**Mr O'Dowd:**

- 7 The Delivering Social Change Signature Project to improve literacy and numeracy was announced by OFMdFM in October 2012 and my Department is working with the Western Education and Library Board to deliver this important project. A Strategic Oversight Group with representation from the broad education community was established to develop the scheme, including the criteria for the selection of schools.

The list of primary and post primary schools that have met the eligibility criteria for participation in the project is attached below.

- 8 Members of the Strategic Oversight Group met with a number of representative groups from the five Education and Library Boards during the development of the criteria for the selection of schools. The heads of Curriculum Advisory and Support Service also had considerable input based on their knowledge of schools and informal consultations with principals.

Further, in relation to the consultation with the principals and teachers of the eligible schools, the principal of every eligible school has been invited to attend an information session arranged in their Education and Library Board area.

- 9 The consultation with parents of pupils who are identified as requiring extra support to improve their educational achievement will be carried out by the schools involved in the project.

### Primary Schools that Meet the Eligibility Criteria for Participation in the Dsc Literacy and Numeracy Project

ELB Area	School	Sector
BELB	Avoniel PS, Belfast	Controlled
BELB	Blackmountain PS, Belfast	Controlled
BELB	Blythefield PS, Belfast	Controlled
BELB	Botanic PS, Belfast	Controlled
BELB	Bunscoil Bheann Mhadagain, Belfast	Irish-medium
BELB	Bunscoil Mhic Reachtain, Belfast	Irish-medium
BELB	Cliftonville Integrated PS, Belfast	Controlled Integrated
BELB	Currie PS, Belfast	Controlled
BELB	Donegall Road PS, Belfast	Controlled
BELB	Edenbrooke PS, Belfast	Controlled
BELB	Edmund Rice (CB) PS, Belfast	Catholic Maintained
BELB	Elmgrove PS, Belfast	Controlled

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
BELB	Euston Street PS, Belfast	Controlled
BELB	Fane Street PS, Belfast	Controlled
BELB	Gaelscoil an Lonnain, Belfast	Irish-medium
BELB	Gaelscoil na Mona, Belfast	Irish-medium
BELB	Glenwood PS, Belfast	Controlled
BELB	Harmony PS, Belfast	Controlled
BELB	Holy Family PS, Belfast	Catholic Maintained
BELB	Holy Trinity PS, Belfast	Catholic Maintained
BELB	Knocknagoney PS, Belfast	Controlled
BELB	Ligoniel PS, Belfast	Controlled
BELB	Lowwood PS, Belfast	Controlled
BELB	Malvern PS, Belfast	Controlled
BELB	Nettlefield PS, Belfast	Controlled
BELB	Sacred Heart PS, Belfast	Catholic Maintained
BELB	Springfield PS, Belfast	Controlled
BELB	St Aidan's (CB) PS, Belfast	Catholic Maintained
BELB	St Clare's PS, Belfast	Catholic Maintained
BELB	St Joseph's PS, Belfast	Catholic Maintained
BELB	St Kevin's PS, Belfast	Catholic Maintained
BELB	St Malachy's PS, Belfast	Catholic Maintained
BELB	St Mary's PS, Belfast	Catholic Maintained
BELB	St Mary's Star of the Sea PS, Belfast	Catholic Maintained
BELB	St Matthew's PS, Belfast	Catholic Maintained
BELB	St Paul's PS, Belfast	Catholic Maintained
BELB	St Vincent de Paul PS, Belfast	Catholic Maintained
BELB	Star of the Sea Girls' PS, Belfast	Catholic Maintained
BELB	Taughmonagh PS, Belfast	Controlled
BELB	Victoria Park PS, Belfast	Controlled
BELB	Wheatfield PS, Belfast	Controlled
NEELB	Abbots Cross PS, Newtownabbey	Controlled
NEELB	Altayeskey PS, Draperstown	Catholic Maintained
NEELB	Ballycraigy PS, Muckamore	Controlled
NEELB	Ballykeel PS, Ballymena	Controlled
NEELB	Ballysally PS, Coleraine	Controlled
NEELB	Carhill Controlled Integrated PS, Garvagh	Controlled Integrated
NEELB	Crumlin Controlled Integrated PS	Controlled Integrated
NEELB	Earlview PS, Newtownabbey	Controlled
NEELB	Gaelscoil an Chaistil, Ballycastle	Irish-medium
NEELB	Groggan PS, Randalstown	Controlled
NEELB	Harpur's Hill PS, Coleraine	Controlled
NEELB	Harryville PS, Ballymena	Controlled

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
NEELB	Hollybank PS, Newtownabbey	Controlled
NEELB	Kirkinriola PS, Ballymena	Controlled
NEELB	Parkhall PS, Antrim	Controlled
NEELB	Rathcoole PS	Controlled
NEELB	Rathenraw Integrated PS, Antrim	Controlled Integrated
NEELB	Roundtower Integrated PS, Antrim	Controlled Integrated
NEELB	Silverstream PS, Greenisland	Controlled
NEELB	St Mary's PS, Greenlough	Catholic Maintained
NEELB	Sunnylands PS, Carrickfergus	Controlled
NEELB	The Diamond PS, Cullybackey	Controlled
NEELB	The Wm Pinkerton Memorial PS, Ballymoney	Controlled
NEELB	Woodlawn PS, Carrickfergus	Controlled
SEELB	Belvoir Park PS	Controlled
SEELB	Bloomfield Road PS, Bangor	Controlled
SEELB	Clandeboye PS, Bangor	Controlled
SEELB	Downpatrick PS	Controlled
SEELB	Drumlins Integrated PS, Ballynahinch	GM Integrated
SEELB	Killyleagh PS	Controlled
SEELB	Knockmore PS, Lisburn	Controlled
SEELB	Lisburn Central PS	Controlled
SEELB	Old Warren PS, Lisburn	Controlled
SEELB	Seymour Hill PS, Dunmurry	Controlled
SEELB	St Colmcille's PS, Downpatrick	Catholic Maintained
SEELB	St Kieran's PS, Dunmurry	Catholic Maintained
SEELB	St Luke's PS, Dunmurry	Catholic Maintained
SEELB	St Mark's PS, Dunmurry	Catholic Maintained
SEELB	St Nicholas' PS, Ardglass	Catholic Maintained
SEELB	The Good Shepherd PS, Dunmurry	Catholic Maintained
SEELB	Tonagh PS, Lisburn	Controlled
SEELB	Tullycarnet PS, Belfast	Controlled
SEELB	West Winds PS, Newtownards	Controlled
SELB	Donaghmore PS	Controlled
SELB	Mount St Catherine's PS, Armagh	Catholic Maintained
SELB	Primate Dixon PS, Coalisland	Catholic Maintained
SELB	St Colman's PS, Kilkeel	Catholic Maintained
SELB	St Francis of Assisi PS, Keady	Catholic Maintained
SELB	St Joseph's PS, Bessbrook	Catholic Maintained
SELB	St Malachy's PS, Carnagat	Catholic Maintained
SELB	St Mary's PS, Annalong	Catholic Maintained
SELB	St Mary's PS, Pomeroy	Catholic Maintained
SELB	St Michael's PS, Clady	Catholic Maintained

ELB Area	School	Sector
SELB	St Patrick's PS, Crossmaglen	Catholic Maintained
SELB	St Patrick's PS, Newry	Catholic Maintained
SELB	St Teresa's PS, Tullyherron	Catholic Maintained
SELB	Stewartstown PS	Controlled
SELB	Tullygally PS, Lurgan	Controlled
WELB	Aghadrumsee PS	Controlled
WELB	Ashlea PS, Derry	Controlled
WELB	Barrack Street Boys' PS, Strabane	Catholic Maintained
WELB	Belleek (2) PS	Controlled
WELB	Bunscoil an Traonaigh, Lisnaskea	Irish-medium
WELB	Chapel Road PS, Derry	Catholic Maintained
WELB	Donemana PS	Controlled
WELB	Drumachose PS, Limavady	Controlled
WELB	Ebrington Controlled PS	Controlled
WELB	Fountain PS, Derry	Controlled
WELB	Gaelscoil Eadain Mhoir, Derry	Irish-medium
WELB	Gaelscoil na gCrann, Omagh	Irish-medium
WELB	Holy Child PS, Derry	Catholic Maintained
WELB	Holy Family PS, Omagh	Catholic Maintained
WELB	Nazareth House PS, Derry	Catholic Maintained
WELB	Newbuildings PS	Controlled
WELB	Roe Valley Integrated PS, Limavady	GM Integrated
WELB	Rosemount PS, Derry	Catholic Maintained
WELB	St Caireall's PS, Castledearg	Catholic Maintained
WELB	St Columbkille's PS, Carrickmore	Catholic Maintained
WELB	St Joseph's PS (Glenmornan)	Catholic Maintained
WELB	St Mary's PS, Strabane	Catholic Maintained
WELB	St Oliver Plunkett PS, Strathfoyle	Catholic Maintained
WELB	St Paul's PS, Slievemore, Derry	Catholic Maintained

**Post-Primary Schools that Meet the Eligibility Criteria for Participation in the Dsc Literacy and Numeracy Project**

ELB Area	School	Sector
BELB	Ashfield Boys' High School	Controlled
BELB	Ashfield Girls' High School	Controlled
BELB	Belfast Boys' Model School	Controlled
BELB	Belfast Model School For Girls	Controlled
BELB	Campbell College	Voluntary Grammar
BELB	Christian Brothers School	Catholic Maintained
BELB	Colaiste Feirste	Irish-medium
BELB	Corpus Christi College	Catholic Maintained
BELB	De La Salle College	Catholic Maintained

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
BELB	Hazelwood College	GM Integrated
BELB	Little Flower Girls' School	Catholic Maintained
BELB	Malone Integrated (GM) College	GM Integrated
BELB	Mercy College	Catholic Maintained
BELB	Orangefield High School	Controlled
BELB	St Genevieve's High School	Catholic Maintained
BELB	St Joseph's College	Catholic Maintained
BELB	St Louise's Comprehensive College	Catholic Maintained
BELB	St Mary's Christian Brothers' GS	Voluntary Grammar
BELB	St Patrick's College	Catholic Maintained
BELB	St Rose's High School	Catholic Maintained
NEELB	Ballee Community High School	Controlled
NEELB	Ballycastle High School	Controlled
NEELB	Ballyclare Secondary School	Controlled
NEELB	Ballymoney High School	Controlled
NEELB	Carrickfergus College	Controlled
NEELB	Coleraine College	Controlled
NEELB	Cross and Passion College, Ballycastle	Catholic Maintained
NEELB	Crumlin Integrated College	Controlled Integrated
NEELB	Cullybackey High School	Controlled
NEELB	Downshire School	Controlled
NEELB	Dunclug College	Controlled
NEELB	Dunluce School	Controlled
NEELB	Edmund Rice College, Newtownabbey	Catholic Maintained
NEELB	Glengormley High School	Controlled
NEELB	Larne High School	Controlled
NEELB	Magherafelt High School	Controlled
NEELB	Monkstown Community School	Controlled
NEELB	Newtownabbey Community High School	Controlled
NEELB	North Coast Integrated College	GM Integrated
NEELB	Our Lady of Lourdes High School, Ballymoney	Catholic Maintained
NEELB	Parkhall Integrated College	Controlled Integrated
NEELB	Slemish College	GM Integrated
NEELB	Sperrin Integrated College	GM Integrated
NEELB	St Benedict's College, Randalstown	Catholic Maintained
NEELB	St Colm's High School, Draperstown	Catholic Maintained
NEELB	St Joseph's College, Coleraine	Catholic Maintained
NEELB	St Killian's College, Carnlough	Catholic Maintained
NEELB	St Mary's College, Clady	Catholic Maintained
NEELB	St Patrick's Co-ed Comprehensive College. Maghera	Catholic Maintained
NEELB	St Patrick's College, Ballymena	Catholic Maintained

<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
NEELB	St Paul's College, Kilrea	Catholic Maintained
NEELB	St Pius X College, Magherafelt	Catholic Maintained
NEELB	Ulidia Integrated College	GM Integrated
SEELB	Bangor Academy and 6th Form College	Controlled
SEELB	Blackwater Integrated College	GM Integrated
SEELB	De La Salle High School, Downpatrick	Catholic Maintained
SEELB	Dundonald High School	Controlled
SEELB	Fort Hill College	Controlled Integrated
SEELB	Glastry College	Controlled
SEELB	Knockbreda High School	Controlled
SEELB	Lagan College	GM Integrated
SEELB	Laurelhill Community College	Controlled
SEELB	Lisnagarvey High School	Controlled
SEELB	Movilla High School	Controlled
SEELB	Nendrum College	Controlled
SEELB	Newtownbreda High School	Controlled
SEELB	Priory College	Controlled Integrated
SEELB	Saintfield High School	Controlled
SEELB	Shimna Integrated College	GM Integrated
SEELB	St Colman's High School, Ballynahinch	Catholic Maintained
SEELB	St Colmcille's High School, Crossgar	Catholic Maintained
SEELB	St Colm's High School, Dunmurry	Catholic Maintained
SEELB	St Columbanus' College, Bangor	Catholic Maintained
SEELB	St Columba's College, Portaferry	Catholic Maintained
SEELB	St Malachy's High School, Castlewellan	Catholic Maintained
SEELB	St Mary's High School, Downpatrick	Catholic Maintained
SEELB	St Patrick's Academy, Lisburn	Catholic Maintained
SEELB	Strangford Integrated (GM) College	GM Integrated
SEELB	The High School Ballynahinch	Controlled
SELB	Aughnacloy High School	Controlled
SELB	Banbridge High School	Controlled
SELB	Brownlow Integrated College	Controlled Integrated
SELB	City Armagh High School	Controlled
SELB	Cookstown High School	Controlled
SELB	Craigavon Senior High School	Controlled
SELB	Dromore High School	Controlled
SELB	Drumcree College	Catholic Maintained
SELB	Drumglass High School	Controlled
SELB	Fivemiletown College	Controlled
SELB	Holy Trinity College, Cookstown	Catholic Maintained
SELB	Integrated College Dungannon	GM Integrated



<b>ELB Area</b>	<b>School</b>	<b>Sector</b>
SELB	Kilkeel High School	Controlled
SELB	Lismore Comprehensive School	Catholic Maintained
SELB	Markethill High School	Controlled
SELB	New-Bridge Integrated College	GM Integrated
SELB	Newry High School	Controlled
SELB	Newtownhamilton High School	Controlled
SELB	Rathfriland High School	Controlled
SELB	St Brigid's High School, Armagh	Catholic Maintained
SELB	St Catherine's College, Armagh	Catholic Maintained
SELB	St Ciaran's High School, Ballygawley	Catholic Maintained
SELB	St Columban's College, Kilkeel	Catholic Maintained
SELB	St Joseph's Boys' High School, Newry	Catholic Maintained
SELB	St Joseph's College, Coalisland	Catholic Maintained
SELB	St Joseph's High School, Crossmaglen	Catholic Maintained
SELB	St Mark's High School, Warrenpoint	Catholic Maintained
SELB	St Mary's High School, Lurgan	Catholic Maintained
SELB	St Mary's High School, Newry	Catholic Maintained
SELB	St Patrick's College, Banbridge	Catholic Maintained
SELB	St Patrick's College, Dungannon	Catholic Maintained
SELB	St Patrick's High School, Keady	Catholic Maintained
SELB	St Paul's High School, Bessbrook	Catholic Maintained
SELB	St Paul's Junior High School, Lurgan	Catholic Maintained
WELB	Castledearg High School	Controlled
WELB	Dean Maguirc College	Catholic Maintained
WELB	Devenish College	Controlled
WELB	Drumragh College	GM Integrated
WELB	Erne Integrated College	GM Integrated
WELB	Holy Cross College, Strabane	Catholic Maintained
WELB	Immaculate Conception College	Catholic Maintained
WELB	Limavady High School	Controlled
WELB	Lisnaskea High School	Controlled
WELB	Lisneal College	Controlled
WELB	Oakgrove Integrated College	GM Integrated
WELB	Omagh High School	Controlled
WELB	Sacred Heart College, Omagh	Catholic Maintained
WELB	St Aidan's High School, Derrylin	Catholic Maintained
WELB	St Brigid's College, Derry	Catholic Maintained
WELB	St Cecilia's College, Derry	Catholic Maintained
WELB	St Comhghall's College, Lisnaskea	Catholic Maintained
WELB	St Eugene's College, Roslea	Catholic Maintained
WELB	St Fanchea's College, Enniskillen	Catholic Maintained

ELB Area	School	Sector
WELB	St John's High School, Dromore	Catholic Maintained
WELB	St Joseph's Boys' School, Derry	Catholic Maintained
WELB	St Joseph's College, Enniskillen	Catholic Maintained
WELB	St Mary's College, Derry	Catholic Maintained
WELB	St Mary's College, Irvinestown	Catholic Maintained
WELB	St Mary's High School, Brollagh	Catholic Maintained
WELB	St Mary's Limavady	Catholic Maintained
WELB	St Patricks & St Brigids HS, Claudy	Catholic Maintained
WELB	St Patrick's College, Dungiven	Catholic Maintained
WELB	Strabane Academy	Controlled Grammar

### Newly Qualified Teachers

**Mr Campbell** asked the Minister of Education how many newly qualified teachers will be eligible to apply for the recently announced two-year posts.

**(AQW 23302/11-15)**

**Mr O'Dowd:** To be eligible to apply for the teaching posts as part of the Delivering Social Change Signature Project on improving literacy and numeracy (the Project), newly qualified teachers must have qualified between June 2010 and June 2013 and not be in a permanent teaching post. In addition, they must be registered with the General Teaching Council for Northern Ireland (GTCNI) to teach in grant-aided schools by the time they take up the teaching post.

At January 2013, 1,058 graduate teachers meeting the criteria for these posts were registered with the GTCNI to teach in the north of Ireland. However, it is not possible to state the total number of graduate teachers who could potentially be eligible to apply for these posts. This is because we don't know how many graduates from the June 2013 cohort, graduating from colleges in the north of Ireland or outside the north of Ireland, will apply for these posts. Also, there may be eligible graduate teachers from 2010 to 2012 who to date haven't registered with GTCNI but who may now decide to do so in order to take up one of these posts.

### Exams: Northern Ireland and England

**Mr Kinahan** asked the Minister of Education for his assessment of the recent comments by the Secretary of State for Education on the harmonisation of exams between Northern Ireland and England.

**(AQW 23355/11-15)**

**Mr O'Dowd:** I have made it clear that my priority is the best interests of the young people studying for and sitting examinations in the north of Ireland.

Irrespective of whether 3-jurisdiction arrangements are in place or not, the transparency, portability and credibility of the GCSEs and A levels taken in the north of Ireland continue to be of paramount importance, and this should remain the case. It is my view that the best way to ensure that this happens is to work together on a three-jurisdiction basis.

However, I recognise that we are each taking different policy directions in relation to GCSE and A level qualifications and it is right that the implications of these differences are discussed fully both at a policy and a regulatory level. I am aware that there has already been some discussion of these issues by the qualifications regulators and I would be keen that these discussions continue.

I will want to take a view of where there can be differences, and how these can be accommodated in a way that ensures that standards can be maintained across the three jurisdictions. For example, I do not accept that the changes to the assessment arrangements in themselves should lead to 'different' qualifications. I acknowledge, however, that policy decisions across jurisdictions may lead to significant differences in nature and scope of the qualifications.

It is right that there should be discussion of these issues by the regulators and I have asked CCEA, as the qualifications regulator here, to engage fully with its counterparts in England and Wales, particularly in relation to the titling issue.

### Southern Education and Library Board: Public Liability Insurance

**Lord Morrow** asked the Minister of Education, pursuant to AQW 22695/11-15, to detail the quotations obtained by the Southern Education and Library Board for public liability insurance for the proposed multiuse games area and outdoor gym, including the dates on which the quotations were received.

**(AQW 23371/11-15)**

**Mr O'Dowd:** The Southern Education and Library Board has advised that in accordance with the Board's Financial Memorandum, the Board was not permitted to acquire commercial public liability insurance in this particular instance as it is obliged to self-indemnify this risk in accordance with its self-funding arrangements for public liability.

Based on the information provided by the school, the outdoor fitness equipment was not designed to meet the specific requirements of children with special educational needs. The Board deemed the risk of injury significant and therefore could not self-indemnify this risk in respect of public liability.

## Primary Schools

**Mrs Cochrane** asked the Minister of Education to detail the number of applications received against the number of places available in (i) Belmont Primary School; (ii) Dundela Infants' School; and (iii) Greenwood Primary School, for each of the last five years.

**(AQW 23382/11-15)**

**Mr O'Dowd:** The number of children who applied for a P1 place, against the number of places available for each of the schools named for the last 5 years is as follows:-

	2013/14	2012/13	2011/12	2010/11	2009/10
<b>Belmont PS</b>					
Applications received	140	160	101	104	80
Places available	84	84	84	84	84
<b>Dundela Infants' School</b>					
Applications received	112	122	93	85	71
Places available	84	84	84	84	84
<b>Greenwood PS</b>					
Applications received	137	129	118	111	87
Places available	87	87	87	87	87

### Notes:

- 1) The figures for the number of applications received and the number of places available were provided by the Belfast Education and Library Board and reflect the position as at the conclusion of the annual admissions procedure.
- 2) The figures exclude any children who are in receipt of a statement of special educational needs who are admitted over and above a schools' approved admissions number.
- 3) The figures for the number of applications received represent **all applications** considered by each school and include first, second and any other preference applications passed to them in the course of the process. Some of these applicants may therefore be included in the totals for more than one of the listed schools.

## Delivering Social Change Signature Project

**Mr Ross** asked the Minister of Education whether his Department carried out an equality impact assessment in relation to age discrimination before launching the Delivering Social Change signature project.

**(AQW 23423/11-15)**

**Mr O'Dowd:** My Department has carried out an Equality Impact Assessment (EQIA) screening of the Delivering Social Change Signature Project on improving literacy and numeracy (the Project). The Project was screened out as not requiring an EQIA. The screening document is available on the Department's website.

The purpose of the screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations, including equality of opportunity based on age. Screening enables public authorities to fulfil their statutory obligations and mainstream the Section 75 equality and good relations duties into policy development and service delivery.

The Project has been developed in consultation with the Equality Commission for the north of Ireland. It takes account of the Equality Commission's publication 'Age Discrimination in Northern Ireland - A Guide for Employers' and relevant case law.

## Organisation for Economic Co-operation and Development: Programme for International Student Assessment

**Mr Allister** asked the Minister of Education, pursuant to AQW 22049/11-15, whether he plans to abandon participation in the Organisation for Economic Co-operation and Development's programme for international student assessment (PISA) and the

related advice, reports and policy based on PISA data and international comparisons, with a view to avoiding unnecessary expenditure.

**(AQW 23448/11-15)**

**Mr O'Dowd:** I do not intend to abandon participation in the Programme for International Student Assessment (PISA). Our post-primary schools have already participated in the PISA 2012 survey and I await with interest the outcomes from that survey which are due to be published in December 2013. We are also already committed to participating in the 2015 survey.

PISA provides essential information about our own education system and the factors that are impacting on results. A particular strength is that it links performance to attitudes, behaviours and information about the school learning environment which we can only do in a limited way from administrative data systems. It also provides an opportunity to compare the performance and equity of our system within a wider, international, context. Equally, the PISA advice and reports allow us to identify and share best practice which can then be used to inform policy development and implementation. It is a benchmark that is used and valued by 65 participating countries.

## Intergenerational Programmes

**Mr Hazzard** asked the Minister of Education whether any local schools run intergenerational programmes aimed at creating better relationships between young pupils and older people.

**(AQW 23450/11-15)**

**Mr O'Dowd:** The Revised Curriculum which has been taught to all pupils of compulsory school age in grant-aided schools since 2009/10 provides teachers with flexibility to make decisions on how best to interpret and combine minimum requirements to provide a broad and balanced curriculum and adapt their teaching to meet the needs of individual pupils.

The minimum to be taught is detailed in legislation as high level Areas of Learning and while opportunities exist within the curriculum for schools to cover inter-generational issues, for example, through the citizenship strand of the Learning for Life and Work Area of Learning at Post-Primary level, how such opportunities are delivered is a matter for individual teachers/schools.

The Department does not prescribe specific resources or programmes to be used in delivery of the curriculum – this is a matter for schools and delivery will therefore vary across schools. Subsequently the Department does not hold information on programmes or resources that individual schools use in their delivery of the curriculum.

## A-level Exams

**Mr Weir** asked the Minister of Education what discussions are planned on the future shape of A-level exams with (i) the UK Government; and (ii) other devolved institutions.

**(AQW 23455/11-15)**

**Mr O'Dowd:** I met with the Secretary of State for Education on 13 May 2013 to discuss the future of GCSE and A level examinations.

However, liaison will continue irrespective of whether the current three-jurisdiction arrangements for qualifications come to an end, as the Secretary of State for education in England has proposed.

In terms of my assessment of my discussions with the Westminster Government, I had a very positive meeting with Mr Gove on 13 May, along with my counterpart, Leighton Andrews, from Wales. I welcomed the opportunity to discuss issues around GCSE, AS and A-level examinations, the regulation of 3 jurisdiction qualifications and arrangements for sharing information about policy development which affect other regions.

However, I subsequently received a letter from Mr Gove which signalled his intention to end the current three jurisdiction arrangements for qualifications.

I am very unhappy that Mr Gove or his Department sought to leak the details of his letter to the media within one hour of my receiving it.

In terms of the future shape of A levels (and GCSEs), I have tasked CCEA, as the qualifications regulator for these examinations here, to work with the qualifications regulators in England and Wales on the titling issue for GCSEs and A levels in our respective jurisdictions. I have also agreed with the Minister of Education and Skills in Wales that our regulators should give consideration to a two-jurisdiction model for regulating GCSEs and A levels in Wales and the north of Ireland.

## A-level Exams

**Mr Weir** asked the Minister of Education what assessment he has made of his discussions with the UK Government on the future of A-level exams.

**(AQW 23456/11-15)**

**Mr O'Dowd:** I met with the Secretary of State for Education on 13 May 2013 to discuss the future of GCSE and A level examinations.

However, liaison will continue irrespective of whether the current three-jurisdiction arrangements for qualifications come to an end, as the Secretary of State for education in England has proposed.

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## A-level Exams

**Mr Weir** asked the Minister of Education how many meetings he has had with the Secretary of State for Education on the future of A-level exams.

**(AQW 23457/11-15)**

**Mr O'Dowd:** I met with the Secretary of State for Education on 13 May 2013 to discuss the future of GCSE and A level examinations.

However, liaison will continue irrespective of whether the current three-jurisdiction arrangements for qualifications come to an end, as the Secretary of State for education in England has proposed.

In terms of my assessment of my discussions with the Westminster Government, I had a very positive meeting with Mr Gove on 13 May, along with my counterpart, Leighton Andrews, from Wales. I welcomed the opportunity to discuss issues around GCSE, AS and A-level examinations, the regulation of 3 jurisdiction qualifications and arrangements for sharing information about policy development which affect other regions.

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## A-level Software and Systems Development

**Mr Lyttle** asked the Minister of Education how many teachers are being trained and prepared to deliver the new A-level in software and systems development, which will start in September 2013.

**(AQW 23482/11-15)**

**Mr O'Dowd:** In support of this new qualification, CCEA held two information events on 14 March and 15 March 2013. 34 teachers attended.

CCEA held a two day training session for teachers on 3 May and 10 May 2013 to introduce teachers to C#, an object oriented programming language. The invitations to these sessions were extended to those teachers who had attended the information events or who had contacted CCEA about the qualification. 13 teachers took up the invitation and attended on both dates.

CCEA is meeting with Teacher Training Colleges in August 2013 to explore the possibility of CCEA subject officers running an information session with students who are currently training in a related subject area.

## Free School Meals

**Mr Clarke** asked the Minister of Education what are the age limits for pupils to receive free school meals when in full-time education.

**(AQW 23483/11-15)**

**Mr O'Dowd:** All pupils in fulltime education at grantaided nursery, primary, secondary and special schools who meet the relevant eligibility criteria are entitled to receive free school meals.

Article 2 of the Education and Libraries (NI) Order 1986 defines a nursery school as a primary school which is used mainly for the purpose of providing fulltime or parttime education for children who have attained the age of 2 years but are under compulsory school age.

Secondary education is defined as fulltime education suitable to the requirements of senior pupils. A senior pupil means a person who has attained the age of eleven years and six months but has not attained the age of nineteen years.

### South Antrim: Pupils

**Mr Clarke** asked the Minister of Education how many (i) nursery; (ii) primary; and (iii) post-primary pupils for the 2013-14 intake in South Antrim did not receive a place in their first choice school or nursery unit.

**(AQW 23484/11-15)**

**Mr O'Dowd:** I have been advised by the North Eastern (NEELB) and the South Eastern Education (SEELB) and Library Board's that there were 31 nursery, 54 primary and 38 post primary pupils who did not receive a place in their first choice school or nursery unit in South Antrim.

### Schools: Governors, Trustees and Chairpersons

**Mr Kinahan** asked the Minister of Education whether his Department holds the details of the governors, trustees and chairpersons of all schools.

**(AQW 23505/11-15)**

**Mr O'Dowd:** The Department does not hold the details of all governors, trustees or the chairpersons of schools. It holds details of all the DE governors nominated or appointed to schools only. The Education and Library Boards are responsible for gathering this information directly from schools.

### Gallagher and Smith Main Report

**Mr Allister** asked the Minister of Education, pursuant to AQW 22500/11-15, to provide the ISBN number of the book.

**(AQW 23517/11-15)**

**Mr O'Dowd:** The Department does not hold any information on this publication other than the details that are cited in the Gallagher and Smith main report on 'The Effects of the Selective System of Secondary Education' published by the Department in 2000.

### Programme for International Student Assessment

**Mr Allister** asked the Minister of Education to detail the costs incurred by his Department through participation in the Programme for International Student Assessment since 2000, broken down by each three-year cycle, including the participating schools and the number of pupils.

**(AQW 23518/11-15)**

**Mr O'Dowd:** The answer is contained in the table below:

	PISA 2000	PISA 2003	PISA 2006	PISA 2009	PISA 2012	PISA 2015
Costs (£) to date	211,200.15	245,355.85	151,119.72	361,054.84	327,851.00	18,800.00
Number of participating schools	115	118	107	87	90	-
Number of participating pupils	2849	2853	2728	2197	2221*	-

- Data is not yet available; PISA 2012 results are due to be published in December 2013

\* These figures are based on data from the national centre (NFER) and may be subject to change by the international consortium during the data cleaning process.

The participating schools are selected by the PISA Consortium, not by the participating countries and the Department does not hold this information. No individual pupil or school is identified in any report released from the assessment programme.

### Funded Transport

**Ms Fearon** asked the Minister of Education how many children in each Education and Library Board get funded transport to a school which is not their nearest suitable school.

**(AQW 23524/11-15)**

**Mr O'Dowd:** The information requested is not readily available and an exercise to produce it, which would require a consideration of almost 90,000 pupils on a case-by-case basis, would result in disproportionate cost.

### Partial Transport Funding

**Ms Fearon** asked the Minister of Education how calculations are made on the partial transport funding a pupil receives when not attending their nearest school.

**(AQW 23525/11-15)**

**Mr O'Dowd:** The Southern Education and Library Board is the only Board to operate a scheme for payment of partial transport for pupils not attending their nearest suitable school. They have provided the following information:

On the basis of professional advice received from the Designated Medical Officer, transport on medical grounds is recommended to the nearest suitable type of school. "Suitable" as defined in the Department of Education's Circular 1996/41 (which is on the DE website) is:

- Mainstream primary, secondary, grammar school or special school;
- Catholic maintained, controlled or other voluntary, Integrated or Irish-medium.

The Board has no discretion in relation to this definition, and recognises the rights of parents to express a preference for a further away school. Should the Board identify a school nearer to the home address as being 'suitable' and that school following consultation can meet the pupil's special educational needs then, having regard to the efficient use of resources, the Board has no obligation to provide transport assistance to a more distant school.

Parents are notified by the Board that their school of choice is a further away school and offered the opportunity to change their preference. Where parents still choose to send their child to a more distant school the Board will make a contribution and provide "partial funding". It is then a matter for parents to make their own suitable transport arrangements for their child to attend the school of preference.

Payments made under "partial funding" are calculated based on the distance from the pupil's home address to the nearest suitable school and are capped at a maximum amount of £650 per year.

### Rural and Urban Primary Schools: Costs

**Mr McNarry** asked the Minister of Education to detail the per pupil cost for (i) rural; and (ii) urban primary schools, broken down by Education and Library Board.

(AQW 23553/11-15)

**Mr O'Dowd:** The answer below uses the current 2013/14 schools' delegated budget to illustrate the per capita budget allocated to schools – it is not possible to provide figures for all costs at pupil level.

Education & Library Board	Rural Primary Schools Per Capita £	Urban Primary Schools Per Capita £
BELB	N/A	3,013
WELB	3,388	2,949
NEELB	3,112	2,827
SEELB	2,979	2,826
SELB	3,122	2,932

	Rural Primary Schools Per Capita £	Urban Primary Schools Per Capita £
Grant Maintained Integrated Primary	3,047	3,121

**Source:** Common Funding Formula 2013/14

**Note:** No rural primary schools in the Belfast Education and Library Board.

### Substitute Teachers

**Mr Storey** asked the Minister of Education to detail the cost of substitute teachers in each Education and Library Board, in each of the last three years.

(AQW 23578/11-15)

**Mr O'Dowd:** The cost of substitute teachers in each Education and Library Board, in each of the last three years, is shown in the table below.

#### Cost of Substitute Teachers

Education & Library Board Area*	Year		
	2010/11	2011/12	2012/13
BELB	£9,847,484.03	£9,187,563.28	£9,945,849.51
WELB	£9,918,135.15	£9,439,234.83	£9,842,766.73
NEELB	£13,724,012.21	£13,178,131.30	£13,708,809.02

Education & Library Board Area*	Year		
	2010/11	2011/12	2012/13
SEELB	£13,137,569.05	£12,195,992.95	£12,702,205.40
SELB	£14,799,622.79	£13,473,497.15	£14,123,898.00

\* Voluntary Grammar Schools are not included, as the Department does not process payment of these salaries.

### Primary Schools: Costs

**Mr Storey** asked the Minister of Education to detail the per pupil cost in each primary school, broken down by Education and Library Board Area.

(AQW 23579/11-15)

**Mr O'Dowd:** I refer the Member to my answer to AQW 22848/11-15 tabled by Mr D McNarry, which was published in the Official Report on 24th May 2013.

### Young People with Special Educational Needs

**Mr Storey** asked the Minister of Education to list the occupational, speech and language and physiotherapy provision for young people with special educational needs in each special school.

(AQW 23582/11-15)

**Mr O'Dowd:** Occupational, speech and language and physiotherapy provision is available in all special schools, as necessary. The method of delivery, duration and frequency of support is based upon the individual learning needs of the child and the details specified within the child's statement of special educational needs.

As stated in my response to AQW 21863/11-15 such therapies are recommended by the relevant Education and Library Board (ELB), usually in consultation with the relevant Health Trust.

The ELBs have advised that listing the therapy provision currently provided to all pupils in special schools would be cost prohibitive.

### Schools in Intervention

**Mr Weir** asked the Minister of Education which schools have been placed into intervention.

(AQW 23595/11-15)

**Mr O'Dowd:** The schools that have been placed into Formal Intervention are listed in the table below. Where the school has exited formal intervention the month and year it exited is shown.

School	Exited Formal Intervention
<b>Nursery Schools</b>	
Omagh North Nursery School	
<b>Primary Schools</b>	
Ballygolan Primary School, Belfast	Exited April 2012
Beechfield Primary School, Belfast	School closed September 2010
Bunscoil an Iúir, Newry	Exited June 2012
Bunscoil an Traonaigh, Lisnaskea	Exited June 2011
Bunscoil Bheanna Boirche, Castlewellan	Exited March 2011
Bunscoil Mhic Reachtain, Belfast	Exited Sept 2010
Bushmills Primary School	Exited April 2011
Cliftonville Integrated Primary School, Belfast	Exited May 2011
Edenbrooke PS, Belfast	
Foley Primary School, Tassagh, Armagh	
Gaelscoil an Lonnáin, Belfast	Exited March 2011
Gaelscoil na Daróige, Derry	Exited March 2012
Gaelscoil na gCrann, Omagh	Exited March 2011



<b>School</b>	<b>Exited Formal Intervention</b>
Gaelscoil na Móna, Belfast	Exited October 2011
Glenwood Primary School, Belfast	
Harryville Primary School, Ballymena	
Kirkinriola Primary School, Ballymena	
Malvern PS, Belfast	
Nettlefield PS, Belfast	
Springhill Primary School, Belfast	
St Bernard's Primary School, Newtownabbey	Exited July 2011
St Bronagh's Primary School, Rostrevor	Exited Sept 2011
St Joseph's PS, Ballymartin	
St Patrick's Primary School, Aughagallon	
Tullygally Primary School, Lurgan	
Wheatfield Primary School, Belfast	
<b>Post Primary Schools</b>	
Ballee Community High School, Ballymena	
Blackwater Integrated College, Downpatrick	
Cambridge House Grammar School, Ballymena	Exited March 2013
Crumlin Integrated College	
Dundonald High School*1	
Dunluce HS, Bushmills	
Dunmurry High School	School closed August 2012
Knockbreda High School, Belfast	
Laurelhill Community College, Lisburn	
Lisnagarvey High School, Lisburn	
Lisneal College, Derry	Exited March 2013
Monkstown Community School	
Orangefield High School, Belfast	
St Gemma's High School, Belfast	
St Michael's Grammar School, Lurgan	

\* 1 Dundonald HS re- entered the formal intervention process in December 2012 having previously been in the process from December 2009 to September 2010.

### **Sperrinview Special School**

**Lord Morrow** asked the Minister of Education what is the prospective enrolment at Sperrinview Special School for the September 2013 term; and what were the enrolment figures for each of last four years.  
(AQW 23623/11-15)

**Mr O'Dowd:** The information requested is detailed in the table below.

**Enrolments at Sperrinview special school 2009/10 – 2013/14 (projected)**

Year	Enrolment
2009/10	84
2010/11	87
2011/12	94
2012/13	100
2013/14 (projected)	95

**Source:** NI school census

**Preschool Places: Newtownabbey**

**Ms P Bradley** asked the Minister of Education how many children in the Newtownabbey area remain unplaced after the first round of allocating preschool places.

**(AQO 4168/11-15)**

**Mr O'Dowd:** At the end of Stage 1 of the 2013/14 pre-school admissions process, 91 children resident in the Newtownabbey Borough Council area were unplaced.

A total of 96 funded pre-school places in statutory nursery and voluntary/private pre-school settings remained available for parents to apply to in the Newtownabbey Borough Council area during Stage 2 of the process. In addition, a further 85 places were available in funded settings in the North Belfast area which borders the Newtownabbey area.

An update from the Belfast and North Eastern Education and Library Boards indicates that the vast majority children from the Newtownabbey area have now been offered a pre-school place.

Stage 2 is currently underway and concludes on 31st May 2013.

**Parkhall Integrated College, Antrim**

**Mr Girvan** asked the Minister of Education for an update on the new build for Parkhall Integrated College, Antrim.

**(AQO 4169/11-15)**

**Mr O'Dowd:** Parkhall Integrated College is one of 22 projects announced in January to be Advanced in Planning. Authorisation to proceed to construction will be based on the level of capital funding available and all necessary approvals being obtained.

The Department received an Economic Appraisal for Parkhall Integrated College in February 2011 but this requires to be updated in line with the latest EA guidance from DFP, and to take account of revised project design, costs and Area Plans. The Economic Appraisal for the new build proposal is being redrafted by the North Eastern Education & Library Board and is expected to be completed by the end of June 2013. This Economic Appraisal will require DFP approval.

The design of the new school for Parkhall is at RIBA stage D. Previous planning permissions are to be reviewed.

I am aware that the completion of these works will ultimately provide better facilities for our children and young people to learn and an improved working environment for teachers and other school staff, and I will continue to keep the project under review.

**County Fermanagh: Post-primary Schools**

**Mr Flanagan** asked the Minister of Education for an update on the post-primary area planning process in County Fermanagh.

**(AQO 4170/11-15)**

**Mr O'Dowd:** The Western Education and Library Board draft post-primary plan for the Fermanagh District Council area contains proposals for the reorganisation of provision across the Clogher and Kilmore Diocese. These relate to recommendations arising from the Commission for Catholic Education review of post-primary provision. However, as yet no firm proposals have been submitted to the Department.

The draft post-primary plan also contains proposals for the provision of a new replacement school for an amalgamated Portora Royal School and Collegiate Grammar School and the provision of a new school to replace Devenish College and Lisnaskea High School. These Board proposals were approved to proceed in planning in the Statement that I made to the Assembly on 22 January 2012 about Capital Investment plans. Development Proposals to support these schemes were published by the Board in March. The 2-month statutory objection period ends on 28 May and I will announce my decision as soon as possible after that date.

## Post-primary Schools: Streaming

**Ms Fearon** asked the Minister of Education for an update on the use of streaming and banding within post-primary schools, particularly as an alternative to academic entry criteria.

**(AQO 4171/11-15)**

**Mr O'Dowd:** Streaming and banding is used by many post-primary schools as a means of meeting the educational needs of each individual child. This was recognised in the report of the Ministerial Advisory Group on Advancing Shared Education, which highlights the potential for academic selection within schools with all-ability intakes to play an important role in ensuring that all children and young people receive "a bespoke education that is tailored to their particular skills and talents".

Children develop at different rates and using a flexible system of banding or streaming is an effective way of ensuring that children who require additional support are identified and provided with it, while at the same time ensuring that the brightest children are appropriately stretched and challenged.

Academic admissions criteria are blunt tools that take no account of how children grow and develop. Academic assessment for streaming or banding purposes after a child has been admitted to a school correctly puts the focus on meeting the needs of the child, not the institution.

## Department for Employment and Learning

### People not in Education, Employment or Training

**Mr Allister** asked the Minister for Employment and Learning what consultation took place with the Office of the First Minister and deputy First Minister before announcing 10,000 places for those not in education, employment or training.

**(AQW 22886/11-15)**

**Dr Farry (The Minister for Employment and Learning):** I can confirm that no consultation took place with the Office of the First Minister and deputy First Minister before the announcement of 10,000 places for those not in education, employment or training.

### Further Education Colleges

**Mr Allister** asked the Minister for Employment and Learning at what point a further education college becomes entitled to funding for an individual student and what arrangements exist in respect of clawback or revision of allowance when a student drops out.

**(AQW 22887/11-15)**

**Dr Farry:** The Funded Learning Unit (FLU) is the method by which my Department allocates recurrent grant to further education colleges and is calculated on the basis of each eligible student enrolment within an academic year.

In general terms, a full-time student enrolment generates one FLU, which has a value of £3,400, and a part-time student enrolment will receive a proportion of that amount dependent on the number of hours attended. The value of this basic FLU can, however, vary significantly as a result of the application of several weightings, which take into account the level of qualification undertaken, the relative cost of delivery and levels of disadvantage.

There are three checkpoints of the funding throughout the academic year. Each college will receive the full level of funding if the student completes his or her course of study. If, however, the student is studying full-time and withdraws before January, the college will only be eligible to receive one third of the FLU value and, if attendance ends before May, the college will only be eligible to receive two thirds of the FLU value. For part-time students, the hours upon which the funding is calculated will be reduced to reflect attendance and the FLU value will be reduced accordingly.

My Department provides guidance to colleges on the process for recording withdrawals, cancellations and transfers of students within their student registration systems and carries out annual audits to ensure the process is implemented effectively.

### United Youth Programme

**Mrs Overend** asked the Minister for Employment and Learning what discussions he had with employers before the announcement of the united youth programme.

**(AQW 22915/11-15)**

**Dr Farry:** My Department had no prior knowledge of the United Youth Programme and therefore had no discussions with employers.

However, my Department will now contribute to a design group for the United Youth Programme which the Office of the First Minister and deputy First Minister will convene.

I am currently considering how the 'United Youth' Programme will complement my Department's existing and planned employability programmes. As part of this process DEL officials will work to ensure complementarity with other DEL programmes

## United Youth Programme

**Mrs Overend** asked the Minister for Employment and Learning how the united youth programme will complement existing apprenticeships and other youth training programmes.

**(AQW 22919/11-15)**

**Dr Farry:** My Department had no prior knowledge of the United Youth Programme and therefore had no discussions with employers.

However, my Department will now contribute to a design group for the United Youth Programme which the Office of the First Minister and deputy First Minister will convene.

I am currently considering how the 'United Youth' Programme will complement my Department's existing and planned employability programmes. As part of this process DEL officials will work to ensure complementarity with other DEL programmes

## 'Together: Building a United Community'

**Mrs Overend** asked the Minister for Employment and Learning to outline his role in the development of the proposals detailed in 'Together: Building a United Community' and whether he was consulted by the Office of the First Minister and deputy First Minister prior to publication.

**(AQW 22920/11-15)**

**Dr Farry:** My Department had no prior knowledge of the United Youth Programme and therefore had no discussions with employers.

However, my Department will now contribute to a design group for the United Youth Programme which the Office of the First Minister and deputy First Minister will convene.

I am currently considering how the 'United Youth' Programme will complement my Department's existing and planned employability programmes. As part of this process DEL officials will work to ensure complementarity with other DEL programmes

## iPad Schemes: Open University Access

**Mr Swann** asked the Minister for Employment and Learning whether he will work in conjunction with the Minister of Culture, Arts and Leisure to ensure that for any further iPad schemes, the devices are delivered with Open University access already uploaded.

**(AQW 22955/11-15)**

**Dr Farry:** I understand that the Department of Culture, Arts and Leisure, (DCAL) has provided support to the West Belfast Partnership Board to establish a pilot community learning resource and technology platform. In its initial stage the project focuses on primary schools and other organisations in the Lower Falls area and includes the introduction of digital and mobile technologies including iPads. I understand that this is only a pilot scheme at this stage and I am not aware of any plans to further extend this scheme.

However, I can say that the use of technology and flexible learning is reflected in my Department's Higher Education Strategy, Graduating to Success, and this initiative by the Department of Culture, Arts and Leisure is an interesting development.

I have been informed that the Open University has already approached the West Belfast Partnership Board to discuss how the Board might utilise free learning materials available for devices such as the iPad.

## Open University Funding

**Mr Swann** asked the Minister for Employment and Learning to outline the steps he has taken to ensure that the funding devolved for the Open University is ring-fenced for use solely by the Open University.

**(AQW 22956/11-15)**

**Dr Farry:** It has been agreed that the funds presently available in England to fund the Open University's activities in Northern Ireland will be transferred directly to my Department. The Open University is aware of the amount of this funding and I have agreed that the transferred funds will be ring fenced for use only by the Open University. From 2015-16 onwards the funds will form part of the overall funds available for higher education in Northern Ireland and I would intend to fund the Open University's activities on the same basis as the other universities in Northern Ireland.

## Funded Postgraduate Places

**Mr B McCrea** asked the Minister for Employment and Learning to detail the number of funded postgraduate places in economically relevant subjects and to provide a breakdown of these subjects for 2013/2014.

**(AQW 23006/11-15)**

**Dr Farry:** The numbers of DEL funded postgraduate places in economically relevant subjects are not available yet from the Universities for the year 2013/14.

I am pleased to add that, as part of my Department's Higher Education Strategy and subject to available resources, I aim to increase the number of postgraduate courses year on year from 2013/14 with the aim of doubling the total number of PhD places to 1,000 by 2020.

### **South West College, Dungannon Campus**

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQW 22232/11-15, to outline the range of support designed to assist the transition to further education for students with special needs at the South West College, Dungannon campus.

**(AQW 23067/11-15)**

**Dr Farry:** My Department remains committed to ensuring the transition process for young people with learning difficulties and/or disabilities is managed effectively.

The Dungannon campus of South West College offers a wide range of support to help with the transition to Further Education for students with special needs. The student support officers at the Dungannon campus have close links with local education and health trust specialists, including transition officers and social workers.

All students enrolling with special needs at the Dungannon campus undergo an educational needs assessment, which gives the student and their parent or guardian the opportunity to discuss any additional requirements for the student. One to one personal support or specialist software and equipment is offered to students with special needs, to help them participate fully in class. This support is funded by my Department through the Additional Support Fund, which provides £3.5 million per annum to the Further Education sector. In addition, all academic and support staff at Dungannon campus are trained and updated on all disability matters.

My Department has helped fund two online tools designed to provide information and guidance for disabled students to help in the transitions process to further education:

- (i) an information and advocacy resource hub to signpost services for both existing and potential learners to improve access to information about college provision, services and the availability of learning support services.
- (ii) online access guides for students with disabilities which provide information on campus layout and on hearing systems, lighting levels and signage. The guides help disabled learners, visitors and staff to access college premises and make best use of facilities.

My Department's Careers Service also provides an all-age, all-ability, impartial careers information, advice and guidance service to clients throughout Northern Ireland including those with special needs. Services are client-centred and aim to help individuals realise their career aspirations and achieve their full potential in education, training and/or employment. Careers services are provided to learners including those with special needs, in the Dungannon/South West area through Partnership Agreements with local post-primary schools and the South West College.

My Department is also represented on the Children and Young Peoples Strategic Partnership – Transitions Sub Group. This group is examining the scope to improve the transitions process from Child Services to Adult Services, including health, education and well being.

### **South West College and Belfast Metropolitan College**

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQW 22434/11-15, to detail (i) whether why the South West College and Belfast Metropolitan College have a lower number of staff than their counterparts; and (ii) whether support staff are allocated or placed in response to need.

**(AQW 23115/11-15)**

**Dr Farry:** I wish to advise you that Belfast Metropolitan College has informed my Department that they have erroneously underreported the number of support staff employed by the College and subsequently recorded in AQW 22434/11-15.

Belfast Metropolitan College now indicate that a total of 51 support workers are available to assist students enrolled at the college.

South West College state that support workers employed by the College do not always provide assistance on a one to one basis, and can be allocated to more than one student.

The College advise that students' individual needs are assessed and contribute to the decision on the level of support required. The College employ and assign support staff based on need and believe they are meeting demand.

Whilst my Department provides funding for colleges to employ support workers to assist students with learning difficulties and/or disabilities, the deployment or utilisation of these staff is a matter for each college, as employing authorities in their own right.

### **Bryson Future Skills**

**Mr Girvan** asked the Minister for Employment and Learning, pursuant to AQW 22285 / 11-15, how much funding has been provided to Bryson Future Skills to cover insurance costs for students placed on work placement within schools, in the last three years.

**(AQW 23145/11-15)**

**Dr Farry:** Bryson Future Skills has received no funding from my Department in relation to insurance costs for students participating on the Steps to Work or Training for Success programmes and placed on work placement within schools, in the last three years.

### Access to Work Scheme

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQW 22113/11-15, whether there is capacity for additional people to be accommodated under the Access to Work scheme and how many people could be accommodated. (AQW 23177/11-15)

**Dr Farry:** Access to Work is a demand-led programme offering packages of support tailored to meet the assessed needs of the individual applicant. Each financial package is agreed after discussion and negotiation between the client, his or her employer and the Department's Disability Employment Service. As such, the cost of each individual package of assistance varies considerably under the scheme.

Whilst it is impossible to say how many more people could be accommodated under the Access to Work Programme, the Department will continue to promote this offer to both clients and employers alike.

The Department is confident that, where Access to Work is identified as the appropriate employment support for a person with a disability, a financial and other support package will be made available.

The Department recognises the value of Access to Work, as well as the Workable (NI) programme. Both of these specialist disability employment services will continue to help and support many people with disabilities to find and sustain work, and will assist local employers to recruit and retain valued employees within their workforce.

### Southern Regional College

**Mr Gardiner** asked the Minister for Employment and Learning to detail how many students from the Republic of Ireland attend (i) full-time foundation higher education; (ii) part-time foundation higher education; (iii) other full-time higher education; (iv) other part-time higher education; and (v) further education courses, in the Southern Regional College. (AQW 23180/11-15)

**Dr Farry:** The table overleaf details the number of student enrolments from the Republic of Ireland in (i) full time foundation higher education; (ii) part time foundation higher education; (iii) other full time higher education; (iv) other part time higher education; and (v) further education courses, in the Southern Regional College for the 2011/12 academic year, the latest year for which full-year data are available.

Attendance	Foundation Degree	Other Higher Education	Further Education	Total
Full-time	10	0	60	70
Part-time	15	30	270	320
<b>Total</b>	<b>25</b>	<b>30</b>	<b>330</b>	<b>390</b>

**Source:** Further Education Statistical Record

#### Notes:

- 1 The latest available data for the Further Education Colleges are for academic year 2011/12.
- 2 The figures relate to student enrolments and not actual student numbers. An individual student can have multiple enrolments.
- 3 Republic of Ireland students are identified using the 'Country of Domicile' variable.
- 4 In line with Data Disclosure Protocols and to prevent the identification of individuals, figures in the attached tables are rounded to the nearest 5, with 0, 1, 2 rounded to 0. Totals in rows and columns may not add precisely due to this process.

### Southern Regional College

**Mr Gardiner** asked the Minister for Employment and Learning to detail the income received from tuition fees from (i) full-time; and (ii) part-time further and higher education students from the Republic of Ireland, attending the Southern Regional College (AQW 23181/11-15)

**Dr Farry:** My Department does not hold information regarding tuition fees received by further education colleges. I have, however, passed the question to the Principal of the Southern Regional College and asked him to respond to the Member directly.

## Regional Colleges: Management Information Systems

**Mr Gardiner** asked the Minister for Employment and Learning what management information systems are operational in each regional college.

**(AQW 23182/11-15)**

**Dr Farry:** The six Northern Ireland further education colleges have been using a common management information system since 2007. The Northern Ireland College Information System (NICIS) comprises 4 main modules and allows colleges to maintain and process data relating to the following key areas of operation:

- Student Records;
- Human Resources & Payroll;
- Finance; and
- Estate records.

The hardware and software which comprise the system are jointly owned by the colleges while the maintenance of hardware and software is provided by a contracted third party. In addition, advice and guidance to college staff using the system is provided by the Business Support Unit within Colleges NI, which is the membership body representing all six Northern Ireland regional colleges.

As part of the ongoing shared service initiative, my Department and the colleges, are currently reassessing the use of management information systems within the further education sector to ensure technology is used as efficiently and effectively as possible in support of these key functions in the future.

## Student Finance

**Mr Eastwood** asked the Minister for Employment and Learning why student finance is not available for students who wish to complete a second degree.

**(AQW 23197/11-15)**

**Dr Farry:** Public funding for student support for higher education should be targeted, in the main, towards students entering higher education for the first time and by and large students should only be funded for one undergraduate degree to honours level.

The rationale for this is to ensure that our stretched resources are effectively targeted at those students who have not had a chance to experience higher education and to contribute, therefore, towards widening participation.

Students undertaking second degrees or equivalent or lower qualifications continue to be eligible to receive supplementary allowances such as the Adult Dependents' Grant, Childcare Grant, Parents' Learning Allowance and the Disabled Students' Allowances, if applicable.

There are some exceptions to the policy where students undertaking a second degree leading to a professional qualification may be eligible for some additional support. These subjects are: medicine, dentistry, allied health professions, social work, teaching, architecture or veterinary science.

## Moderate or Severe Learning Difficulties: Students

**Mr P Ramsey** asked the Minister for Employment and Learning to outline his Department's plans to promote and increase the inclusion of students with moderate or severe learning difficulties in mainstream further education provision.

**(AQW 23210/11-15)**

**Dr Farry:** Further Education college provision is linked to demand and my Department does not dictate levels of enrolment or types of provision; this is a matter for the colleges.

However, in order to widen access to mainstream further education provision, my Department provides a ring-fenced sum of £1.5 million per annum, through the Additional Support Fund (ASF), to Further Education colleges, to provide additional technical and/or personal support, including one to one personal support or specialist software or equipment to help students with learning difficulties and/or disabilities.

As a result, the number of students supported through the Additional Support Fund and participating in mainstream Further Education has increased from 2,105 in 2007/08 to 3,200 in 2011/12.

My Department is also currently reviewing the level of Additional Support Funding for technical and personal support, to establish if it is meeting demand.

Not all students with moderate or severe learning difficulties are able to access mainstream due to the nature or extent of their disability. For this reason my Department provides colleges with £2 million per annum to help fund smaller class sizes and classroom assistants to encourage and facilitate these students in Further Education provision. In these circumstances, colleges collaborate with special schools and adult day centres to provide customised training and development opportunities on discrete, vocational and life skills courses for these young people. These courses may be offered in the college, at a day centre, or in other suitable premises.

In addition, my Department has also provided funding for two online tools designed to help disabled students access and benefit from Further Education:

- (i) an information and advocacy resource hub to signpost services for both existing and potential learners to improve access to information about college provision, services and the availability of learning support services.
- (ii) online access guides for students with disabilities which provide information on campus layout and on hearing systems, lighting levels and signage. The guides help disabled learners, visitors and staff to access college premises and make best use of facilities.

### **Moderate or Severe Learning Difficulties: Students**

**Mr P Ramsey** asked the Minister for Employment and Learning whether all students with a moderate or severe learning difficulty who are enrolled in the current academic year in further education can access discrete provision, and if not, how many students with a learning difficulty or disability access mainstream further education with support; and whether his Department does not have access to this data, what plans he has to ensure that data is disaggregated in the future.  
(AQW 23211/11-15)

**Dr Farry:** In line with Departmental policy within the Additional Support Fund guidelines, all students who enrol at a Further Education college, are initially assessed to determine the course of study most suitable to them. In such cases, where a young person has moderate or severe learning difficulties, the assessment may result in a recommendation that the young person participates in 'discrete' programmes, which are funded by my Department to provide smaller class sizes and extra class room assistants. These courses may be offered in the college, at a day centre, or in other suitable premises.

In the 2011/12 academic year (latest statistical information available) there were 3,400 student enrolments in discrete provision in Further Education colleges.

In the same period there were 3,200 student enrolments in mainstream provision and receiving support through the Additional Support Fund.

### **Additional Support Fund**

**Mr P Ramsey** asked the Minister for Employment and Learning how much of the £1.5m basic additional support fund was allocated to discrete provision in 2012-13.  
(AQW 23212/11-15)

**Dr Farry:** In the 2012/13 academic year to date, approximately, £214,082.48 has been provided from the Basic Additional Support Fund budget to support the additional needs of students with learning difficulties and/or disabilities enrolled in Further Education discrete provision.

### **People with a Learning Disability: Views**

**Mr P Ramsey** asked the Minister for Employment and Learning whether the proposed user engagement events seek the views of people with a learning disability directly and how will the views of people with a learning disability from areas outside Belfast and the north-west be heard, particularly regarding the choice of courses available.  
(AQW 23213/11-15)

**Dr Farry:** As part of the Strategic Review of the Disability Employment Service, a workshop has taken place involving a large number of key organisations from the local disability sector. These included organisations such as Mencap, Orchardville Society, NOW, the National Autistic Society and the Cedar Foundation, all of whom represent the views and interests of people with a learning disability, amongst others.

One of the recommendations arising from the workshop was to improve the level of direct User Engagement. To this end, a number of events are being planned, and these will take place in Belfast, the North West and at least one more in the Southern region. The events will be organised in conjunction with the Northern Ireland Union of Supported Employment (NIUSE) and other key stakeholder organisations. The Department will be encouraging these bodies to invite the people who they represent, and this will include those people with a learning disability who wish to avail of employment services, and indeed, employment opportunities.

In addition to the strategic review of employment services, I have commissioned an audit of Further Education provision for students with learning difficulties and/or disabilities, post - 19 and leaving special care schools throughout Northern Ireland. The audit is underway and the findings will be provided to me once completed.

### **Additional Support Fund**

**Mr P Ramsey** asked the Minister for Employment and Learning whether students enrolled in other departmental funded programmes benefit from the additional support fund  
(AQW 23215/11-15)

**Dr Farry:** The Additional Support Fund is aimed at those students enrolled in mainstream or discrete Further Education provision only, and therefore, not in receipt of any other form of support. The Additional Support Fund policy guidelines



states that students in receipt of assistance under any other DEL-funded programmes, such as Steps to Work, Training for Success, ApprenticeshipsNI, EU-funded programmes, Disabled Students Allowance or full-cost recovery provision cannot be supported through the Additional Support Fund.

Students who are enrolled in other Departmental programmes receive assistance and support as part of their individual programme budgets, and not part of the Additional Support Fund.

## Open University Degrees

**Mr Weir** asked the Minister for Employment and Learning how many people from Northern Ireland have obtained degrees from the Open University, in each of the last five years.

**(AQW 23232/11-15)**

**Dr Farry:** The number of people from Northern Ireland, who have obtained degrees from the Open University in each of the last 5 years, is detailed in the table below:

Academic year	Qualifiers
2007/08	715
2008/09	625
2009/10	675
2010/11	705
2011/12	760

**Source:** Higher Education Statistics Agency

### Notes:

- 1) Figures have been rounded to the nearest 5. The latest available full year data are for 2011/12.
- 2) It should be noted that the above information relates to students who gain qualifications at all levels of study i.e. both undergraduate (both first degree and other undergraduate) and postgraduate.

## Collaboration and Innovation Fund

**Mr Beggs** asked the Minister for Employment and Learning to detail the projects and the funding that have been awarded under the collaboration and innovation fund across Northern Ireland and broken down by (i) Health and Social Care Trust area; and (ii) district council area.

**(AQW 23241/11-15)**

**Dr Farry:** The Collaboration and Innovation Fund will provide over £9 million to eighteen organisations during the period December 2012 to March 2015. Seventeen projects will provide activity directly to young people who are not in education, employment or training; one project, Bryson Charitable Group, will complete an audit of available provision for unemployed young people. This project does not therefore provide activity in any of the Health and Social Care or District Council areas.

The following detailed Collaboration and Innovation Fund project information is attached at Annex 1:

- Table 1 - project title and funding broken down by Health and Social Care Trust area; and
- Table 2 – projects broken down by District Council area.

### Annex 1 Table 1

#### Collaboration and Innovation Fund 2012 - 2015

Organisation	Project	Funding	Health and Social Care Trust Area
Youth ActionNI	Get Set Project	£399,388	Belfast, Northern, Southern and Western
The Prince's Trust	The Fairbridge Collaborate	£669,221	Belfast, Northern and South Eastern.
Include Youth	The Start Programme	£591,698	Belfast and South Eastern
Bryson Charitable Group	The NEET Strategy Forum	£250,533	Not applicable
Extern Organisation Limited	The Alternative Education Forum	£272,073	Belfast, Northern and South Eastern.

Organisation	Project	Funding	Health and Social Care Trust Area
Training for Women Network	Gateway to Progression Project	£770,067	Belfast, Northern, South Eastern, Southern and Western
Fast Track into Information Technology	The Fit4Life Project	£872,900	Belfast and South Eastern
South Eastern Regional College	The PACE Project	£450,148	South Eastern
The Appleby Trust	The Print Room	£262,926	Southern
Derry City Council/ILEX	Intermediate Labour Market	£443,344	Western
Artillery Youth Centre	Second Chance	£321,972	Belfast
Opportunity Youth	Grit Plus	£453,545	Belfast, Northern, South Eastern. and Western
NOW Ltd	NOW and Stepping Stones Youth Service	£469,176	Belfast, Northern and South Eastern
Belfast Metropolitan College	The Threshold Programme	£916,530	Belfast, Northern and South Eastern.
South West College	The Connections Project	£546,380	Southern and Western
GEMS NI LTD	Collaborative Mentoring Partnership	£639,000	Belfast and Southern
Southern Regional College	The Spice Programme	£408,329	South Eastern and Southern
South Eastern Health & Social Care Trust	Youth @Work Project	£489,428	South Eastern
	<b>Total</b>	<b>£9,226,658</b>	

**Table 2: Collaboration and Innovation Fund 2012 - 2015**

Project	District Council Area
Get Set Project	Belfast City, Derry City, Armagh City and District and Newry and Mourne District.
The Fairbridge Collaborate	Belfast City and parts of Lisburn City, North Down Borough, Castlereagh Borough , Newtownabbey Borough and Antrim Borough
The Start Programme	Belfast City, Lisburn City and North Down Borough
The NEET Strategy Forum	Not applicable
The Alternative Education Forum	Belfast City and parts of Lisburn City, North Down Borough, Castlereagh Borough , Newtownabbey Borough and Antrim Borough
Gateway to Progression Project	All 26 District Council Areas
The Fit4Life Project	Belfast City and parts of Castlereagh Borough, North Down Borough and Ards Borough
The PACE Project	North Down Borough, Ards Borough, Lisburn City and Down District
The Print Room	Newry and Mourne District, Armagh City and District, Craigavon Borough and Dungannon and South Tyrone Borough.
Intermediate Labour Market	Derry City
Second Chance	Belfast City
Grit Plus	Belfast City, Derry City and parts of Lisburn City and North Down Borough, Castlereagh Borough, Newtownabbey Borough and Antrim Borough
NOW and Stepping Stones Youth Service	Belfast City, Lisburn City and parts of North Down Borough, Castlereagh Borough, Newtownabbey Borough and Antrim Borough

Project	District Council Area
The Threshold Programme	Belfast City and plus parts of Newtownabbey Borough, Antrim Borough, Castlereagh Borough and North Down Borough
The Connections Project	Fermanagh District, Omagh District and Dungannon and South Tyrone Borough
Collaborative Mentoring Partnership	Belfast City, Lisburn City and Banbridge District
The Spice Programme	Newry & Mourne District and parts of Armagh City, Banbridge District and Craigavon Borough
Youth @Work Project	Down District, North Down Borough, Lisburn City and Ards Borough

### Unionist Students: University

**Mr Dunne** asked the Minister for Employment and Learning how he plans to address concerns among unionist students who feel that local universities are unwelcoming to them.

(AQW 23251/11-15)

**Dr Farry:** As I advised in my response to your recent Oral Assembly question which was answered on 13 May 2013, previously held perceptions of a perceived "chill factor" within our higher education institutions have been determined to be unfounded.

The research evidence presented on participation in Higher Education indicates that there were very few negative perceptions of Northern Ireland institutions among students. In fact, most respondents reported that Northern Ireland institutions were very welcoming to all groups in terms of religion, disability, ethnicity and socio-economic status. My Department does not monitor political affiliations.

I am delighted that our Universities and Further Education Colleges offer a genuine option for integrated education.

### North West Regional College: Staff

**Mr P Ramsey** asked the Minister for Employment and Learning why staff at the North West Regional College, who were due a payment of £250 in line with other public sector workers, are yet to receive it.

(AQW 23599/11-15)

**Dr Farry:** Historically, non-teaching staff in Northern Ireland's further education sector are contractually entitled to pay rises determined by the National Joint Council (NJC). It is my understanding, however, that any agreements reached by the NJC are excluded from the automatic entitlement to the £250, as the Council is not deemed by HM Treasury to be a Pay Review Body

It is also my understanding that a pay remit for the years 2010/11 and 2011/12 has yet to be obtained. Given the recent announcements by the Department of Education in relation to these payments in the schools sector, I have asked college employers to explore the possibility of making this payment available to eligible staff. I am hopeful that, in the interest of equity, this matter will be resolved satisfactorily to all concerned, including the eligible staff at North West Regional College.

## Department of Enterprise, Trade and Investment

### Invest NI

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment what percentage of Invest NI's £93 million assistance offered to local companies last year was specific to companies in Down district.

(AQW 22888/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Invest NI offered £1.7million to locally-owned businesses in the Down District Council Area during 2012-13. This represented 1.8% of the overall total offered to local businesses.

### Local Angling and Fishing Tourism

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment what assistance her Department can offer in order to boost local angling and fishing tourism.

(AQW 22889/11-15)

**Mrs Foster:** My Department, through the Northern Ireland Tourist Board (NITB), and in conjunction with Sport NI has commissioned a Strategic Review of Angling in Northern Ireland. The review will explore the constraints and opportunities in developing angling for both visitors and the home-based angling community and make recommendations on how Northern Ireland can offer a coherent angling experience which is visitor centric.

Sport NI is leading this review and a steering group has been established to ensure all bodies with a responsibility for angling have input into the review. This includes The Department of Culture, Arts & Leisure; The Loughs Agency; and the three

recognised governing bodies, The Ulster Angling Federation; The Irish Association of Sea Anglers and the Ulster Coarse Fishing Federation.

There will be wide-ranging consultation and the results of this review will highlight the best opportunities for angling tourism at an international; national and local level.

Tourism Ireland, supported by representatives from the Northern Ireland tourism industry, promotes angling and fishing in Northern Ireland at key specialist and outdoor fairs in GB, Europe and other markets.

NITB works closely with Tourism Ireland to host specialist angling tour operators press familiarisation trips for angling journalists to sample the Northern Ireland angling experience at first-hand and to write about it on their return home.

### United Youth Programme

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment what discussions she had with employers and business leaders before the announcement of the united youth programme.

(AQW 22916/11-15)

**Mrs Foster:** The recently announced United Youth Programme falls under the policy remit of the Minister for Employment and Learning

### Presbyterian Mutual Society Directors

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to detail why her Department instructed a QC from Great Britain to pursue Presbyterian Mutual Society directors; and how much proceedings cost.

(AQW 22984/11-15)

**Mrs Foster:** The Department engaged Counsel both from England and Northern Ireland.

Treasury Counsel was briefed on the advice of the Departmental Solicitor's Office (DSO).

All six respondents in this matter have given formal undertakings not to act as a director etc. for an agreed period. An Order for costs was made in favour of the Department. At this stage it is too early to quantify the costs.

A bill of costs will be prepared by DSO in due course and furnished to the Respondents' solicitors for agreement and payment.

### Presbyterian Mutual Society

**Mr Allister** asked the Minister of Enterprise, Trade and Investment whether any staff have been disciplined as a consequence of the findings arising from the ombudsman's investigation into the handling of the Presbyterian Mutual Society.

(AQW 22986/11-15)

**Mrs Foster:** DETI has discharged its IPS Registration role in a manner that has been consistent with the procedures operated by the Financial Service's Authority (FSA) in its equivalent role. The Ombudsman's report has not identified any matters which constitute a breach of discipline.

The procedures underpinning the exercise of DETI's Registry role are being reviewed and revised in light of the lessons learned in this case.

### Electricity from Renewable Sources

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 21648/11-15, for her assessment of how achievable the 2020 target in respect of electricity generated from renewable sources is; and whether the current production of 13.7% of generation from renewable sources is cost-effective.

(AQW 22988/11-15)

**Mrs Foster:** Northern Ireland is on target to meet the interim Programme for Government target of 20% of electricity from renewable sources by 2015. The 40% target is challenging, but it is achievable subject to further investment in the electricity grid, which will require approval by the Utility Regulator.

The cost of incentivising renewable electricity generation in Northern Ireland is socialised across the UK and is passed onto the consumer through energy bills and currently represents approximately £12 to £15 on an average annual domestic electricity bill. The greatest technology contribution to the current figure of 14.15% (at April 2013) is from large scale onshore wind which requires a lower subsidy per unit of electricity generated than most other technologies.

### Foyle: Invest NI

**Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment to outline, within the Foyle constituency, how many applications made to Invest NI have been made under each project/fund; and how many have been successful, in the last five years.

(AQW 22990/11-15)

**Mrs Foster:** The table presents the number of applications from businesses located in Foyle during the past five years, which were formally recorded by Invest NI, and the subsequent outcomes of these applications. As requested, the information is presented by type of project. In summary, this shows that 834 (95%) of recorded applications received an offer of assistance. In addition, 20 applications are still on-going.

**Table 1: Invest NI Applications Received in Foyle Parliamentary Constituency Area by Project Type (2008-09 To 2012-13)**

Project Type	Total Applications Received	Still Undergoing Appraisal/ Approval Process	Project did not Proceed to Formal Offer Stage	Project Approved by Invest NI
Innovation & Technical Development	135	1	1	133
Job Creation	565	7	9	549
Research & Development	57	5	4	48
Skills Development	61	1	2	58
Trade	59	6	7	46
<b>Total</b>	<b>877</b>	<b>20</b>	<b>23</b>	<b>834</b>

#### Notes

- 1 Figures on applications are only included for those schemes where the application process is recorded on Invest NI's central database.
- 2 Projects that do not proceed to offer stage are sometimes the result of businesses withdrawing their request for assistance.
- 3 Figures relate to applications received within the period 2008-09 to 2012-13.
- 4 A project approval may not necessarily occur in the same financial year in which the application was made
- 5 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information

#### Air Passenger Duty

**Mr Rogers** asked the Minister of Enterprise, Trade and Investment what assessment she has made of the impact of setting a rate of zero for air passenger duty for all direct long-haul flights, in terms of further route and economic development. (AQW 23014/11-15)

**Mrs Foster:** The removal of Air Passenger Duty (APD) on direct long haul flights has helped to retain the United Airlines Belfast/Newark service, our only direct link to the United States. This service provides important business linkages to the United States and is also important in terms of in-bound tourism. The US continues to be one of the most important markets for tourism to Northern Ireland. American visitors stay longer, spend more than the average visitor and tour more extensively while they are here.

While final visitor numbers for 2012 are not currently available, provisional estimates for the January-September 2012 period indicate that the number of visitors from North America to Northern Ireland grew by +18% when compared with the same period in 2011. The direct link to the US made possible by the Belfast/Newark service will undoubtedly have helped to contribute to this increase.

The removal of APD on direct long haul flights sends a positive message to many long haul airlines that Northern Ireland can be a viable option for their business. My officials are therefore in regular discussions with the airports and airlines with a view to developing new routes, including routes to long haul destinations. A key objective in respect of long haul route development is the reinstatement of the Northern Ireland to Canada route.

#### Hydrocarbon Producers

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether she intends to put in place any mandatory requirements that hydrocarbon producers must set aside production for consumption by local businesses and households. (AQW 23015/11-15)

**Mrs Foster:** There is no provision in law that enables my Department to prescribe where or how a Petroleum Licensee should sell its product.

## Invest NI

**Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment to outline why Invest NI is not in a position to sign up to subregional targets.

**(AQW 23104/11-15)**

**Mrs Foster:** As part of the 2009 Independent Review of Economic Policy (IREP), the review panel were asked to analyse, assess and provide recommendations with regard to the sub-regional distribution of inward investment and support measures to indigenous businesses and the effectiveness of policy in encouraging the location of investment.

The Report acknowledged that competitiveness varies between places in a region, with cities, in particular, offering significant agglomeration, spill-over benefits and access to skills and infrastructure. However, the implication the report drew was that firms should be allowed to locate in a region where they would be best placed to generate the highest returns. The imposition of sub regional targets would, therefore, be counter to IREP's findings.

Instead Invest NI's approach, which reflects the findings in IREP, is to promote Northern Ireland as a whole as a viable location for inward investment with the final location decision taken solely by the investing company to meet its own investment needs. Invest NI also works closely stakeholders at a regional level across Northern Ireland and continues to offer a wide range of support to encourage investment in local areas through initiatives such as Boosting Business, the Jobs Fund and the Regional Start Programme which has been designed to support locally focused entrepreneurs into self employment.

## International Monetary Fund

**Mr Swann** asked the Minister of Enterprise, Trade and Investment, in light of the International Monetary Fund warning of an emerging three-speed economy, for her assessment of which of these speeds fits the local economy.

**(AQW 23312/11-15)**

**Mrs Foster:** My Department publishes a monthly economic update which provides an assessment of current economic conditions. Indeed, the April 2013 DETI Monthly Economic Update referenced the International Monetary Fund's (IMF's) World Economic Outlook which noted the potential emergence of a three-speed global economy. While this assessment provides a useful high-level summary of global economic conditions, the grouping of economies does not take account of differences in individual economies' growth rates and economic circumstances.

In terms of Northern Ireland's economic performance, while it is clear that we have sustained a significant impact from the global downturn, it is also important to recognise recent signs of improvement. The most recent official statistics show that, over the quarter, Northern Ireland's production (0.3%), construction (0.5%) and service (0.7%) sectors have all grown and in terms of the labour market, the claimant count has now fallen for three consecutive months; the first such decline since August 2007.

The Executive recognises that more action is needed to secure and accelerate our recovery. It was for this reason that we launched the £200million Economy and Jobs Initiative and why we continue to push HM Treasury for additional powers and flexibility to provide further assistance to local businesses and attract additional investment from foreign businesses.

For more information the Monthly Economic updates are publicly available at <http://www.detini.gov.uk/deti-stats-index/deti-stats-index-4.htm>

## Moyle Interconnector

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment, in relation to the Moyle interconnector, to detail (i) whether consideration has been given to a government subsidy to ensure it is brought back to full capacity as soon as is practicable; and (ii) what discussions she has had with her counterparts in Scotland regarding the ongoing problems.

**(AQW 23319/11-15)**

**Mrs Foster:** Restoration of the Moyle Interconnector to full capacity is largely a matter for its owner Mutual Energy and the Utility Regulator. No government subsidy is proposed.

I have had no discussions with Scottish Government counterparts in relation to the current problems with the Moyle.

## Moyle Interconnector

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment for an update on the status of the Moyle interconnector, including whether the repairs have started and the cost of the repairs.

**(AQW 23339/11-15)**

**Mrs Foster:** The Moyle electricity interconnector with Scotland is currently operating at 250 megawatts transfer capacity which is around 50% of its full capacity. Mutual Energy Ltd, owners of the Moyle Interconnector, has been investigating options for the short term and long term repair of the Moyle. These have included interim low cost options which will ensure continued operation of the interconnector at 250 megawatts without dependence on the low voltage element of the existing cables, and a possible reconfiguration of the cables which would provide 500 megawatt transfer capacity within approximately 18 months.

On 13 May 2013 the Utility Regulator published correspondence it has had with Mutual Energy which has agreed an approach for the long term repair of the cables. The proposal is to lay new low voltage cables along a similar route to the existing cables, and is likely to cost around £60 million and take 4-5 years to complete.

## G8 Summit

**Mrs D Kelly** asked the Minister of Enterprise, Trade and Investment what legacy opportunities will develop as a direct result of the forthcoming G8 summit 2013.

**(AQW 23341/11-15)**

**Mrs Foster:** Hosting the 2013 G8 Summit provides a huge opportunity for Northern Ireland. The Northern Ireland Executive knows that bringing the G8 to Fermanagh will showcase to the world a modern Northern Ireland with huge potential for investment and tourism, demonstrating the growing confidence that exists in this part of the UK. It will also highlight what Northern Ireland, its people and its businesses have to offer the global community.

Invest NI, the NITB and Tourism Ireland are capitalising on the unprecedented opportunities the Summit presents for Trade development, creating awareness, driving visitor numbers, stimulating civic pride and changing perceptions.

A formal evaluation currently underway will consider the benefits and potential legacy for Northern Ireland and Fermanagh in particular.

The formal Northern Ireland Executive evaluation will be published by end 2013 or early 2014.

## G8 Summit

**Mrs D Kelly** asked the Minister of Enterprise, Trade and Investment to detail (i) whether her Department has made representations about retaining the telecommunications infrastructure that will be brought in to cover the G8 summit; and (ii) to whom she has made representations regarding this.

**(AQW 23344/11-15)**

**Mrs Foster:** I have written on a number of occasions to the Chief Executive Officers of the main telecoms companies, encouraging them to review and reprioritise their investment plans in light of the G8 Summit. My officials have been following up on this and a number of the telecoms companies have advised that it is their intention to leave some of the temporary infrastructure in situ at the G8 venues, until it is replaced by more permanent arrangements. I am also due to meet shortly with the main telecoms companies, where I will have a further opportunity to highlight the issues.

## Cavan Interconnector

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment, in relation to the Cavan interconnector and given the precarious nature of the energy supply, what plans her Department has to install underground cabling.

**(AQW 23348/11-15)**

**Mrs Foster:** While I am familiar with issues raised in the recent All-Island Generation Capacity Statement (GCS), I do not consider the energy supply position for Northern Ireland to be precarious. My Department is in detailed discussions with the Utility Regulator and the System Operator for Northern Ireland on this matter with a view to identifying options to manage concerns.

The GCS concludes that with the North-South tie-line in place, deficits for Northern Ireland can be avoided. However, energy markets are fully privatised and my Department has no remit to direct power companies to deliver their investments in a specific way. The power companies take investment decisions based on a range of issues, including the most technically proficient and economically viable solution.

## North West 200

**Mr Swann** asked the Minister of Enterprise, Trade and Investment to detail the financial assistance her Department has provided to the North West 200, in each of the last four years.

**(AQW 23351/11-15)**

**Mrs Foster:** The financial assistance my Department, through the Northern Ireland Tourist Board, has provided to the North West 200, in each of the last four years is as follows:

Year:	Amount Awarded
2010/11	£70,000*
2011/12	£65,000
2012/13	£90,000
2013/14	£70,000
<b>Total</b>	<b>£295,000</b>

\* Please note the 2010/11 funding was awarded by The Department of Culture, Arts & Leisure (DCAL) and administered by The Northern Ireland Tourist Board (NITB).

## Multilingual Signage

**Mr McKay** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 19982/11-15, why legal advice was sought in relation to the provision of Northern Ireland Tourist Boarding funding for the erection of multilingual signage.  
(AQW 23362/11-15)

**Mrs Foster:** My answer is informed by the general policy that applies in relation to legal advice to Ministers -the concept of legal professional privilege safeguards the rights of a person or organisation, including the Department, to obtain legal advice on a confidential basis and to refuse to disclose such information in the interests of the wider administration of justice. It has been the settled view that in this context, legal advice is not disclosed.

I can confirm that any legal advice which I believe has been necessary – or may become necessary - has or shall be sought.

## North Antrim: Gaelic Games-related Facilities

**Mr McKay** asked the Minister of Enterprise, Trade and Investment how new Gaelic games related facilities in North Antrim will be marketed by the Northern Ireland Tourist Board and what assistance will they receive.  
(AQW 23363/11-15)

**Mrs Foster:** I would refer the member to the replies I gave to AQW 9799/11-15 and AQW 15725/11-15 regarding Hurling and the GAA respectively.

## Giro d'Italia 2014: Route

**Mr McKay** asked the Minister of Enterprise, Trade and Investment whether the planned route of the Giro d'Italia 2014 will include the north coast of the Moyle District Council area.  
(AQW 23364/11-15)

**Mrs Foster:** I would refer the member to the reply I gave to Priority AQW 23022/11-15.

## International Monetary Fund

**Mr Swann** asked the Minister of Enterprise, Trade and Investment, as the UK economy has had its growth forecast by the International Monetary Fund for 2013 reduced from 1% to 0.7%, what is her assessment of the change in growth for Northern Ireland.  
(AQW 23367/11-15)

**Mrs Foster:** My Department's Monthly Economic Update in its April 2013 edition noted that the IMF had downgraded its growth forecast for the UK economy for 2013 from 1.0% to 0.7%.

Great Britain is a key trading partner for Northern Ireland, with nearly half (46%) of our manufactured goods destined for Great Britain markets. Any downgrade in the UK economic outlook could have an impact on Northern Ireland's economic prospects. This was recognised in my Department's March 2013 Monthly Economic Update, in light of downgraded UK economic forecasts by the Office for Budget Responsibility (OBR).

While Great Britain will remain a key trading partner for Northern Ireland, the reduction in its estimated growth provides further support to the Northern Ireland Executive's stance in our Economic Strategy, which aims to grow and diversify our export base, in particular to fast growing, emerging economies.

For more information the Monthly Economic Updates are publicly available at <http://www.detini.gov.uk/deti-stats-index/deti-stats-index-4.htm>

## Regional Economic Recovery

**Mr Swann** asked the Minister of Enterprise, Trade and Investment whether she forecasts regional economic recovery to be at the same pace, or slower than, the rest of the UK.  
(AQW 23370/11-15)

**Mrs Foster:** My Department does not produce economic forecasts.

It is encouraging to note that some signs of stability are appearing in the local economy. In addition to a three month consecutive fall in the claimant count level the most recent private sector output figures show that all the major sectors improved in Q4, 2012. Production increased 0.3%, services increased 0.7% and construction increased 0.5%. It is particularly encouraging that performance in the production and services sector outperformed that in the UK over this period.

Going forward it remains essential that the Executive continues to implement the strategic vision detailed in the Northern Ireland Executive Economic Strategy to secure and accelerate local economic growth.



## EU Consumer Rights Directive 2014/20

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment to outline how the EU consumer rights directive 2014/20 will be taken forward.

**(AQW 23401/11-15)**

**Mrs Foster:** This answer has been prepared on the basis that the Member is referring to the Consumer Rights Directive (2011/83/EU) which is due to be fully implemented in member states by 13 June 2014.

Article 19 of the Directive (2011/83/EU) was implemented into UK law by the Consumer Rights (Payment Surcharges) Regulations 2012 No. 3110. These Regulations were made under the European Communities Act 1972. It is intended that further regulations will be made under that Act to implement the remaining measures both in GB and Northern Ireland.

## Department of the Environment

### Trains and Buses: Audio-visual Information

**Mr Agnew** asked the Minister of the Environment whether he intends to make changes to the regulations that apply to public service vehicles requiring that audio-visual information is provided on all new trains and buses.

**(AQW 22447/11-15)**

**Mr Attwood (The Minister of the Environment):** My Department has responsibility for the regulatory framework for buses, including the legislation surrounding the equipment with which they are fitted; the Department for Regional Development (DRD) is responsible for trains.

#### Buses

Following the Department for Regional Development's recent pilot study of the use of audio visual equipment on a Belfast bus route, I asked my Department to undertake further scoping and benchmarking of the use of this equipment in buses. This work is ongoing; however, I continue to be mindful of the estimated £6.8 million pound installation costs (for Translink alone) and am seeking to ensure that a full assessment of the benefits is made prior to making any decisions requiring the mandatory installation in all buses.

My Department plans to consult on proposals for new regulations placing duties on bus drivers to assist disabled passengers by providing them with any information they require to help them to access the bus service. The driver will be required to provide passengers with information about the route they are on and let them know, on request, when they have reached their required stop. I anticipate that this may alleviate some of the difficulties people with impairments face when accessing public transport. The draft regulations are being scrutinised by the Departmental Solicitor's Office.

With regards to new buses, Council Directive 2007/46/EC sets the design standards for new buses within the European Union but does not include requirements for the fitting of audio visual equipment. However, the Disability Discrimination Act 1995 provides DOE with the powers to set the accessibility requirements for public service vehicles, including buses, being used in Northern Ireland. The current requirements are contained in the Public Service Vehicle Accessibility Regulations (NI) 2003 and, if the ongoing review so concluded, these could be amended to introduce requirements for the fitting of audio visual equipment on buses.

#### Trains

In seeking to answer your question fully I have engaged with the Minister for Regional Development, Danny Kennedy, who has responded that, all trains have audio visual equipment installed as standard. In addition he has indicated that DRD does not currently have the funding to provide audio visual information on buses.

### 'Building on Tradition'

**Mr McElduff** asked the Minister of the Environment what assurances he can give that all planning officers actively and consistently adhere to the supplementary planning guidance 'Building on Tradition' when assessing applications for farm dwellings.

**(AQW 22764/11-15)**

**Mr Attwood:** Building on Tradition -A Sustainable Design Guide for Northern Ireland Countryside published in May 2012, is a best practice guide that aims to assist all of those involved with sustainable development in the countryside to understand the requirements of PPS21 Sustainable Development in the Countryside.

The guidance emphasises the importance of recognising the uniqueness of our rural area with its distinctive local landscape characters in bringing forward a design response appropriate to the site.

Building on Tradition is not a legislative requirement that must be stringently adhered to. It is one of a number of material considerations taken into account by planning officers in the assessment of applications for farm dwellings. In assessing an application for a farm dwelling case officers must have regard to the development plan and other material planning

considerations such as the policy contained within PPS21, the particular characteristics of the site and the surrounding context and the guidance within Building in Tradition to reach a balanced judgement.

I will continue to monitor performance across the area office network to ensure consistency in interpretation of all policy and guidance in reaching a balanced decision on planning applications.

### **People with Learning Disabilities: Work Placements or Employment**

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 21701/11-15, to provide the information for councils who provide work placements or employment for people with learning disabilities rather than those with a physical disability. **(AQW 22815/11-15)**

**Mr Attwood:** The Disability Discrimination Act 1995 (DDA), under which it is unlawful for an employer to discriminate on the grounds of disability, does not indicate any differentiation between physical or mental impairment (which includes mental ill health) and what is commonly known as learning disability. The DDA does allow for reasonable adjustments by employers to ensure fair access for disabled people or to compensate for the disadvantage they experience as a result of their disability.

In addition councils, as employers, are also obliged under Section 75 of the Northern Ireland Act 1998 to have due regard to the need to promote equality of opportunity between persons with a disability and persons without.

### **Dungannon District Council Area: Land Available**

**Mr McGlone** asked the Minister of the Environment to detail the acreage of land available for (i) housing; (ii) industrial use; and (iii) other designations in each town in the Dungannon District Council area. **(AQW 22898/11-15)**

**Mr Attwood:** The Dungannon and South Tyrone Area Plan (2010) identifies the Districts two towns as being Dungannon and Coalisland.

Northern Ireland Housing Land Availability Summary report 2012 shows that 129.1 hectares were available for housing development within Dungannon. This comprises of undeveloped phase 1 Housing zonings and unimplemented housing permissions and could accommodate 2637 dwellings. In addition there are 148 hectares zoned as Phase 2 housing which is held in reserve. In Coalisland there are 78 hectares available for housing, which could accommodate 1282 dwellings. There is also 41 hectares zoned as Phase 2 housing.

The Industrial land survey 2011 shows there are 66 hectares available for industrial and business development, including at Granville. There are 12.85 hectares of land available for Industrial and Business development in Coalisland.

The Department has not recently survey other designations.

### **Hydroelectric Turbine**

**Mrs Dobson** asked the Minister of the Environment why there is no requirement to conduct an environmental impact assessment for an application to install a hydroelectric turbine. **(AQW 22911/11-15)**

**Mr Attwood:** The Department in accordance with the Planning (Environmental Assessment) Regulations (Northern Ireland) 2012 (the Regulations) is required to determine whether or not installations for hydroelectric energy production are EIA development.

A proposed development for a hydroelectric turbine falls within the descriptions of development listed under Schedule 2, Category 3(i) Installations for hydroelectric energy production.

Where a description of development is listed in Schedule 2, the Department will establish whether the development is either located wholly or in part in a sensitive area or meets/exceeds any of the relevant thresholds/criterion listed in Column 2 of Schedule 2.

If a proposed development exceeds or meets the threshold/criterion listed, then the Department is required to consider by way of screening if the development is likely to have significant effects on the environment having regard to selection criteria set out in Schedule 3 of the Regulations.

If an application is determined to be EIA development, then it becomes an EIA application requiring an Environmental Statement to be submitted by the applicant to the Department.

### **Moira to Lisburn Road: Incinerator**

**Mrs Hale** asked the Minister of the Environment for an update on the plans for an incinerator on the main Moira to Lisburn road. **(AQO 4029/11-15)**

**Mr Attwood:** The application to which the Member refers is for a proposed Energy from Waste facility at 211 Moira Road. The application will involve the gasification process where waste is heated at a high temperature to produce energy, as opposed to incineration. Following in-depth consultation on the proposal with experts, my officials are currently preparing a report on this proposal for my urgent consideration.

## Private Residential Care and Nursing Homes

**Mr McKay** asked the Minister of the Environment to list the planning applications that have been made by private residential care and nursing homes since December 2011, broken down by Health and Social Care Trust area; and how the number of applications compares to the previous three years.

**(AQW 22947/11-15)**

**Mr Attwood:** Table 1 below summarises the number of applications that have been submitted to the Department for residential care and nursing homes in each financial year since 2008/09 up to the end of Q3 of 2012/13.

However, prior to 2011 the information held on the Departments database did not record whether the residential care and nursing home was private or NHS. The figures quoted below prior to 2011 include all applications for such use irrespective of whether private or NHS. Therefore it is not possible to compare the number of applications received for such use prior to 2011 with those received post 2011. Furthermore, the Department does not hold information on its database relating to Health and Social Care Trust boundaries. Therefore, the information is categorised by local government district.

**Table 1: Planning Applications Relating to NHS and Private Residential Care and Nursing Homes by District Councils \*  
2008\2009 to December 2012**

LGD	2008\2009	2009\2010	2010\2011	2011/ 2012**	April to December 2012**
Antrim	1	4	2	1	-
Ards	4	1	3	2	2
Armagh	3	3	-	2	-
Ballymena	3	4	3	3	-
Ballymoney	1	2	1	-	-
Banbridge	4	2	-	-	1
Belfast	8	14	5	5	5
Carrickfergus	2	1	2	1	-
Castlereagh	2	1	1	-	-
Coleraine	4	8	2	-	-
Cookstown	5	2	2	-	-
Craigavon	3	5	2	-	-
Derry	4	5	2	1	-
Down	6	11	7	-	2
Dungannon	3	4	3	1	1
Fermanagh	1	7	4	2	-
Larne	-	-	3	1	-
Limavady	1	3	-	1	-
Lisburn	4	4	8	-	2
Magherafelt	1	4	2	-	-
Moyle	1	3	1	-	-
Newry And Mourne	4	2	3	-	-
Newtownabbey	4	5	2	1	1
North Down	4	1	3	1	2
Omagh	1	1	2	3	-
Strabane	-	1	-	-	-
Missing	8	1	-	-	-
<b>Total</b>	<b>82</b>	<b>99</b>	<b>63</b>	<b>25</b>	<b>16</b>

- \* This Excludes Sheltered Dwellings / Housing For The Elderly, Unless Included As An Element Of A Nursing / Residential Application. In Addition, Doe Planning Does Not Hold The Boundaries Of The Health And Social Care Trusts, Therefore Information
- \*\* Private Residential Care And Nursing Homes Only, No Applications Are Recorded For Nhs Nursing Homes Or Residential Homes During This Period (Is Only Possible To Clearly Differentiate Between Private And Nhs From 2011 – Therefore Previous Years Will Include Nhs Applications).

I have arranged for details of each of the planning applications to be placed in the Assembly Library.

### People with Special Needs: Posts in Councils

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 21701/11-15, for his assessment of the number of posts on offer in councils for people with special needs; and what plans he has to increase the number of employment and placement posts.

**(AQW 22948/11-15)**

**Mr Attwood:** Councils are independent employers bound by the Disability Discrimination Act 1995 (DDA) under which it is unlawful for an employer to discriminate on the grounds of disability. The DDA allows for reasonable adjustments by employers to ensure fair access for disabled people or to compensate for the disadvantage they experience as a result of their disability.

Councils are, in addition, bound by Section 75 of the Northern Ireland Act 1998 which obliges councils to have due regard to the need to promote equality of opportunity between persons with or without a disability.

It is the responsibility and duty of councils to comply with all relevant legislation in regard to the employment and placement of individuals. I shall write to CE's on the issue.

### Council Staff Pay

**Mr McNarry** asked the Minister of the Environment how many council staff are paid over (i) £50,000; (ii) £75,000; (iii) £100,000; (iv) £125,000; and (v) £150,000 per annum.

**(AQW 22983/11-15)**

**Mr Attwood:** The information you have requested has been provided by the individual councils and is detailed in the table below.

Council	(i) £50,000	(ii) £75,000	(iii) £100,000	(iii) £125,000	(iv) £150,000
Antrim Borough Council	2	1	0	0	0
Ards Borough Council	6	1	0	0	0
Armagh City & District Council	7	0	0	0	0
Ballymena Borough Council	6	1	0	0	0
Ballymoney Borough Council	2	1	0	0	0
Banbridge District Council	3	1	0	0	0
Belfast City Council	46	7	2	0	0
Carrickfergus Borough Council	4	1	0	0	0
Castlereagh Borough Council	5	1	0	0	0
Coleraine Borough Council	6	1	0	0	0
Cookstown District Council	4	0	0	0	0
Craigavon Borough Council	7	1	0	0	0
Derry City Council	14	0	1	0	0
Down District Council	4	1	0	0	0
Dungannon and South Tyrone Borough Council	5	0	0	0	0
Fermanagh District Council	3	1	0	0	0
Larne Borough Council	2	1	0	0	0
Limavady Borough Council	4	1	0	0	0
Lisburn City Council	2	4	0	0	0
Magherafelt District Council	5	1	0	0	0

<b>Council</b>	<b>(i) £50,000</b>	<b>(ii) £75,000</b>	<b>(iii) £100,000</b>	<b>(iii) £125,000</b>	<b>(iv) £150,000</b>
Moyle District Council	4	1	0	0	0
Newry & Mourne District Council	1	6	0	0	0
Newtownabbey Borough Council	3	2	0	0	0
North Down Borough Council	5	1	0	0	0
Omagh District Council	8	0	1	0	0
Strabane District Council	5	0	0	0	0

### Council Staff

**Mr McNarry** asked the Minister of the Environment how many council staff are paid through a limited company or a method other than PAYE.

**(AQW 22989/11-15)**

**Mr Attwood:** The information requested was gathered from the individual councils and their responses are detailed in the table below.

<b>Council</b>	<b>How many staff are paid through a limited company</b>	<b>How many staff are paid by a method other than PAYE</b>
Antrim Borough Council	0	0
Ards Borough Council	0	0
Armagh City & District Council	0	0
Ballymena Borough Council	0	0
Ballymoney Borough Council	0	0
Banbridge District Council	0	0
Belfast City Council	0	0
Carrickfergus Borough Council	0	0
Castlereagh Borough Council	0	0
Coleraine Borough Council	0	0
Cookstown District Council	0	0
Craigavon Borough Council	0	0
Derry City Council	0	0
Down District Council	0	0
Dungannon and South Tyrone Borough Council	0	0
Fermanagh District Council	0	0
Larne Borough Council	0	0
Limavady Borough Council	0	0
Lisburn City Council	0	0
Magherafelt District Council	0	0
Moyle District Council	0	0
Newry & Mourne District Council	0	0
Newtownabbey Borough Council	0	0
North Down Borough Council	0	0
Omagh District Council	0	0
Strabane District Council	0	0

## Driving Licence Revocations: Drink-driving Offences

**Mr Dallat** asked the Minister of the Environment to detail the number of people who (i) had their driving licences revoked due to a drink-driving offence, in each of the last five years; and (ii) have lost their licences for second and subsequent drink-driving offences in the same period.

**(AQW 23032/11-15)**

**Mr Attwood:** The latest available information is detailed in Table 1 below. These figures were sourced from DVA internal management information systems and have not been validated as DOE Official Statistics.

**Table 1 Numbers of drink driving offenders disqualified from driving (2007 to 2011)**

Year	(i) All Drink Driving Offenders <sup>1</sup>	(ii) Repeat Drink Driving Offenders <sup>2</sup>
2011	2,963	468
2010	3,008	431
2009	3,314	474
2008	3,582	563
2007	4,448	711

- 1 Includes all those disqualified from driving following at least one drink driving offence during the year.
- 2 Includes all those disqualified from driving following repeat drink driving offences up to ten years prior to their latest conviction.

## TV and Radio Advertising: Influence of Drink or Drugs

**Mr Dallat** asked the Minister of the Environment to detail (i) the amount spent on TV and radio advertising on driving under the influence of drink or drugs in each of the last five years; and (ii) the value of cross-border campaigns, where the cost has been shared, in the same period.

**(AQW 23033/11-15)**

**Mr Attwood:** The table below provides details of the amount spent on TV and radio advertising on driving under the influence of drink or drugs over the five year period 2008/09 to 2012/13.

		Drink Driving	Drug Driving
2012/13	TV	£105,193	£54,417
	Radio	-	-
2011/12	TV	£115,348	£58,721
	Radio	-	-
2010/11	TV	£178,080	£31,637
	Radio	-	-
2009/10	TV	£130,987	£102,394
	Radio	-	£8,540
2008/09	TV	£320,813	£54,444
	Radio	-	-

Over the same period the cost of two cross border campaigns have been shared between DOE and the Road Safety Authority (RSA) in the Republic of Ireland.

In 2009 DOE produced 'Underneath' Motorcyclist Campaign at a cost of £120,850. Half the production costs were recouped by selling the campaign to RSA for £60,425.

Likewise in 2009 RSA produced 'Consultant – Seatbelts' & 'Consultant – News' from the Crashed Lives Series at a cost of £85,440. RSA recouped half the production costs by selling the campaign to DOE for £42,720.

## Litter Dropping: Fixed Penalties

**Mr Dallat** asked the Minister of the Environment to detail the number of fixed penalties issued by each of the 26 councils for litter dropping, in each of the last five years.

**(AQW 23034/11-15)**

**Mr Attwood:** The Department requests information on fixed penalty notices issued by district councils after the end of each financial year. The following table sets out the number of fixed penalty notices issued in the district of each district council in the five financial years from 2007/08 to 2011/12 in respect of the offence of leaving litter. The Department is currently awaiting information from councils on numbers of fixed penalty notices issued during the 2012/13 year. I have asked for this information to be sent to you when it becomes available.

<b>Council</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>
Antrim BC	17	22	26	23	30
Ards BC	12	13	6	7	12
Armagh City/DC	13	10	14	34	14
Ballymena BC	26	59	42	73	30
Ballymoney BC	17	29	18	6	4
Banbridge DC	13	9	22	11	12
Belfast CC	1790	1703	1286	1995	1534
Carrickfergus BC	18	28	26	16	19
Castlereagh BC	20	43	-	38	26
Coleraine BC	-	41	42	53	16
Cookstown DC	44	29	15	13	12
Craigavon BC	349	469	1105	1038	1046
Derry CC	-	45	19	56	41
Down DC	22	45	65	51	60
Dungannon & South Tyrone BC	3	0	0	14	1
Fermanagh DC	-	37	71	16	8
Larne BC	197	70	76	73	23
Limavady BC	5	4	5	6	4
Lisburn CC	7	10	28	80	42
Magherafelt DC	17	15	50	39	40
Moyle DC	2	5	6	7	5
Newry & Mourne DC	24	52	60	167	89
Newtownabbey BC	117	144	118	48	150
North Down BC	23	25	22	8	4
Omagh DC	60	29	27	35	24
Strabane DC	0	0	-	23	22
<b>Totals</b>	<b>2796</b>	<b>2936</b>	<b>3149</b>	<b>3930</b>	<b>3268</b>

### **North Antrim: Natural Heritage Grants Scheme**

**Mr D McIlveen** asked the Minister of the Environment whether any projects in North Antrim are receiving grants under the natural heritage grants scheme.

**(AQW 23318/11-15)**

**Mr Attwood:** I announced earlier this week that the Northern Ireland Environment Agency (NIEA) had awarded £4 million in grants over the next five years to aid projects to protect and enhance our natural environment. NIEA funding enables organisations, where appropriate, to draw down significant match funding from other sources such as EU grants, charitable trusts, lottery funds and the private sector.

The announcement mentioned the Causeway Coast and Glens Heritage Trust which will receive £240,000 for the Heart of the Glens Landscape Partnership Scheme.

Further significant funding of around £750,000 has been awarded through the Natural Heritage Grants Programme for a number of new and ongoing projects within the North Antrim area. This figure includes the provision of financial assistance to:

- Coleraine Borough Council towards the delivery of Local Biodiversity Action Plans within the Ballymoney, Coleraine, Limavady and Moyle council areas;
- Conservation Volunteers NI to fund its work within the area;
- The Causeway Coast and Glens Heritage Trust towards the management of Areas of Outstanding Natural Beauty and the employment of a World Heritage Site Officer;
- The National Trust towards the maintenance of the Causeway Coastal Path; and
- Moyle District Council for access issues affecting the Causeway Coast Way and the Ulster Way.

In addition, NIEA provides funding to a number of other organisations such as the Royal Society for the Protection of Birds and Ulster Wildlife who work throughout Northern Ireland.

### Physical Disabilities: Council Staff

**Lord Morrow** asked the Minister of the Environment to detail the number of staff which each council employs, or has on placement, who have a physical disability.

**(AQW 23453/11-15)**

**Mr Attwood:** The department does not hold this information.

The Disability Discrimination Act 1995 (DDA), under which it is unlawful for an employer to discriminate on the grounds of disability, does not indicate any differentiation between physical or mental impairment which includes mental ill health. The DDA does allow for reasonable adjustments by employers to ensure fair access for disabled people or to compensate for the disadvantage they experience as a result of their disability.

In addition councils, as employers, are also obliged under Section 75 of the Northern Ireland Act 1998 to have due regard to the need to promote equality of opportunity between persons with a disability and persons without.

## Department of Finance and Personnel

### North/South Bodies: Pensions Scheme

**Mr Allister** asked the Minister of Finance and Personnel how the assertion in the answer to AQW 20706/11-15 is reconciled with the answer to AQW 20039/11-15.

**(AQW 22818/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** My response to AQW 20039/11-15 advised that it is not possible to provide a single employers' contribution rate for North/South Bodies in the North/South Pensions Scheme and that the total pension costs for each body are disclosed in their annual accounts alongside wages and salary costs. I also advised that DFP sponsors one North/South Body, the Special EU Programmes Body (SEUPB) and that the effective employer's contribution rate for SEUPB in the calendar year 2011 was 31.2%. I am content that this information is correct.

I recommend that you should contact the DHSSPS Minister for clarification on the response to AQW 20706/11-15 as his Department has responsibility for the Food Safety Promotion Board.

### PAYE

**Mr Weir** asked the Minister of Finance and Personnel what protocols are in place to ensure that civil servants are not paid through a limited company or any method other than PAYE.

**(AQW 23239/11-15)**

**Mr Wilson:** Departments and NDPBs have been instructed by my department that each time an individual is engaged by them they should consider the employment status of the individual i.e. whether they are employed or self employed and identify who is responsible for paying any tax liabilities. In the case of NICS employees, tax and National Insurance contribution arrangements are managed via PAYE on HR Connect. In the case of those assessed as self employed, they will be responsible for their own tax liability. This must be recorded and retained for inspection by HMRC.

### Narrow Water Bridge

**Mr Rogers** asked the Minister of Finance and Personnel when his Department will give its assessment of the business case for the Narrow Water bridge.

**(AQW 23485/11-15)**

**Mr Wilson:** The Narrow Water Bridge project is currently seeking funding through the INTERREG IVA Programme and DFP is the accountable department in Northern Ireland.



DFP is currently involved in a process of critical review of the project and verification all relevant planning pre-conditions are adhered to and statutory approvals sought and obtained.

The project must fully progress through the agreed assessment process and all issues satisfactorily dealt with before a decision can be taken. DFP is aware of the time constraints associated with the project proposal and will endeavour to reach a decision promptly.

### **Civil Service Staff**

**Ms Fearon** asked the Minister of Finance and Personnel how many people employed in the civil service, in each year since 2007, were previously armed forces personnel.

**(AQW 23519/11-15)**

**Mr Wilson:** Information on the previous employment history of either recruits or existing staff is not held in respect of the Northern Ireland Civil Service and consequently these questions cannot be answered.

### **Civil Service Staff**

**Ms Fearon** asked the Minister of Finance and Personnel what proportion of people employed in the civil service, in each year since 2007, were previously armed forces personnel.

**(AQW 23520/11-15)**

**Mr Wilson:** Information on the previous employment history of either recruits or existing staff is not held in respect of the Northern Ireland Civil Service and consequently these questions cannot be answered.

### **Civil Service Staff**

**Ms Fearon** asked the Minister of Finance and Personnel to detail the ratio of civil service employees who were previously armed forces personnel, for each year since 2007; and how this compares to (i) England; (ii) Scotland; and (iii) Wales.

**(AQW 23521/11-15)**

**Mr Wilson:** Information on the previous employment history of either recruits or existing staff is not held in respect of the Northern Ireland Civil Service and consequently these questions cannot be answered.

## **Department of Health, Social Services and Public Safety**

### **Community Care Workers**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to outline the proposed reductions, from 1 July 2013, in the rate received by community care workers, in each Health and Social Care Trust, for fuel allowance and vehicle wear and tear.

**(AQW 22686/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** From 1 July 2013 the current Agenda for Change mileage allowances for infrequent ('standard') or frequent ('regular') car users and fixed lump sum payment for frequent users, will be replaced by rates based on information in the AA guides on motoring costs. Reimbursement under the new arrangements for car users will change to a standard rate for mileage up to 3,500 miles and a reduced standard rate for mileage over 3,500 miles.

Under these new arrangements the rates will allow for increases in fuel costs and all the costs of keeping a car on the road, including petrol, repairs, insurance and road tax. A single rate will apply for frequent users and regular users and lump sum payments will no longer be payable.

My Officials are awaiting confirmation from our NHS colleagues on the rates that will apply from 1 July 2013.

### **Antrim Area Hospital: Accident and Emergency Department**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to outline the staffing profile, over a 24 hour cycle, in the Antrim Area Hospital accident and emergency department in each of the last five years.

**(AQW 22877/11-15)**

**Mr Poots:** The information requested has been provided below by the Northern Health and Social Care Trust and has not been validated by the Department.

**Non-Medical Staff**

Grade	Shift Pattern	2008	2009	2010	2011	2012	Current Headcount 2013	Projected Headcount
Admin & Clerical	8am – 10pm	5-6	5-6	5-6	5-6	5-6	5-7	6-8
	10pm – 8am	2	2	2	2	2		
	6pm – 2am	1	1	1	1	1	2-3	2-3
Nursing Trained	08:00 – 21:00	8	9	10	10	10	6-9	7-11
Nursing Untrained	08:00 – 21:00	1-2	1-2	1-2	1-2	2	2	3
Nursing Trained	21:00 – 08:00	7	8	8	8	9	6-10	7-12
Nursing Untrained	21:00 – 08:00	2	2	2	2	2	2	2
Emergency Nurse Practitioner	08:30 – 21:00	1-2	1-2	1-2	1-2	1-2	1-2	1-2

**Medical Staff**

Grade	Shift Pattern	2008	2009	2010	2011	2012	Current Headcount 2013	Projected Headcount
Consultant	09:00 – 17:00	1	1	1	1	1	1-2 (08:00 – 22:00)	1-2
Middle Grade	08:00 – 22:00	1	1	1-2	1-2	1-2	1-2	1-2
Junior	08:00 – 22:00	1	1	1-2	1-2	1-2	1-2	1-2
Consultant	22:00 – 08:00						On call	on call
Middle Grade	22:00 – 08:00	1	1	1-2	1-2	1-2	1-2	1-2
Junior	22:00 – 08:00	1	1	1-2	1-2	1-2	1-2	1-2

**Northern Trust Notes:**

- Staffing varies depending on time of day and day of week. Shift patterns are designed to match variations in attendances and workload.
- Shift patterns changed in 2013 to meet service needs.

**Transforming Your Care**

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety to publish the register of interests of members who sit on the (i) Transforming Your Care Implementation Board; (ii) Transforming Your Care Steering Group; and (iii) Transforming Your Care review team.

**(AQW 22946/11-15)**

**Mr Poots:** Following publication of 'Transforming Your Care: A Review of Health and Social Care in Northern Ireland' a Transformation Programme Board and Strategic Planning Group have fulfilled oversight roles in relation to the implementation of TYC.

Membership of these groups is as follows:

**(i) Transformation Programme Board**

Members are:

- Chair and Senior Responsible Officer: John Compton, Chief Executive HSCB
- Chief Executives of each of the 6 Health and Social Care Trusts, Public Health Agency and Business Services Organisation
- Chairs of each of the 5 Local Commissioning Groups

- Members of the HSCB / PHA Senior Management Team

(ii) **The Strategic Planning Group**

Members are:

- Chair: Andrew McCormick, Permanent Secretary, DHSSPS
- John Compton, Chief Executive HSCB
- Eddie Rooney, Chief Executive PHA
- David Bingham, Chief Executive BSO
- Relevant members of the senior management teams of the Department and its Arm's Length Bodies may be invited to attend to discuss specific issues as required.

A Transforming Your Care Independent Review Panel provided expert advice and challenge during the Health and Social Care Review. The Panel completed its work on publication of 'Transforming Your Care: A Review of Health and Social Care in Northern Ireland' in December 2011.

Membership of this group was as follows:

(iii) **Transforming Your Care the Independent Review Panel**

Members were:

- John Compton, Chief Executive HSCB (in an ex officio capacity)(Chair)
- Professor Chris Ham (Chief Executive of King's Fund)
- Professor Deirdre Heenan (Provost and Dean of Academic Development at Magee Campus)
- Dr Ian Rutter (GP)
- Paul Simpson (retired senior civil servant)
- Mark Ennis (Executive Chair of SSE Ireland)

All public servants should conduct themselves with probity and in adherence with the Nolan principles which require that holders of public office should act with: (i) selflessness (ii) integrity (iii) objectivity (iv) accountability (v) openness (vi) honesty and (vii) leadership.

The boards of HSC bodies must keep registers of interest appropriate to the bodies' activities. Chairs and board members must, on appointment, declare any potential conflicts of interests such as business interests, position of authority in a charity or voluntary body in the field of health and social care, and any connection with a voluntary or other body contracting for HSC services. All board members should declare any conflict of interest that arises in the course of conducting HSC business. Although a register of interests of members is held by all the organisations represented on the Transformation Programme Board and Strategic Planning Group, a register is not required specifically for these or other working groups.

## Residential Care Homes: Closure

**Mr Allister** asked the Minister of Health, Social Services and Public Safety when (i) his Department; and (ii) the Health and Social Care Board were made aware of the decisions by various Health and Social Care Trusts to close all their residential homes; and how they were informed of the decisions.

**(AQW 22977/11-15)**

**Mr Poots:** I should advise that, at no stage, were recent decisions taken by any Trust to close residential care homes. However, some Trusts had developed proposals on the closure of a number of statutory residential care homes for older people in their area.

On 3 May 2013, I called a halt to the local Trusts' processes for closure of statutory residential homes for older people. The HSC Board will now lead a new process for consultation and engagement. I have recently written to residents in affected homes explaining to them what is now going to happen. I want the new process to be clear and not rushed.

## Royal Victoria Hospital, Belfast: Genito-urinary Medicine Clinic

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety, on average, how many requests per week the genitor-urinary medicine clinic at the Royal Victoria Hospital, Belfast, receives for appointments; and how many appointment slots the clinic offers per week.

**(AQW 22980/11-15)**

**Mr Poots:** The Belfast Health and Social Care Trust has advised that, at maximum capacity, there are two hundred appointment slots available per week at the genitourinary medicine clinic at the Royal Victoria Hospital. This is the maximum capacity that the clinic can offer and the total varies from week to week depending on factors such as annual leave.

The Belfast HSC Trust has stated that there are approximately 1,800 telephone calls into the unit per week, including appointment requests and calls of another nature such as queries. They are currently working with BT to develop a system to ascertain the nature of calls and how many are actioned and answered.

### Royal Victoria Hospital: Maternity Leave

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety to outline the Royal Victoria Hospital's procedure for providing cover for maternity leave; and whether it will be replacing the sexual health consultant at the genitourinary medicine clinic.

**(AQW 22981/11-15)**

**Mr Poots:** All Health and Social Care Trusts must consider how best the service can be provided in the absence of a person on maternity leave in the context of their particular circumstances.

Belfast Trust has recently advertised for locum cover for the Genitourinary Medicine Clinic.

### Northern Ireland Fire and Rescue Service

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety whether he is recommending that the annual internal promotion process within the Northern Ireland Fire and Rescue Service be continued in its current form.

**(AQW 23037/11-15)**

**Mr Poots:** The Northern Ireland Fire and Rescue Service annual selection and promotion process will not continue in its current format. The assessment element has been reviewed and arrangements developed for a new assessment process in the future.

### Health Service Fertility Treatment

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety (i) how many people have availed themselves of health service fertility treatment in each of the last three years; (ii) what is the annual cost of delivering this treatment; (iii) what is the success rate of one cycle of fertility treatment; and (iv) how much it would cost to increase the treatment to (a) two; and (b) three cycles.

**(AQW 23041/11-15)**

**Mr Poots:** 770 IVF and ICSI fertility treatments were commissioned by the Health and Social Care Board in each of the last 3 years. The Health and Social Care Board invests

£3 million per year in infertility services, which includes Ovulation induction (OI) by oral medication (Clomiphene citrate / gonadotrophins) and Intrauterine insemination (IUI) as well as IVF and ICSI.

For all age groups and diagnosis in the year January to December 2012 the fresh clinical pregnancy rate per cycle was 24.1%, whereas the Frozen clinical pregnancy rate per cycle was 16.2%.

My Department is currently considering the revised NICE Guideline CG156 for its applicability in Northern Ireland including the financial implications of providing up to 3 cycles of treatment as recommended by this guideline.

### Chemotherapy Appointments

**Mr Ó hOisín** asked the Minister of Health, Social Services and Public Safety whether patients, who have been allotted a chemotherapy appointment on a bank holiday, are having their appointment rescheduled.

**(AQW 23075/11-15)**

**Mr Poots:** Chemotherapy is a multi-professional service and generally delivered in an outpatient setting. Treatment is delivered on a cyclical basis, with patients receiving treatment at fixed intervals according to the toxicities of the drugs used. Where clinics fall on a Bank Holiday patients are generally treated the following week, or on a different day in the same week depending on the urgency and type of treatment.

As part of the Northern Ireland Cancer Network the Health and Social Care Trusts are committed to continually reviewing their service model to include consideration of alternative arrangements to support the rescheduling of treatments which may fall on public holidays.

### Tranquilliser and Anti-psychosis Drugs

**Mr Ó hOisín** asked the Minister of Health, Social Services and Public Safety how many prescriptions were issued for (i) drugs containing benzodiazepan; and (ii) other tranquilliser and anti-psychosis drugs, in each of the last five years.

**(AQW 23077/11-15)**

**Mr Poots:**

- (i) The number of prescription items for drugs containing benzodiazepine for which a prescription was written, dispensed by a community pharmacist, and presented for payment in each of the last five years is shown in table 1.

Items included in the figures in part (i) are drugs which contain benzodiazepine and are categorized under Chapter 4 Section 1 of the British National Formulary 'Hypnotics and Anxiolytics'.

- (ii) The number of prescription items for hypnotic and anxiolytic drugs that do not contain benzodiazepine i.e. all of BNF 4.1 minus the figures quoted in part (i) of this AQ, plus all drugs from BNF 4.2, 'Drugs used in psychoses & related disorders', for which a prescription was written, dispensed by a community pharmacist, and presented for payment in each of the last five years is shown in table 1.

Figures relate to prescriptions which were dispensed by a community pharmacist or dispensing doctor, and presented for payment during the period. Not all prescriptions issued are subsequently dispensed and presented for payment, so the number of prescriptions issued is not known centrally.

The figures shown are presented by the financial year in which the prescription was paid to the pharmacist; it should be noted that there may be a time lag where prescriptions have been dispensed by the community pharmacist in a particular year but paid the following year. The data provided only covers drugs dispensed in primary care, as drugs prescribed and dispensed in hospital cannot be captured centrally due to the use of different hospital IT systems

**Table 1: The number of prescription items for hypnotics and anxiolytics, and for drugs used in psychoses and related disorders, which were dispensed and presented for payment by community pharmacists within each of the last five financial years.**

Financial Year	No. of prescription items for hypnotics and anxiolytics, which contain benzodiazepines	No. of prescription items for hypnotics and anxiolytics which do not contain benzodiazepines, plus no. of prescription items for drugs used in psychoses & related disorders
2012/13	982,536	991,789
2011/12	1,016,623	982,086
2010/11	1,042,298	962,913
2009/10	1,029,123	909,767
2008/09	1,014,919	858,393

Source: Family Practitioner Services, Information and Registration Unit, BSO.

### Northern Ireland Hospice

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety for an update on his Department's proposed financial assistance for the Northern Ireland Hospice newbuild.

(AQW 23085/11-15)

**Mr Poots:** Following due consideration in respect of support for the development of the NI Hospice Adult Hospice, I am still considering my options and will announce my proposed way forward as soon as possible.

### Aughnacloy: McKeag Day Centre

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety to detail his plans for the future of the McKeag Day Centre, Aughnacloy.

(AQW 23105/11-15)

**Mr Poots:** I acknowledge the importance of day opportunities for those living with disabilities. These can be delivered in many different ways, but in doing so, the primary aim is to meet assessed need and to provide choice for the service user, where possible.

The Southern Trust aims to extend its range of community opportunities. This is part of developing more socially inclusive models of care and further supporting individuals to be more active members of society. This is in keeping with policy intentions, as set out, for example, in Delivering the Bamford Vision, and my Department's Physical and Sensory Disability Strategy.

Modernisation is required to develop a full range of day opportunities. However, I envisage that Day Centre provision will be part of the broader spectrum of services provided, to meet assessed need.

Any change in the provision of services will require full engagement with services users and their families, and will require local public consultation. No local decisions on the future of a centre, including the McKeag Day Centre, can be taken until this has occurred.

### Ethnic Minority Backgrounds: Doctors and Nurses

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety what financial and practical support is in place for doctors and nurses from an ethnic minority background to help them adapt to life in Northern Ireland.

(AQW 23119/11-15)

**Mr Poots:** There are no specific financial incentives available solely to doctors and nurses from an ethnic minority background however HSC employers do offer a range of practical support for all doctors and nurses new to Northern Ireland, from all backgrounds.

The support includes:

- advice on bank accounts
- advice on how to apply for National Insurance numbers
- provision of letters to confirm their employment to assist with applications for visa and rented accommodation

In certain HSC Trust areas, free accommodation can also be provided for doctors new to Northern Ireland, for a limited period, to allow more permanent living arrangements to be made.

## Healthy Start Scheme

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to detail the numbers and percentage rates of pregnant women who have availed themselves of free vitamins under the Healthy Start scheme; and whether he has any plans to introduce a scheme similar to that in Scotland which allows community pharmacies to dispense vitamins to pregnant women.

**(AQW 23186/11-15)**

**Mr Poots:** The information is not available in the format requested.

I am advised that in 2012/13, 291 women, who were pregnant or who had a baby under one year old received vitamin tablets under the Healthy Start Scheme.

The current arrangement in place here, for the postal distribution of Healthy Start vitamins directly to beneficiaries by the Business Service Organisation is considered to be efficient and cost effective. However, as part of the ongoing review of this arrangement, consideration will be given to the outcome of the 12 month trial arrangement introduced in Scotland earlier this year.

## Faxed Prescriptions

**Mr Swann** asked the Minister of Health, Social Services and Public Safety whether his Department has instructed any organisations within its remit that faxed prescriptions are no longer acceptable.

**(AQW 23237/11-15)**

**Mr Poots:** This Department is aware that faxed prescriptions are being used in certain urgent circumstances. While the Department takes the view that a faxed prescription does not fall within the definition of a legally valid prescription, in conjunction with the HSC Board, guidance was issued to all community pharmacists and GPs in January 2011. This described the correct procedures for the issue of prescriptions, the supply of medicines and the use of faxed prescriptions as part of arrangements in cases of urgency. Supply of certain medicines controlled under Misuse of Drugs legislation without possession of a legally valid prescription is an offence.

The Department has not issued instructions to any organisations that faxed prescriptions are no longer acceptable and has not been informed of any pharmacy that will no longer accept faxed prescriptions.

## Faxed Prescriptions

**Mr Swann** asked the Minister of Health, Social Services and Public Safety whether his Department has been informed that some pharmacists will no longer accept faxed prescriptions.

**(AQW 23238/11-15)**

**Mr Poots:** This Department is aware that faxed prescriptions are being used in certain urgent circumstances. While the Department takes the view that a faxed prescription does not fall within the definition of a legally valid prescription, in conjunction with the HSC Board, guidance was issued to all community pharmacists and GPs in January 2011. This described the correct procedures for the issue of prescriptions, the supply of medicines and the use of faxed prescriptions as part of arrangements in cases of urgency. Supply of certain medicines controlled under Misuse of Drugs legislation without possession of a legally valid prescription is an offence.

The Department has not issued instructions to any organisations that faxed prescriptions are no longer acceptable and has not been informed of any pharmacy that will no longer accept faxed prescriptions.

## Day Opportunities Placements

**Mr Girvan** asked the Minister of Health, Social Services and Public Safety how many day opportunities placements are funded by the Northern Health and Social Care Trust via (i) service level agreement; and (ii) direct payment; and which organisations in the Northern Health and Social Care Trust area are receiving these placements.

**(AQW 23240/11-15)**

**Mr Poots:** I am advised that within the Northern Health and Social Care Trust area:-

- (i) there are 537 community-based day opportunity placements funded by a Service Level Agreement with Triangle, Mencap, Compass, Acceptable Enterprises Larne, Kilcreggan Homes, Involve, Cookstown and Magherafelt Volunteer Centre and Greenlight.
- (ii) 10 Direct Payments are paid directly to the carer/user to purchase day provision of their choice.

You should also be aware that there are a further 17 placements, provided by the Bridge Association, which come under an interim funding arrangement with the Northern HSC Trust.

### Mid Ulster Hospital: Outpatients Department

**Mr I McCrea** asked the Minister of Health, Social Services and Public Safety to detail the future plans for the general medical clinics located at the Mid Ulster Hospital outpatients department.

**(AQW 23243/11-15)**

**Mr Poots:** The Northern Health and Social Care Trust is responsible for the provision of clinical interventions and care for patients at the Mid Ulster Area Hospital.

I have been advised by the Trust that the demand for general medical outpatient clinics has reduced as a result of an increased demand for speciality specific clinics. In partnership with GPs and the Northern Commissioning Team, it was agreed to replace general medical clinics with a more responsive patient service delivered through the establishment of Rapid Access Clinics.

Acute physicians are now providing this type of clinic each day, rather than through traditional outpatient type clinics.

### Multiple Sclerosis Nurses

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety how many multiple sclerosis nurses are employed in each Health and Social Care Trust.

**(AQW 23248/11-15)**

**Mr Poots:** I refer the Member to the answer given in AQW 22702/11-15.

### Multiple Sclerosis Nurses

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety to detail the number multiple sclerosis nurses per head of population in each Health and Social Care Trust area.

**(AQW 23249/11-15)**

**Mr Poots:** Referring to the answer given in AQW 22702/11-15, the whole-time equivalent number of Multiple Sclerosis nurses<sup>1</sup> per 100,000 population<sup>2</sup> in each Health and Social Care Trust area is shown in the table below. Staffing figures have been obtained from the Health and Social Care Trusts, and have not been verified by the Department.

HSC Trust	Headcount <sup>1</sup>	Whole-time equivalent (WTE) <sup>1</sup>	Population <sup>2</sup>	WTE per 100,000 population
Belfast	6	5.1	334,820	1.52
Northern	1	0.5	460,364	0.11
South Eastern	0	0.0	348,301	0.00
Southern	1	1.0	362,711	0.28
Western	2	1.5	300,677	0.50

**Sources:**

- 1 Multiple Sclerosis Nurses May 2013, Health & Social Care Trusts
- 2 Population – Sub regional 2011 Mid Year Estimates (2001 Census based), Northern Ireland Statistics & Research Agency

### Multiple Sclerosis Nurses

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety to detail the number multiple sclerosis (MS) nurses per person diagnosed with MS in each Health and Social Care Trust area.

**(AQW 23250/11-15)**

**Mr Poots:** As referred to in answer to AQW 23247/11-15, the number of individuals diagnosed with Multiple Sclerosis (MS) in Northern Ireland is not available; therefore the number MS nurses per person diagnosed with MS cannot be calculated.

## Dentists and Dental Services: Rural Areas

**Ms McGahan** asked the Minister of Health, Social Services and Public Safety what measures he is taking to address the difficulties experienced by dentists and dental services in rural areas.

**(AQW 23267/11-15)**

**Mr Poots:** I am not aware of any specific difficulties being experienced by dental services in rural areas.

From 2003 until 2010, quality improvement grants were offered to all General Dental Practices both rural and urban. Funding (£1.1 million recurrent through Quality Improvement Scheme 2007/08 to 2009/10) allowed practices to purchase new equipment to improve patient safety, care quality and practice efficiency. Dentists are paid for the number of patients registered and for treatment provided, but also, through the practice allowance payments, practices have received funding (an additional recurring £4 million into the practice allowance from 2007 onwards) which they may use to improve premises and equipment. These two schemes have been available to all Northern Ireland GDS practices and are weighted to allow those with a greater Health Service commitment to receive greater levels of funding.

Oasis Dental Care was awarded a contract to provide additional dental services throughout NI, in all areas where access had previously been problematic. The access problems that existed in previous years have been addressed.

## Children's Residential Care

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the spend on children's residential care, in each of the last three years.

**(AQW 23286/11-15)**

**Mr Poots:** A breakdown of the spend on children's residential care, by Health and Social Care Trust, in each of the last three years, is set out in the table below.

HSC Trust	2011/12 £m	2010/11 £m	2009/10 £m
Belfast HSC Trust	6.0	5.7	5.4
Northern HSC Trust	4.1	4.1	4.5
South Eastern HSC Trust	4.0	3.7	4.5
Western HSC Trust	5.6	6.0	6.3
Southern HSC Trust	7.1	6.3	6.0
<b>Total</b>	<b>26.8</b>	<b>25.8</b>	<b>26.7</b>

\*Source: HSC Trusts

## Residential Care Beds

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety what is the current number of residential care beds per 1000 of the population over 65; and how this compares to other regions of the UK.

**(AQW 23299/11-15)**

**Mr Poots:** At 31 March 2013, there were 16.7 approved places for residential care per 1,000 of the population aged 65 and over in Northern Ireland.

In England, at 31 March 2012, there were 17.1 per 1,000 persons aged 65 and over supported in independent residential care.

In Wales, at 31 March 2012, there were 14.1 per 1,000 persons aged 65 and over in residential placements in care homes.

This information was unavailable for Scotland.

## Learning Disabilities: Clients

**Mr Girvan** asked the Minister of Health, Social Services and Public Safety (i) whether the Northern Health and Social Care Trust has approved a payment of £120 per day for a client with learning disabilities to attend Triangle/Alternative Angles outside of the day opportunities programme; (ii) how this payment was calculated; and (iii) what services are being provided.

**(AQW 23324/11-15)**

**Mr Poots:** I am advised that, within the Learning Disability Programme of Care, the Northern Trust has not approved a payment of £120 per day for a client with learning disabilities to attend Triangle/Alternative Angles outside of the Day Opportunities Programme.



## Electroencephalogram Services

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety what electroencephalogram services are available in each Health and Social Care Trust Area.

**(AQW 23330/11-15)**

**Mr Poots:** I have been advised that an electroencephalography (EEG) service is provided to adults and children in the Belfast Health and Social Care (HSC) Trust area.

In the Western HSC Trust, an EEG service for adults has been provided at Altnagelvin Hospital since March 2013. The extension of this service to cover children is currently under consideration.

In the Southern HSC Trust, an EEG service is provided to inpatients and outpatients within the Southern, and part of the Western HSC Trust, by the Neurophysiology Department in Craigavon Area Hospital.

The Northern and South Eastern HSC Trusts do not provide EEG services. Patients requiring this service are referred to the Belfast HSC Trust.

## Residential Care Homes: Closure

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety, in light of the proposals to close statutory older peoples' residential homes and the resulting increase in private care provision, what consideration is being given to initiating and encouraging affordable insurance cover for older people who are preparing for their transition into residential care.

**(AQW 23342/11-15)**

**Mr Poots:** Residents of residential care and nursing homes, regardless of whether their care is provided by the statutory or private sector, are required to contribute to the cost of their care in line with their ability to pay.

I recognise and acknowledge the stress moving into residential care can cause individuals and their families, particularly in relation to the potential costs associated with that care. That is why my Department is currently taking forward a three stage process of reform of adult care and support in Northern Ireland. Stage One, a six month consultation on the discussion document "Who Cares?" The Future of Adult Care and Support in NI", concluded on 15 March 2013.

My officials are currently preparing a consultation report for publication next month. Once I have had the opportunity to consider the views and opinions of the people of Northern Ireland my Department will develop proposals for reform, which will include changes to how care and support is funded. An important part of this will be to consider ways to encourage people to make plans for their future; this may include consideration of how the insurance industry can better support individuals in so doing.

## EpiPens

**Mr B McCreagh** asked the Minister of Health, Social Services and Public Safety what process was used to prioritise the use of EpiPens, over any other similar product, in the Health and Social Care Trusts.

**(AQW 23376/11-15)**

**Mr Poots:** There are no processes in place to prioritise the use of Epipen® auto-injectors in Health and Social Care Trusts.

The current advice in the Northern Ireland Formulary regarding products for patient use in an allergic emergency is that EpiPen® or Jext® auto-injectors may be used as first line treatments. The formulary applies in both primary and secondary care.

Although adherence to the formulary is strongly recommended another product called Anapen® is also available and may be prescribed by a clinician if it is deemed more suitable for the patient.

## Northern Health and Social Care Trust: Day Opportunities Programme

**Mr Girvan** asked the Minister of Health, Social Services and Public Safety (i) whether the Northern Health and Social Care Trust has approved a payment of £63 per day to Triangle/Alternative Angles for clients to attend the day opportunities Programme; (ii) how this payment was calculated; and (iii) what services are being provided.

**(AQW 23395/11-15)**

**Mr Poots:** I am advised that the Northern Trust has not approved a payment of £63 per day to Triangle/Alternative Angles for clients to attend the Day Opportunities Programme.

## Eating Disorders

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what additional initiatives his Department is considering to tackle eating disorders.

**(AQW 23396/11-15)**

**Mr Poots:** There have been significant developments in Eating Disorder Services for young people and adults across Northern Ireland in recent years. There are specialist community-based eating disorder teams in each Health & Social Care Trust area (with the Belfast Trust providing these services for the South Eastern Trust). The four Child and Adolescent Mental

Health Teams have also been expanded and now include staff specialising in the treatment of eating disorders. Inpatient treatment for eating disorders is also provided for adults in each Trust area, managed by specially trained medical/psychiatric staff, supported on an in-reach basis by staff from community based eating disorder teams. Children needing inpatient treatment are cared for in the regional child and adolescent unit at Beechcroft in Belfast.

With these services now firmly established, the HSCB and PHA, through the Regional Eating Disorders Network Group, are now focussing on the further development of skills in relation to the treatment of eating disorders across Trusts. A regional care pathway for Eating Disorders is currently being developed which will span primary to secondary care and improve service quality across the region.

## Organ Donation

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the timescale for a public consultation on organ donation.

**(AQW 23397/11-15)**

**Mr Poots:** I recently announced my intention to survey public opinion across Northern Ireland to ask the public how they believe increased consent for organ donation can be achieved. The Public Health Agency, which will carry out this work, is aiming to get the survey and focus group work underway over the summer months this year.

## Endometriosis

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety how many women are diagnosed with endometriosis.

**(AQW 23472/11-15)**

**Mr Poots:** Information on the number of people currently diagnosed with endometriosis is not available.

Admissions and Approximated Individuals Admitted to HSC Hospitals in Northern Ireland in 2011/12 where a diagnosis of endometriosis was recorded are shown in the table below.

HSC Trust	Number of Admissions	Number of Individuals
Belfast	347	312
South Eastern	190	186
Northern	273	264
Southern	184	174
Western	161	151
<b>Total</b>	<b>1,155</b>	<b>1,087</b>

**Source:** Hospital Inpatients System

## Adult Mental Health Services

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety how much funding the Northern Health and Social Care Trust received from the £13 million investment in adult mental health; and whether the trust plans to invest any of this money into the agricultural community, to increase early intervention in mental health problems in the sector.

**(AQW 23507/11-15)**

**Mr Poots:** The Northern Trust is receiving £3.713m of the additional £13m being invested by the Health and Social Care Board in Adult Mental Health services for the 3 years 2012-2015. The Trust plans to invest this additional funding in a range of services to meet the Mental Health needs of rural and urban populations across its area.

## Dentists: Commitment Payment and Practice Allowance

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety whether the (i) commitment payment; and (ii) practice allowance will be paid to dentists in June 2013, and will continue thereafter.

**(AQW 23609/11-15)**

**Mr Poots:** My Department has considered and analysed the responses to the recent public consultation on changes to the provision of General Dental Services, including the proposed amendments to practice allowance criteria and the cessation of commitment payments.

I will shortly be in a position to decide which changes will be taken forward. A summary of the consultation responses will be published alongside the final details of which changes will be introduced. Under the existing arrangements, the commitment allowance would not be calculated until July 2013 and the practice allowance, which is paid twice a year, would not be issued until November 2013.

## Water Fluoridation Pilot Study

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 21988/11-15, why no records were kept of the water fluoridation pilot study in Holywood.

**(AQW 23610/11-15)**

**Mr Poots:** The legislation that currently applies to water fluoridation is the Water and Sewerage Services (Northern Ireland) Order 2006 and the DHSSPS has the right to request a 'water undertaker' to increase the fluoride content of the water supplies. Section 134 would require the DHSSPS to "monitor the effects of water fluoridation on the health of persons living in the area specified within the arrangements", "publish reports containing an analysis of those effects", and make any related information available.

The previously applicable legislation was the Water (Fluoridation) (Northern Ireland) Order 1987. The explanatory note for this legislation stated that "this Order empowers the Department of the Environment for Northern Ireland, on the application of a Health and Social Services Board, to fluoridate the water supplied within the area, or a part of the area, of that Board. Before making such an application, a Board is required to publish details of its proposal, consult district councils for the area affected by the proposal and obtain the approval of the Department of Health and Social Services." The DHSS was therefore not directly involved and the legislation does not appear to have required any monitoring of the effects of water fluoridation and analysis or reporting of such effects.

Hansard records for House of Commons Written Answers for 17 December 1997 indicate that the fluoridation scheme in Holywood became operational in 1970 and it is not clear what legislation, if any, would have applied to the fluoridation of water supplies at the time of instigation. The Water (Fluoridation) (Northern Ireland) Order 1987 allowed for the continuity of existing fluoridation schemes by the Department of the Environment taking over their operation. The then Department of Health and Social Services was not involved in this respect.

The Hansard records for House of Commons Written Answers for 17 December 1997 also states that "no assessment of the effects of fluoridation have been carried out in Tandaragee [sic] or Holywood because the population supplied with fluoridated water is too small for a valid statistical assessment to be made".

## Department of Justice

### Maghaberry Prison: Near Death of a Prisoner

**Lord Morrow** asked the Minister of Justice, in relation to the Prisoner Ombudsman's report into the near death of a Prisoner at Maghaberry Prison in February 2012 and, that the answer to AQW 14838/11-15 stated that training in applied suicide intervention skills commenced in June 2007 and SPAR training first commenced in May 2009, to detail why a senior officer directly involved in the supervision/guidance of staff and the care of a vulnerable and suicidal prisoner was placed in such a position when not trained until after the event even though staff under disciplinary investigation arising from previous deaths in custody and a number of external agencies had already highlighted this deficiency.

**(AQW 22663/11-15)**

**Mr Ford (The Minister of Justice):** As part of their core function and role, all Prison Officers are given appropriate training to supervise, care for and manage prisoners, including those identified as being vulnerable. The senior officer in question had been due to attend ASIST and SPAR training on the day following the incident, but had previously attended a SPAR workshop at which officers received SPAR familiarisation training.

The Governor, following consideration of the content of the Prisoner Ombudsman's report, has arranged for all Senior Officers within Maghaberry Prison to receive refresher training in the SPAR procedures.

### Prisoners: Temporary Release

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 20234/11-15 and AQW 21633/11-15, whether he plans to investigate the granting of this temporary release from the prisoner assessment unit given the relative was Noel Parker's nephew and not his daughter, specifically to examine (i) if records were not correctly checked or procedures followed; (ii) what details were entered on application forms and assessed and subsequently approved; and (iii) whether this was a genuine mistake.

**(AQW 22900/11-15)**

**Mr Ford:** NIPS do not plan to investigate the granting of this temporary release but having reviewed the documentation while preparing a response to AQW 22586/11-15, NIPS records indicate it was the wedding of Mr Parker's niece. The incorrect information previously supplied in AQW/21633/11-15 was due to an administrative error and NIPS apologise for the misunderstanding.

### Prisoners: Vulnerable

**Lord Morrow** asked the Minister of Justice what criteria are applied to determine if a prisoner is considered vulnerable.

**(AQW 22907/11-15)**

**Mr Ford:** Many prisoners may be described as vulnerable due to various reasons. Those deemed vulnerable due to being at risk of suicide or self harm will be managed under the Supporting Prisoners at Risk (SPAR) process.

The Prison Service Suicide and Self-Harm prevention policy defines a vulnerable prisoner as "An individual whose inability to cope with personal situations within the prison environment may lead them to self harm. Some at risk prisoners will display their inability to cope through their actions or behaviours or the manner in which they present, others may give little or no indication".

### **Prisoner: Attempted Suicide**

**Lord Morrow** asked the Minister of Justice, in relation to the attempted suicide by a prisoner on 19 February 2012, to detail (i) the reason that only one officer was on duty in the Care and Supervision Unit at 19.03 when the prisoner was found, thereby limiting a response; and (ii) the recommended staffing levels required to be in the unit at one time.

**(AQW 22957/11-15)**

**Mr Ford:** The recommended staffing level for the Care and Supervision Unit (CSU) during unlock is four members of staff. When prisoners are locked, as they were at the time of the incident, the recommended staffing level is one member of staff. Radio contact is maintained to enable assistance to be requested when required.

### **Legal Services Commission Staff**

**Mr McKay** asked the Minister of Justice whether staff in the Legal Services Commission are entitled to pay progression.

**(AQW 22960/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission has sought legal advice on the contractual right of staff to pay progression. As is common practice, the legal advice sought and received by the Commission are covered by legal privilege. I am therefore unable to provide a response to the above position.

### **Northern Ireland Prison Service**

**Lord Morrow** asked the Minister of Justice to detail (i) when the Northern Ireland Prison Service will respond to the 44 issues of concern articulated by the Prisoner Ombudsman in the case of prisoner 'Mr C' and; (ii) whether the Northern Ireland Prison Service senior management intends to carry out a review in conjunction with the South Eastern Health and Social Care Trust, given that a number of issues have previously appeared in recommendations, or issues of concern, following investigations by the Ombudsman and inspections by external agencies.

**(AQW 22968/11-15)**

**Mr Ford:** The Northern Ireland Prison Service (NIPS) has drawn up an action plan in response to 31 issues of concern highlighted in the Prisoner Ombudsman's report into the near death of 'Mr C'. Work required has commenced and the Head of Prisoner Safety and Support in Maghaberry has been tasked with monitoring progress until completion. The 13 other issues of concern relate to healthcare matters and the South Eastern Health and Social Care Trust (SEHSCT) are responsible for prison healthcare.

Lessons learned from the recent Prisoner Ombudsman's investigation into the near death of 'Mr C' will be taken forward by NIPS in collaboration with SEHSCT, through the existing governance structures.

### **PSNI Serious and Organised Crime Branch**

**Mr D McIlveen** asked the Minister of Justice how much of the circa £25,000,000 currently held by PSNI Serious and Organised Crime branch relates to the Northern Bank robbery of December 2004.

**(AQW 22997/11-15)**

**Mr Ford:** As stated in AQW/22995 it is believed that the figure referred to is £23,400,000 which is an approximate gross amount relating to Northern Ireland civil recovery cases that are currently under investigation or currently in litigation by the Serious Organised Crime Agency (SOCA). SOCA will not comment on the make-up of this figure as this may affect ongoing investigations.

### **Child Exploitation and Online Protection Centre/National Crime Agency**

**Mr D McIlveen** asked the Minister of Justice what will be the relationship between the Child Exploitation and Online Protection Centre and the PSNI once the National Crime Agency comes into effect.

**(AQW 22998/11-15)**

**Mr Ford:** The Child Exploitation and Online Protection Centre (CEOP) will be incorporated as one of four operational commands of the National Crime Agency (NCA). As things stand, the NCA will not have powers in the devolved sphere in Northern Ireland and therefore CEOP officers will not be able to conduct investigations here.

While I have significant concerns about the implications for Northern Ireland, Organised Crime Task Force partners are working to ensure that these are minimised as far as they can be, including ensuring that as much information as possible is exchanged and that the PSNI has access to advice from all of the commands of the NCA.

In addition, I am still seeking to reach agreement so that the NCA's role will extend fully to Northern Ireland.

## Legal Aid

**Lord Morrow** asked the Minister of Justice to detail the costs, including for legal aid, of Gerry McGeough's latest appeal against conviction and sentence.

**(AQW 23000/11-15)**

**Mr Ford:** The estimated costs of the appeal are set out in the table below.

Cost Type	Estimated Cost
PPS Prosecution <sup>1</sup>	£8,842
Defence <sup>2</sup>	-
Court (Judiciary and Staff Costs)	£4,478
Facilities (eg Courtroom Accommodation)	£250
<b>Total</b>	<b>£13,570</b>

- 1 In the absence of detailed records of time spent on individual cases it is not possible to produce precise costs for PPS staff. Some costs are identifiable, however, for example the fees paid to prosecuting counsel and expenses paid to witnesses.
- 2 Defence legal costs have not yet been submitted to the Taxing Master for assessment and consequently are unavailable.

## Northern Ireland Police Fund

**Mr Copeland** asked the Minister of Justice to detail (i) why the Northern Ireland Police Fund has recently terminated chronic pain relief support for its clients; and (ii) whether there will be a reduction in the number of staff employed by the Northern Ireland Police Fund as a result.

**(AQW 23002/11-15)**

**Mr Ford:** I have been advised by the Northern Ireland Police Fund that the chronic pain relief support for its clients has not been terminated but is now being delivered by a service delivery partner.

Staffing levels will not be affected by the revised process as although the staff will no longer assess client applications they will be engaged in monitoring the performance of the service provided by the service delivery partner.

## Northern Ireland Police Fund

**Mr Copeland** asked the Minister of Justice whether the Northern Ireland Police Fund adheres to the Steele report in supporting police officers "who have been directly affected by terrorist violence."

**(AQW 23003/11-15)**

**Mr Ford:** As recommended by the Steele Report 2000, and as detailed in the Northern Ireland Police Fund's agreed Management Statement and Financial Memorandum with my Department, the Fund provides care and financial assistance to police officers and ex-officers who have been injured or disabled as a direct result of terrorism, and to the widows and families of police officers injured or killed through terrorism including PSNI officers who may be killed or injured in the future in this way.

## Northern Ireland Police Fund

**Mr Copeland** asked the Minister of Justice whether funding provided to police groups via the Northern Ireland Police Fund and his Department adheres to equality legislation.

**(AQW 23004/11-15)**

**Mr Ford:** As public bodies, my Department and the Northern Ireland Police Fund is obliged to adhere to the Section 75 statutory duties. Our funding activities and administrative practices adhere to equality legislation.

## Northern Ireland Police Fund

**Mr Copeland** asked the Minister of Justice to detail any change in his Department's increase of governance and audit requirements of the Northern Ireland Police Fund within the last year.

**(AQW 23005/11-15)**

**Mr Ford:** There has been no change in my Department's governance and audit requirements of the Northern Ireland Police Fund (NIPF) within the last year. My Department as Sponsor supports the NIPF and ensures that proper procedures with regard to governance and audit are followed.

NIPF have an agreed Management Statement and Financial Memorandum with my Department, which sets out both the broad framework within which the NIPF will operate, and the financial provisions NIPF shall observe. Quarterly governance meetings chaired by the Head of Sponsor Branch are held with NIPF throughout the year to review and monitor the organisation's performance. A departmental official is also an observer on the NIPF's Audit and Risk Committee and in this capacity addresses any key financial or other risks facing the organisation.

### Colin Duffy: Legal Aid Costs

**Lord Morrow** asked the Minister of Justice to detail the total cost involved, including legal aid, for Colin Duffy's abandoned High Court claim for damages against the RUC and the British Attorney General in relation to alleged wrongful arrest, false imprisonment and malicious prosecution 16 years ago.

**(AQW 23051/11-15)**

**Mr Ford:** The available estimated costs of Colin Duffy's High Court claim for damages are given in the table below.

Cost Type	Estimated Cost
PSNI <sup>1</sup>	Not Available
PPS <sup>2</sup>	Not Available
Defence <sup>3</sup>	Not Available
Court (Judiciary and Staff Costs)	£1,096.73
Facilities (e.g. Courtroom Accommodation)	£300
<b>Total</b>	<b>£1,396.73</b>

1 PSNI have advised that costs are not yet available.

2 The PPS have advised it may be several weeks before costs are available.

3 Article 24 of the Legal Aid, Advice and Assistance (NI) Order 1981 precludes the release of information in respect of civil cases in which legal aid has been granted.

### Northern Ireland Prison Service Anti-bullying Policy

**Lord Morrow** asked the Minister of Justice for his assessment of the effectiveness of the Northern Ireland Prison Service anti-bullying policy given that the Prisoner Ombudsman has listed a number of issues of concern regarding the non-compliance of the policy by Prison Service staff following complaints made by Prisoner 'Mr C' at Maghaberry in February 2012 and given the criticisms following the death in custody of Samuel Carson at Hydebank in May 2011 when similar failings were uncovered, to detail (i) why staff are not compliant with the policy; (ii) whether he will provide an assurance that urgent steps will be implemented to address these failings effectively; and (iii) whether the Northern Ireland Prison Service directed a disciplinary investigation in the case of Prisoner 'Mr C'.

**(AQW 23055/11-15)**

**Mr Ford:** The Northern Ireland Prison Service (NIPS) recognises the importance of challenging and addressing bullying behaviour and Governors continue to work to ensure the Anti Bullying Policy is being consistently applied.

Maghaberry Prison revised its Anti Bullying Policy in 2012 and has held anti bullying awareness sessions for staff to set out the requirements of the policy in relation to the completion of investigations into all allegations of prisoner on prisoner bullying.

Hydebank Wood have also held anti bullying awareness sessions for staff and will continue to develop their anti bullying measures by supporting staff through effective leadership, coaching and mentoring and continue to regularly monitor these arrangements.

NIPS take the failings identified in the report extremely seriously and while there is no plan to direct a disciplinary investigation, steps to improve performance and cultural change are being taken forward as part of the wider Prison Reform programme.

### Northern Ireland Prison Service: Supporting Prisoners at Risk

**Lord Morrow** asked the Minister of Justice, in relation to cellular confinement, whether the Northern Ireland Prison Service has alternative methods of punishment in place for prisoners on the supporting prisoners at risk programme or who have mental health problems.

**(AQW 23059/11-15)**

**Mr Ford:** The awards authorised for use by Governors following a proven case of indiscipline referred under Prison Rules are restricted to one or an accumulation of any of the awards listed under Rule 39 and Rule 95 of the

Prison and Young Offender Centre Rules (Northern Ireland) 1995 (as amended). Rule 95 stipulates the specific awards appropriate for Young Offenders, from those for adult offenders under Rule 39. Other alternatives to cellular confinement are available under both of these Rules and Adjudicating Governors should decide on the appropriate award, having considered the gravity of the offence committed and any other circumstances regarding the offender at that time.

## Legal Services Commission

**Mr McKay** asked the Minister of Justice why staff in the Legal Services Commission have not received service based progression. (AQW 23061/11-15)

**Mr Ford:** The Northern Ireland Legal Services Commission (NILSC) has a number of outstanding Pay Remits covering the periods 2010/11, 2011/12 and 2012/13. NILSC employees last received a pay increase in 2010, when a unilateral pay award of 2.6% was made.

In January 2013, the NILSC submitted a Pay Strategy Business Case to the Department of Justice for consideration. This business case includes provision for service based progression. A few queries remain outstanding and my officials will continue to work with NILSC to address the outstanding issues and to ensure that, when completed, any agreed Pay Strategy is passed to DFP for financial approval.

## People with a Psychotic Disorder: Guilty of Serious Offences

**Lord Morrow** asked the Minister of Justice to outline the procedure in place for the incarceration of a person who is found guilty of a serious offence but deemed to be suffering from a psychotic disorder. (AQW 23106/11-15)

**Mr Ford:** Under the Mental Health (Northern Ireland) Order 1986, where a person is convicted of an offence other than murder which is punishable with imprisonment, the court has the power to impose a hospital order under certain conditions.

These conditions are that the court is satisfied on the evidence of two medical practitioners that the offender is suffering from mental illness or severe mental impairment of a nature or degree which warrants his detention in hospital for medical treatment; and is of the opinion, having regard to all the circumstances, including the nature of the offence and the character and antecedents of the offender, and to the other available methods of dealing with him, that the most suitable means of dealing with the case is by means of a hospital order.

An offender subject to a hospital order can be detained for a period not exceeding 6 months beginning with the date of admission. That period of detention can be renewed for a period of 6 months and then subsequent periods of 1 year. The offender has the right of appeal to the Mental Health Review Tribunal.

A court may however place a restriction order on a hospital order where it appears to the court, having regard to the nature of the offence, the antecedents of the person and the risk of his committing further offences if set at large, that it is necessary for the protection of the public from serious harm to do so.

An offender subject to a restriction order cannot be transferred or granted leave of absence without the consent of the Department. Discharge is under the authority of the Mental Health Review Tribunal or the Department.

## Northern Ireland Prison Service Staff

**Lord Morrow** asked the Minister of Justice why a number of Northern Ireland Prison Service staff have been able to avail themselves of the voluntary early retirement scheme when they did not meet the required criteria. (AQW 23108/11-15)

**Mr Ford:** All successful applicants to the VER were aged 50 and over at 8 November 2011. The following criteria were applied and determined the order in which staff would be released:-

- (a) the number of staff, as far as possible, to match the required reductions in the number of posts in that grade;
- (b) in the event of a greater number of eligible staff applying than can be released for each grade, selection to be made on a least cost basis; and
- (c) account to be taken of NIPS operational requirements.

The Scheme criteria has been set to allow decisions to be taken objectively and the VER Selection Panel made their decisions solely on this basis.

## Carecall Funding

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 20873/11-15, whether departmental funding provided to Carecall is paid directly or through an agency, and if so, to detail the name of the agency. (AQW 23110/11-15)

**Mr Ford:** The Department of Justice and its Agencies are part of a NICS contract which provides an Employee Assistance Programme for staff. All costs are paid directly to Carecall.

### Northern Ireland Prison Service: Prisoners at Risk

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 16052/11-15, whether he plans to revise his answer given that three of the staff suspended and disciplined could not have received training in the prisoner at risk process as stated, given that all three were employed by the Northern Ireland Prison Service a number of years prior to the introduction of the process. (AQW 23114/11-15)

**Mr Ford:** The incorrect information previously supplied in AQW/16052/11-15 was due to an administrative error and NIPS apologise for the misunderstanding.

On further investigation, it has only been possible to confirm that one of the three members of staff underwent PAR training as part of their nurse induction training.

### Minority Ethnic Background: Legislation

**Mr Kinahan** asked the Minister of Justice to outline the monitoring arrangements in place to ensure that those from a minority ethnic background are treated in line with European Union, United Kingdom and Northern Ireland legislation. (AQW 23125/11-15)

**Mr Ford:** The Equality Scheme for the Department of Justice sets out how the Department plans to fulfil its Section 75 statutory duties across all functions (including service provision, employment and procurement). Chapter two of the Equality Scheme explains how the Department is assessed for compliance with the Section 75 Duties. As part of the monitoring arrangements in place, the Department is required to complete an annual report on implementation of the Equality Scheme. The Department is required to forward a completed Section 75 annual report to the Equality Commission Northern Ireland by 31 August each year.

In July 2012, the Criminal Justice Board approved the creation of a multi-agency project group to design and deliver the mechanism for developing a criminal system-wide equity monitoring system, to examine decision making in the criminal justice system with particular focus on offenders. Once established, this monitoring system will allow detailed data to be gathered which will allow a more comprehensive understanding of how the system is working in respect of S75 categories, including people from an ethnic minority background.

### Minority Ethnic Background: Legislation

**Mr Kinahan** asked the Minister of Justice to outline the action he is taking to ensure that those from a minority ethnic background are treated in line with European Union, United Kingdom and Northern Ireland legislation. (AQW 23126/11-15)

**Mr Ford:** My Department is committed to fulfilling its statutory responsibilities in respect of the Human Rights and Equality legislation. We actively monitor the racial make-up of staff and client groups and engage with representative groups from minority ethnic communities to ensure that the services we provide are fully accessible to everyone.

Diversity is a key part of the justice agenda both externally and internally. The DOJ has a diversity strategy and action plan in place and has established a staff led diversity network which focuses on black and ethnic minority staff.

The Department of Justice's Equality Scheme sets out specifically how the Department effectively fulfils its Section 75 statutory duties across all functions (including service provision, employment and procurement). You can access the DOJ Equality Scheme at:

<http://www.dojni.gov.uk/index/publications/publication-categories/pubs-departmental-business/doj-equality-scheme-2011-15.htm>.

### Roe House, Maghaberry: 2010 Agreement

**Mr P Ramsey** asked the Minister of Justice for an update on the implementation of the August 2010 agreement within Roe House, Maghaberry, with specific emphasis on controlled movement. (AQW 23133/11-15)

**Mr Ford:** The agreement of August 2010 has been implemented as far as has been possible. The continued refusal of separated republican prisoners in Roe House to associate together or share facilities has made further movement on this issue difficult at this time.

However, the Prison Service is committed to developing a more normalised regime for separated prisoners. The recent decision by the Governor to remove the Dedicated Search Team (DST) staff from the landings underlines this commitment. In addition a major programme of refurbishment is currently underway on the separated republican landings.

### Northern Ireland Police Fund

**Mr Copeland** asked the Minister of Justice to detail (i) the groups invited to submit bids to the Northern Ireland Police Fund for the 2013-14 financial year; (ii) the groups which were required by the Northern Ireland Police Fund to resubmit their bids in



a revised format within one week and into the new financial year; and (iii) the groups that resubmitted their bids in the revised format within the one week time limit.

**(AQW 23141/11-15)**

**Mr Ford:** The groups invited to submit bids to the Northern Ireland Police Fund (NIPF) for the 2013/14 financial year were the RUC George Cross (GC) Parents' Association, the Carers' Association, the Disabled Police Officers Association Northern Ireland (DPOANI), the Wounded Police Families Association (WPFA), RUC GC-PSNI Benevolent Fund and the Forgotten Families.

All the groups were asked to resubmit their bids on a revised standardised template within one week and into the new financial year.

The RUC GC Parents' Association, the Carers' Association and the DPOANI resubmitted their bids in accordance with the revised format and within the one week time limit.

The other three groups have yet to submit their bids. However I am advised by the Fund that following a request from the RUC GC-PSNI Benevolent Fund and the Forgotten Families the NIPF has agreed to accept late bids from them submitted in the revised format. The WPFA have yet to submit a bid.

## Legal Aid Savings

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22357/11-15, to detail the estimated annual savings in legal aid when the changes are implemented.

**(AQW 23222/11-15)**

**Mr Ford:** The work necessary to estimate the annual savings to the legal aid fund from the abolition of the use of oral evidence and cross examination of witnesses at committal proceedings, and the transfer of certain cases directly to the Crown Court, has not yet been undertaken by my Department. Consequently, no official estimate is available at this time.

## Department for Regional Development

### A5 Road Scheme

**Mr Buchanan** asked the Minister for Regional Development who is currently being held to account for failing to provide a habitats directive assessment for the proposed A5 road scheme.

**(AQW 22892/11-15)**

**Mr Kennedy (The Minister for Regional Development):** The Habitats Directive's Habitats Regulations Assessment considers the need for an assessment of impacts on Special Areas of Conservation (SAC) and Special Protection Areas, and provides for a screening exercise to determine whether an Appropriate Assessment is required, or not.

In relation to the A5 Western Transport Corridor dualling project (A5WTC) and the River Foyle and tributaries and River Finn SACs, the screening exercise concluded that it was unlikely that the proposed A5WTC scheme would have an adverse effect on the integrity of this SAC and consequently, a full Appropriate Assessment was not required.

The findings and conclusion of the screening exercise were issued to the two relevant statutory bodies, the Northern Ireland Environment Agency and the Republic of Ireland's National Parks and Wildlife Services. Both these statutory bodies agreed with the findings and conclusion of the screening exercise. The Loughs Agency was also consulted but did not respond.

Given the extensive process that took place, the conclusions of the screening assessment and the agreement of the statutory consultees in both jurisdictions to this conclusion, you will see that the decision was not taken lightly. That said, my Department is reviewing the case to see what lessons can be learned and what further action is necessary.

### North Down: Grass-cutting Schedule

**Mr Weir** asked the Minister for Regional Development to outline the grass cutting schedule for North Down in 2013.

**(AQW 23039/11-15)**

**Mr Kennedy:** Details of my Department's grass cutting operations in North Down for 2013 are set out in the table below:

	To commence
1st Cut Urban	13 May 2013
2nd Cut Urban / 1st Rural	17 June 2013
3rd Cut Urban	22 July 2013
4th Cut Urban / 2nd Rural	26 August 2013
5th Cut Urban	30 September 2013

The progression of works on these dates will also be dependent upon favourable weather conditions.

### **Ardmore Area of Finaghy: Noise Levels**

**Mr McDevitt** asked the Minister for Regional Development, pursuant to AQO 3911/11-15, to detail (i) the noise levels measured in the Ardmore area of Finaghy; and (ii) the date on which these measurements were taken and verified.  
(AQW 23064/11-15)

**Mr Kennedy:** My Department has not taken any noise level measurements in the Ardmore Area.

However, I am aware Belfast City Council may have carried out sound level monitoring in the Ardmore area.

For the purposes of the Noise Insulation Regulations (NI) 1995, the Calculation of Road Traffic Noise 1988 and the Environmental Noise Directive, my Department relies on calculated figures derived from modelling work as noise measurements are not required.

### **G8 Summit: Suspension of Roadworks**

**Mr Ó hOisín** asked the Minister for Regional Development to detail the estimated cost of suspending all roadworks and maintenance for 11 days during the G8 summit.  
(AQW 23065/11-15)

**Mr Kennedy:** I would remind the member it was the PSNI that requested a moratorium be placed on road works in advance of and during the G8 Summit.

During this period, no work is being cancelled. I have put in place measures to re-programme schemes to either before or after the moratorium period. Road upgrades on the A2 and A8 are unaffected by the moratorium. Small scale and emergency works are also unaffected.

In conjunction with the PSNI, I have put in place measures to allow for specific exemptions for certain schemes during the moratorium. To date, the PSNI has allowed 11 such exemptions.

Due to the measures outlined above, I anticipate that re-programming of schemes, as a result of the moratorium, will have minimal cost implications for my Department.

### **G8 Summit: Temporary Cessation of Roadworks**

**Mr Campbell** asked the Minister for Regional Development, following the announcement regarding the temporary cessation of roadworks around the time of the G8 summit, what alternative work is being offered to contractors for the period.  
(AQW 23069/11-15)

**Mr Kennedy:** I would remind the member it was the PSNI that requested a moratorium be placed on road works in advance of and during the G8 Summit.

During this period, no work is being cancelled. I have put in place measures to re-programme schemes to either before, or after, the moratorium period. Road upgrades on the A2 and A8 are unaffected by the moratorium. Small scale and emergency works are also unaffected.

In addition, in conjunction with the PSNI, I have put in place measures to allow for specific exemptions for certain schemes during the moratorium. To date, the PSNI has allowed 11 such exemptions.

### **G8 Summit: Restrictions to Road Works**

**Mr Campbell** asked the Minister for Regional Development what discussions he has had with his counterpart in the Republic of Ireland about establishing the nature of any restrictions to roadworks in border counties of the Republic of Ireland during the G8 summit.  
(AQW 23070/11-15)

**Mr Kennedy:** I have had no discussions with my counterpart in the Republic of Ireland about restrictions to road works during the G8 Summit. Departmental officials are directed by the PSNI on the nature of any restrictions.

### **A5 Road Scheme**

**Mr Agnew** asked the Minister for Regional Development to detail (i) whether compensation was paid to land owners to enable the A5 road scheme to be developed; (ii) whether land owners will be required to repay the compensation to his Department; and (iii) what will happen to land owners who cannot repay the compensation due to having already spent it.  
(AQW 23086/11-15)

**Mr Kennedy:** Following the making of the vesting orders for the A5 Western Transport Corridor (A5WTC) project, 90 per cent advance compensation payments were made to five landowners. These landowners have been given the option of returning the payments or requesting the Department to buy the affected land or property by agreement and completing the payment

process. Letters have been sent to the 5 relevant land/property owners explaining the options and individual meetings will be held with the affected parties when they have had time to consider their respective positions.

### **A5 Road Scheme**

**Mr Agnew** asked the Minister for Regional Development what action was taken to progress the development of the A5 road scheme during the proceedings of the legal case and to detail why development was allowed to continue when the outcome of the case was not yet known.

**(AQW 23088/11-15)**

**Mr Kennedy:** Preliminary works involving fencing, ecology, archaeology, ground investigation, service diversions and vegetation management were carried out during the period when the legal proceedings were ongoing. These works were commenced after careful consideration of the associated risks in the event of both a successful and unsuccessful legal challenge.

If the challenge had been unsuccessful, the Department would have been in a position that it could not have commenced construction of the scheme until autumn 2013, due to constraints such as bird nesting season restrictions and the need to complete archaeological investigation works. Consequently, the decision was made to proceed with the preliminary works to mitigate the impact of delays arising out of an unsuccessful legal challenge. It is important to note that delays to the scheme associated with inflation alone would amount to around £750,000 per month.

The decision to proceed with preliminary works was the subject of an injunction request which was not granted by the courts.

### **A5 Road Scheme**

**Mr Agnew** asked the Minister for Regional Development why an assessment, as required by the Habitats Directive, was not completed before embarking on the A5 road scheme.

**(AQW 23090/11-15)**

**Mr Kennedy:** The Habitats Directive's Habitats Regulations Assessment considers the need for an assessment of impacts on Special Areas of Conservation (SAC) and Special Protection Areas (SPAs) and provides for a screening exercise to determine whether or not an Appropriate Assessment is required.

In relation to the A5 Western Transport Corridor dualling project (A5WTC) and the River Foyle and tributaries and River Finn SAC, the screening exercise concluded that it was unlikely that the proposed A5WTC scheme would have an adverse effect on the integrity of this SAC and consequently, a full Appropriate Assessment was not required.

The findings and conclusion of the screening exercise were issued to the two relevant statutory bodies, the Northern Ireland Environment Agency and the Republic of Ireland's National Parks and Wildlife Services. Both these statutory bodies agreed with the findings and conclusion of the screening exercise. The Loughs Agency was also consulted but did not respond.

### **A5 Road Scheme**

**Mr Agnew** asked the Minister for Regional Development why contracts were awarded to companies to carry out the development of the A5 road scheme before the legality of the project had been established.

**(AQW 23091/11-15)**

**Mr Kennedy:** Due to the scale of the A5 Western Transport Corridor project and the challenging delivery programme, an 'Early Contractor Involvement' approach was adopted as the best way of progressing the scheme. This approach entailed appointment of contractors at an early stage of scheme development to provide value engineering, buildability and design advice and to assist in the statutory procedures process, as well as allowing certain preliminary works and surveys to be carried out. There is a break point in these types of contracts to ensure that statutory procedures are completed before progression to the main construction stage. As you will be aware, progression to the construction stage has not yet taken place due to the legal challenge.

### **South Belfast: Residents Parking Schemes**

**Ms Lo** asked the Minister for Regional Development for an update on the progress of residents' parking schemes in the South Belfast constituency.

**(AQW 23092/11-15)**

**Mr Kennedy:** My Department carried out a consultation exercise in the Lower Malone area in November 2012, which received a sufficient level of community support to allow officials to begin preparations to proceed to the more formal legislative stage, which they anticipate will take place later this year. Discussions with residents and the business community in the Stranmillis area continue with the aim of implementing a scheme. Officials are also working with residents and local representatives in the Rugby Road/College Park Avenue and the Donegall Pass areas of Belfast. Officials still have to agree the details of local consultation in each of the areas, but hope to be in a position to consult with each of the communities after the summer period.

### South Belfast: Pavement Repairs

**Ms Lo** asked the Minister for Regional Development to detail the costs of pavement repairs in the South Belfast constituency, as a result of damage caused by vehicles driving or parking on footpaths.

**(AQW 23093/11-15)**

**Mr Kennedy:** My Department carries out cyclic inspections of all footways and identifies any defects that require repair. It is often not possible to accurately identify the causes of any damage and therefore, I am unable to detail the specific costs of repairing footways damaged as a result of vehicles driving or parking on them.

### Bus Lanes: Taxi Use

**Ms Lo** asked the Minister for Regional Development for his assessment of the potential impact of allowing taxis to use bus lanes, on the appeal of public transport.

**(AQW 23094/11-15)**

**Mr Kennedy:** As you are aware, my Department consulted during 2012 on a proposal to allow all taxis into bus lanes. The consultation document explored the various possible impacts on the use of bus lanes by taxis.

Whilst the consultation document did indicate that any increase in access to bus lanes has the potential to impact on bus lane performance, it is felt the impact will be minimal in terms of journey times and bus speed, both of which are fundamental to ensuring users continue to avail of bus services. In terms of performance, there is an argument that overall performance will be strongly influenced by the slowest moving mode of travel in the lane, which is the bicycle.

I think it is worth mentioning that the consultation document referred to a study into the use of bus lanes undertaken in 2008. This study concentrated on five routes with bus lanes coming into the city and an integral part of the study was an examination of the views of the different types of user on these routes. In response to the question "Do you think that introducing taxis in bus lanes will affect your travel behaviour as a bus passenger?" 68 per cent of bus passengers responding said that they would continue to use the bus. The surveys also indicated an equal split in terms of for and against from bus passengers to the question "do you support permitting private taxis in bus lanes?"

I would conclude by saying that I have yet to make a final decision on whether to allow all taxis into bus lanes and that it is my intention to announce my decision in due course once I have considered all the relevant factors.

### A20 Newtownards to Portaferry Road

**Mr Hamilton** asked the Minister for Regional Development to detail the average daily volume of traffic travelling along the A20 Newtownards to Portaferry road.

**(AQW 23100/11-15)**

**Mr Kennedy:** My Department has a permanent traffic counter located on A20 Portaferry Road, Newtownards, close to its junction with Old Shore Road. The Annual Average Daily Traffic (AADT) flow information for this site, recorded in March 2013, indicated an average daily two-way flow of 9,970 vehicles.

### G8 Summit

**Mr McNarry** asked the Minister for Regional Development to outline the reasons why it is necessary to discontinue road works on sites up to 90 miles from the site of the G8 summit.

**(AQW 23120/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to Assembly Question AQW 23407/11-15.

### Local Speed Limits

**Mr Campbell** asked the Minister for Regional Development what consideration has been given to the Department for Transport Circular 01/2013 setting local speed limits, in particular the introduction of 20 miles per hour urban speed limits and zones.

**(AQW 23121/11-15)**

**Mr Kennedy:** The Department for Transport Circular 01/13 is an amended version of Circular 01/06 and as such, is only applicable for the setting of local speed limits in England.

### Balmoral Show: Traffic

**Mr Allister** asked the Minister for Regional Development to outline the outcome of the evaluation by the Roads Service of the capacity of access roads to cope with increased traffic going to the Balmoral show; and how this matched up with the reality.

**(AQW 23136/11-15)**

**Mr Kennedy:** The Maze/Long Kesh site is being developed by the Maze/Long Kesh Development Corporation (MLKDC), under the auspices of OFMDFM. As part of the planning process, MLKDC has responsibility for any new roads infrastructure associated with the development of the site. To date, no planning application has been made.

The local road network in and around the Maze site is rural in nature and has limited capacity to cope with large volumes of traffic.

To enable the predicted Balmoral Show traffic to be efficiently managed on this network, RUAS prepared a Transport Management Plan. Routing vehicular traffic to the event on designated properly signed routes and invoking a shuttle bus service from Lisburn Train Station were the key elements of this plan.

Unfortunately on Wednesday 13 May, difficulties arose with access arrangements to car parks at the site and this led to severe congestion. On Friday 17 May there was congestion for an hour or so, when car parks on site reached capacity. However, in the main, the RUAS plans worked satisfactorily during Wednesday afternoon, Thursday and the majority of Friday.

RUAS will, in conjunction with DRD and PSNI, carry out a full evaluation of the effectiveness of its Transport Plan, in due course.

## EU Habitats Directive

**Mr Girvan** asked the Minister for Regional Development to outline the measures in place to ensure that all road schemes and repair work is in compliance with the EU habitats directive.

**(AQW 23151/11-15)**

**Mr Kennedy:** For major works schemes a three stage scheme assessment process is undertaken, part of which involves an environmental assessment and the production of an Environmental Impact Assessment (EIA), which will take into consideration the relevant legislation and guidance available at that time, including European directives such as the Habitats Directive and Water Framework Directives.

Extensive consultation is undertaken throughout these stages with key statutory bodies which include the Northern Ireland Environment Agency (NIEA), Water Management Unit (WMU), and Department of Culture Arts and Leisure's (DCAL) Inland Fisheries and Rivers Agency.

During the construction phase, the appointed contractor will be required to provide method statements for undertaking any construction works and pollution control measures, including those that directly impact or include works to rivers and habitats. These will be submitted to NIEA, WMU and DCAL for review and comment.

For minor works proposals, the amount of environmental work undertaken will be commensurate with the size of the project. Scoping studies are undertaken to decide what environmental topics are to be examined.

If the results of the scoping study determine the scheme will have a significant effect on the environment, the proposal can then be taken through a formal planning application (together with a full EIA). This allows full consultation and opportunity for interested stakeholders to consult and /or object to the scheme.

Good environmental practice is important both in the construction of new works and in the maintenance and management of the existing road network.

## EU Habitats Directive: Breaches

**Mr Girvan** asked the Minister for Regional Development how much his Department has paid in fines, because of breaches of the EU habitats directive.

**(AQW 23153/11-15)**

**Mr Kennedy:** My Department has not paid any fines because of breaches to the EU Habitats Directive.

## Rail Passenger Numbers

**Mr Weir** asked the Minister for Regional Development to detail the rail passenger numbers for each of the last five years, broken down by embarkation from each station.

**(AQW 23192/11-15)**

**Mr Kennedy:** The table below shows the number of passengers boarding and alighting at the various stations/halts on the NIR network. The table covers the last full 5 years up to 2011/12. Statistics for the latter weeks of the 2012/13 financial year are currently being finalised.

Translink do not record "embarkation" statistics in isolation but rather the full passenger flows through a station to provide a more accurate assessment of the use of a station. There are stations which would have far more passengers using it as an origin rather than as a destination and vice versa, therefore passenger flows is the preferred measurement. I would add that the source of this information is Translink ticketing system and the figures also include a percentage uplift to cover journeys made which are not recorded through the machines such as commuter cards, school passes etc. It is important that this caveat is noted in referring to these figures.

Station	2007/08	2008/09	2009/10	2010/11	2011/12
City Centre					
GVS	4,018,482	4,114,572	3,831,643	3,795,766	3,863,661

Station	2007/08	2008/09	2009/10	2010/11	2011/12
Central	1,855,507	1,923,351	1,878,133	1,938,708	2,052,065
Botanic	704,146	763,173	756,460	805,976	827,896
Yorkgate	140,429	171,137	180,882	233,588	265,614
City Hospital	309,301	341,760	325,437	334,318	349,342
<b>Sub Total</b>	<b>7,027,865</b>	<b>7,313,993</b>	<b>6,972,555</b>	<b>7,108,356</b>	<b>7,358,578</b>
Adelaide	211,242	223,626	202,324	204,275	202,223
Balmoral	137,099	191,298	183,455	196,016	188,025
Finaghy	157,486	179,915	159,713	161,695	173,120
Dunmurry	227,534	256,106	228,010	212,215	223,039
Derriaghy	135,850	159,149	138,834	152,390	163,119
Lambeg	118,256	125,226	117,332	114,934	118,741
Hilden	72,300	78,382	76,537	75,993	77,918
Lisburn	1,119,403	1,208,751	1,179,860	1,201,590	1,271,649
<b>Sub Total</b>	<b>2,179,170</b>	<b>2,422,453</b>	<b>2,286,065</b>	<b>2,319,108</b>	<b>2,417,834</b>
Moira	203,641	214,104	215,046	219,800	247,704
Lurgan	802,404	861,229	817,705	845,918	855,796
Portadown	784,202	853,239	826,477	869,613	933,745
Scarva	8,616	8,088	7,906	7,017	7,483
Poyntzpass	2,998	3,140	2,017	1,976	2,087
Newry	199,418	199,414	197,873	225,022	249,171
<b>Sub Total</b>	<b>2,001,279</b>	<b>2,139,214</b>	<b>2,067,024</b>	<b>2,169,346</b>	<b>2,295,986</b>
Station	2007/08	2008/09	2009/10	2010/11	2011/12
Bridge End	51,047	73,958	77,957	72,395	92,496
Sydenham	152,958	188,095	201,385	207,168	213,570
Hollywood	390,693	429,294	428,676	427,183	456,522
Marino	75,902	80,797	79,878	83,260	83,267
Cultra	62,237	78,439	69,315	66,243	72,445
Seahill	69,307	78,041	78,140	85,643	86,166
Helen's Bay	87,702	96,243	109,671	124,345	124,234
Carnalea	85,133	99,982	102,902	107,749	119,313
Bangor West	112,967	145,803	184,462	227,675	248,522
Bangor	1,454,400	1,583,827	1,587,508	1,605,843	1,662,540
<b>Section Sub-total</b>	<b>2,542,346</b>	<b>2,854,479</b>	<b>2,919,894</b>	<b>3,007,504</b>	<b>3,159,075</b>
Station	2007/08	2008/09	2009/10	2010/11	2011/12
Whiteabbey	227,316	246,622	243,033	240,210	241,575
Jordanstown	293,563	472,052	428,476	397,177	387,273
Greenisland	167,730	186,103	200,627	206,432	215,400
Trooperslane	18,183	25,431	27,618	28,289	28,487
Clipperstown	123,422	106,598	136,554	141,050	143,265
Carrickfergus	615,618	672,374	649,030	659,349	695,592
Downshire	164,617	177,282	158,900	152,398	135,301

Station	2007/08	2008/09	2009/10	2010/11	2011/12
Whitehead	264,401	272,235	267,846	273,117	267,205
Ballycarry	35,012	30,367	28,339	30,291	30,464
Glynn	8,140	8,498	7,876	8,898	9,844
Magheramore	5,992	5,645	5,427	4,394	4,905
Larne	223,185	240,727	242,748	243,219	229,816
Larne Harbour	15,156	21,415	20,199	23,887	27,149
<b>Section Sub-total</b>	<b>2,162,335</b>	<b>2,465,349</b>	<b>2,416,673</b>	<b>2,408,711</b>	<b>2,416,276</b>
Mossley West	72,501	126,807	117,717	130,147	144,222
Antrim	201,057	274,268	255,393	270,444	278,711
Ballymena	350,432	472,955	452,057	484,303	525,001
Cullybackey	51,886	64,367	48,400	66,040	73,216
Ballymoney	225,430	265,234	218,389	269,961	294,867
Coleraine	623,556	651,581	590,840	669,403	699,802
<b>Section Sub-total</b>	<b>1,524,862</b>	<b>1,855,212</b>	<b>1,682,796</b>	<b>1,890,298</b>	<b>2,015,819</b>
Station	2007/08	2008/09	2009/10	2010/11	2011/12
Castlerock	65,286	77,181	77,865	87,470	88,924
Bellarena	15,908	19,798	20,577	34,008	30,969
Londonderry	278,936	346,988	341,803	382,123	398,300
<b>Section Sub-total</b>	<b>360,130</b>	<b>443,967</b>	<b>440,245</b>	<b>503,601</b>	<b>518,193</b>
University	68,645	135,575	118,436	130,498	153,464
Dhu Varren	11,934	16,075	15,780	11,884	13,095
Portrush	305,460	396,319	351,249	406,260	391,404
<b>Section Sub-total</b>	<b>386,039</b>	<b>547,969</b>	<b>485,465</b>	<b>548,642</b>	<b>557,963</b>
<b>Total Pax Flows</b>	<b>18,184,026</b>	<b>20,042,636</b>	<b>19,270,717</b>	<b>19,955,566</b>	<b>20,739,724</b>

## A5 Road Scheme

**Mr Allister** asked the Minister for Regional Development, further to the indication from the First Minister to the Assembly on 14 May 2013 that his Department had an interest in diverting unspent funding on the A5 road scheme to shared future projects, whether he can give an assurance that such funds will be spent on roads and related projects.

**(AQW 23194/11-15)**

**Mr Kennedy:** My Department received funding for the A5 dual carriageway project as a result of an Executive decision. Following the recent ruling on the scheme, I am obliged to declare a reduced budget requirement in relation to the 2013-14 year.

However, rather than await the June Monitoring round, I have already formally declared this reduced requirement to the Finance Minister, to allow the Executive to give urgent consideration as to how it can best be redeployed. I have set out spending proposals that my Department can deliver quickly and provided options to the Minister of Finance for other major road schemes which could commence in 2014-15.

In my view, it is essential we quickly redeploy this reduced requirement to provide support to the construction sector and the local economy at this most difficult time. I consider expenditure on roads to be a specific example of activity that improves vital infrastructure and facilitates economic growth, while at the same time providing much needed local employment.

## North Down: Park-and-ride Spaces

**Mr Weir** asked the Minister for Regional Development whether there are plans to increase the number of park-and-ride spaces in North Down.

**(AQW 23230/11-15)**

**Mr Kennedy:** In August 2011 I endorsed my Department's 'Strategic Review of Park & Ride' report and approved the proposed way forward. The report presented recommendations for the delivery and prioritisation of Park & Ride facilities.

My Department has established a Park & Ride Programme Board with responsibility for co-ordinating and prioritising the implementation of Park & Ride projects in line with the Departmental Strategy. The Programme Board has produced a 'Park & Ride Strategic Delivery Programme 2013-15' which is a schedule of Park & Ride projects, with clearly defined responsibilities for funding, implementation, maintenance and operation, to be taken forward by my Department's Transport Projects Division, Transport NI and Translink.

I am aware that there is significant demand for Park & Ride facilities in North Down with many existing sites operating near to or over capacity levels. This demand highlights the success brought about by my Department's investment in the railway network in recent years and it is something that I would like to continue to build upon.

As a result, the Park & Ride Strategic Delivery Programme 2013-15 will include proposals for increasing capacity at locations in North Down, and Bangor in particular. My Department is currently developing a business case which will consider a number of options for the provision of additional Park & Ride facilities in Bangor, to supplement those currently available at Abbey Street.

Subject to the identification of a suitable site and the satisfactory completion of the necessary processes, which may include land purchase and attaining planning permission, the new facilities could be provided in late 2014/2015.

## A1: Signage Costs

**Ms Fearon** asked the Minister for Regional Development to detail the cost associated with erecting the Welcome to Northern Ireland sign on the A1 between Newry and the border.

**(AQW 23235/11-15)**

**Mr Kennedy:** My Department has recently erected the new Welcome to Northern Ireland sign on the A1 between Newry and the border, at a cost of £12,000. These costs include a new reinforced concrete base, a section of new retaining wall, the Traffic Management System to control traffic during construction and the cost of the sign face, poles and associated fixings.

The main purpose of the sign is to advise drivers using this road that the national speed limit is in miles per hour and to include the message 'Welcome to Northern Ireland'

## Glenmachan Sewer Project

**Mr Spratt** asked the Minister for Regional Development for an update on the Glenmachan sewer project and whether work will commence in 2015.

**(AQW 23306/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that scoping work on the Glenmachan Sewer Project is progressing with the aim of commencing the main scheme in 2015, subject to the availability of funding and all statutory approvals being in place.

Technical surveys are on-going within the catchment area to enable completion of the project feasibility report and initial consultation with statutory authorities has already taken place. It is anticipated that an outline business case for funding approval will be completed this year to allow the scheme to be included in NIW's Price Control 15 Capital Works Programme which covers the period from April 2015 to March 2021

Meanwhile, NIW is working with DARD Rivers Agency and other stakeholders to accelerate part of the Glenmachan Scheme to alleviate flooding in the Finaghy area.

## Flood Prevention

**Mr Agnew** asked the Minister for Regional Development to detail (i) the capital investment his Department has undertaken in East Belfast since 27 June 2012 to ensure that the flooding, which occurred last summer, is not repeated this summer; (ii) the investment in capital projects to improve the infrastructure that has been allocated by his Department to prevent flooding in East Belfast; and (iii) the investment in capital projects to improve the infrastructure that is being considered by his Department to prevent flooding in East Belfast.

**(AQW 23314/11-15)**

**Mr Kennedy:** [i] In the past year approximately £1.8 million has been invested by NIW in the Sydenham/East Belfast area to reduce the risk of out-of-sewer flooding. In the same period my Department's Roads Service has spent over approximately £300,000 on various structural drainage works across its Belfast South and Castlereagh Section Office areas, which includes East Belfast. These works have been undertaken primarily to address drainage issues in areas that are prone to flooding.

[ii] NIW is investigating a number of standalone and larger projects in East Belfast and these studies are due for completion towards the end of this calendar year. The projects will be considered by NIW to determine if they should be progressed to construction phase and assigned funds from its current capital works programme. £85,000 has been allocated for structural drainage works in the Roads Service Belfast South and Castlereagh Section Office areas in 2013/14.

[iii] For larger projects, business cases will be submitted by NIW to DRD for consideration for inclusion in the next Price Control Period which outlines NIW's investment plans from April 2015 to March 2021. Roads Service will continue to identify further small scale works that can be undertaken to address flooding issues and will programme them as funding becomes available.



In addition, I am advised that the Department of Agriculture and Rural Development's Rivers Agency will be spending in the region of £11.7 million on a Flood Alleviation Scheme associated with the East Belfast Greenway Project.

### **College Park Avenue, South Belfast: Residents Parking Scheme**

**Mr Maskey** asked the Minister for Regional Development for an update on progressing a residents parking scheme in College Park Avenue, South Belfast.

**(AQW 23378/11-15)**

**Mr Kennedy:** Officials from my Department have recently forwarded a proposed plan of the Rugby Road / College Park Avenue Residents Parking Scheme, to the residents' association for its consideration. Subject to the agreement of the residents' association, officials aim to consult informally with local residents in September 2013, in order to gauge the overall level of local support for the proposals.

### **G8 Summit**

**Mr McAleer** asked the Minister for Regional Development why a moratorium was placed on all roadworks except for the Ards peninsula and C class roads for an 11-day period in the run up to the G8 summit 2013.

**(AQW 23407/11-15)**

**Mr Kennedy:** The re programming of on all road works, except for those on the Ards Peninsula, has been put in place for an eleven day period in the run up to the G8 Summit at the request of the PSNI.

### **Cushendall: Storm Sewers**

**Mr Dickson** asked the Minister for Regional Development whether Northern Ireland Water will extend the storm sewers on Mill Street and High Street, Cushendall.

**(AQW 23439/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water that it is planning to install a new storm sewer at the junction of Mill Street and High Street this summer. The work, which will reduce the risk of out-of-sewer flooding, is being implemented in advance of the on-going Drainage Area Study (DAS) for Cushendall which is due to be completed early next year. The outcome of the DAS will determine if further capital investment is required to further reduce the risk of out-of-sewer flooding in the area.

### **School Pupils: Free Public Transport**

**Mrs Cochrane** asked the Minister for Regional Development, further to the Private Member's Motion on 4 February 2013 on school transport, for an update on the feasibility study into providing free public transport for all school pupils.

**(AQW 23441/11-15)**

**Mr Kennedy:** Following the Assembly debate on the Private Members Motion on 4th February 2013, I am advised that the feasibility of providing free public transport for all school pupils will be considered by the Department of Education (DE) as part of a wider Review of the Home to School Transport policy. I understand that officials in DE are currently taking forward work to establish the Review and that the Minister for Education hopes to make an announcement in the near future. At this stage the Department for Education has not yet sought any engagement with my Department on any such review. Any request to participate in any such review will be considered.

### **G8 Summit**

**Mr McAleer** asked the Minister for Regional Development whether he will put measures in place that will guarantee the incomes of the estimated 1,000 employees who will be affected by the moratorium that will be put in place on roadworks in the 11 days leading up to the G8 Summit 2013.

**(AQW 23463/11-15)**

**Mr Kennedy:** I would remind the member it was the PSNI that requested a moratorium be placed on road works in advance of and during the G8 Summit.

During this period, no work is being cancelled. I have put in place measures to re-programme schemes to either before or after the moratorium period. Road upgrades on the A2 and A8 are unaffected by the moratorium. Small scale and emergency works are also unaffected.

In conjunction with the PSNI, I have put in place measures to allow for specific exemptions for certain schemes during the moratorium. To date, the PSNI has allowed 11 such exemptions.

My Department invests heavily throughout the year on roads infrastructure projects that benefit the industry and its employees and I am fully aware of the pressures on the construction industry due to the economic downturn. Due to the range of measures outlined above, it is not anticipated that the moratorium will have an adverse impact on employees of contractors employed by my Department or others.

## Department for Social Development

### Dignity at Work Policy

**Mr Allister** asked the Minister for Social Development, pursuant to AQW 21576/11-15, to outline his Department's policy position as referred to in the answer.

**(AQW 22253/11-15)**

**Mr McCausland (The Minister for Social Development):** The Department operates under the NICS Dignity at Work (DAW) policy, and is committed to equality of opportunity for all and to creating and sustaining of an environment where everyone is treated with respect, dignity and free from any form of inappropriate behaviour.

### Social Security Agency Staff

**Mr Campbell** asked the Minister for Social Development to detail the (i) number; and (ii) percentage, by community background, of staff recruited to the Social Security Agency, in each of the last three years.

**(AQW 22825/11-15)**

**Mr McCausland:** As required by the Fair Employment and Treatment (NI) Order 1998 (FETO), information is collected on the perceived community background of staff and applicants for posts in the NICS annually at the 1 January. The Northern Ireland Statistics and Research Agency (NISRA) has provided the information requested in the table below.

#### NUMBER OF STAFF RECRUITED TO SOCIAL SECURITY AGENCY FROM 2010-2012

Year	Total number of staff recruited	Total number of Protestants recruited	Total number of Roman Catholics recruited	Total number of Not Determined recruited
2010	17	10 (59%)	7 (41%)	0 (0%)
2011	19	12 (63%)	7 (37%)	0 (0%)
2012	148	67 (45%)	72 (49%)	9 (6%)

The information provided is an Official Statistic. The production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Northern Ireland Housing Executive Properties

**Mr Swann** asked the Minister for Social Development how many Northern Ireland Housing Executive properties in the (i) Ballymena; (ii) Ballymoney; and (iii) Moyle District areas are currently awaiting an asbestos survey.

**(AQW 22897/11-15)**

**Mr McCausland:** The Housing Executive has advised that at 16 May 2013 the number of their properties awaiting an asbestos survey in their following District Office areas are:-

- Ballymena 569
- Ballymoney 353
- Moyle 336

### Shared Social Housing Development

**Mr Copeland** asked the Minister for Social Development to detail (i) the number and location of existing shared social housing developments; (ii) the number of units in each development; (iii) whether, prior to the publication of 'Together: Building a United Community' document any new developments that had been proposed; and (iv) to detail (a) the location; (b) the number of units; and (c) whether planning applications had been submitted for the proposed developments.

**(AQW 22937/11-15)**

**Mr McCausland:** To date there have been 11 shared social housing new build developments:

- Carran Crescent, Enniskillen 20 properties
- Causeway Meadows, Lisburn 22 properties
- Ballyfatton Close, Sion Mills 20 properties
- Gowanvale, Banbridge 15 properties
- Pond Park, Lisburn 112 properties
- Abbey Drive, Enniskillen 15 properties
- Sycamore Drive, Cavanaleck, Enniskillen 18 properties
- Curzon, Ballynafeigh, South Belfast 42 properties
- Woodside Park, Loughbrickland 24 properties

- Springhill Drive, Newry 24 properties
- Ardmore Road, Armagh 26 properties

In addition to the above, the two tables appended detail the Housing Executive:

- Shared Neighbourhood Programme 2008-2011 (30 NIHE estates)
- Shared Communities Programme 2011-2014 (20 NIHE estates)

All of these schemes had been selected prior to the Together: Building a United Community announcement.

The Housing Executive considers that all schemes in the social housing development programme have shared future potential, however no schemes have been proposed.

New proposals will be developed to deliver the commitment in the the Together: Building a United Community document.

## Appendix 1

**Table 1 - Shared Neighbourhood Programme 2008-2011 (30 NIHE estates)**

Area	Phase 1	Phase 2	Phase 3
Belfast	Ballynafeigh (2,500)	Suffolk/Lenadoon (3,423) Skegoneil/Glandore (221)	Forthspring (1,500) REAL Project (1,324) The Village (1,350)
South East	Knockmore/Tonagh (1,100)	Areema (230) Redburn/Loughview (1,500)	Killyleagh (750) Belvoir/Milltown (1,500) Dunmurry (200)
North East	Springfarm (460)	Whiteabbey Village (900) Castle St/Westgate (110) Windmill/Minorca (400)	Sallagh Park (160) Armoy Village (200)
South	Lissize (100)	Belfast Road (549) Central Brownlow (709)	Cavanaleck (250) Drumbeg/Drumbawn (250) Fivemiletown (280)
West	Gortview/Killybrack (120)	Sion Mills Village (800) The Glen (299)	Claudy (700) Castledawson (120) Riverside/Blackhill (90)

**Table 2 - Shared Communities Programme 2011-2014 (20 NIHE estates)**

Area	Phase 1	Phase 2	Phase 3
Belfast	Inner East (Short Strand, Ballymacarrett, Lower Castlereagh, Lower Ravenhill, Oasis Group) (13,000) Inner South (The Markets, Donegall Pass, Lower Ormeau) (2,300)	Whitewell (North Belfast) Finaghy Crossroads & Taughmonagh	To be confirmed
S East	Bloomfield (550)	Whitehill, Bangor The Glen, Newtownards	Hilden, Lisburn
N East	Greystone, Antrim	Dhu Varren, Portrush Killowen & The Heights, Coleraine	North Ballymena Cluster Group
South	Brookfield (120)	Lisanally & Alexander, Armagh (225) Carrowshee Park & Sylvan Hill, Lisnaskea (250)	Moy Village (500+)

Area	Phase 1	Phase 2	Phase 3
West	Fox Park, Omagh (40)	Gortallowry Park/Killymoon Crescent, Cookstown (250) Strathfoyle, Londonderry (700)	Drumachose Park, Limavady (200) Reserve – Mullaghmore/Castleview, Omagh

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### Social Security Agency Procedures

**Mr Rogers** asked the Minister for Social Development to detail the procedure that is followed by the Social Security Agency when it is undertaking a check that has been requested by an outside agency such as a charity, on the existing benefits received by a claimant.

(AQW 22944/11-15)

**Mr McCausland:** The Department for Social Development has procedures in place which must be satisfied before consideration is given to releasing information on benefits, currently in payment, to an outside agency. Staff will only divulge information to a third party when the claimant has given authority for the information to be released. Staff will speak to the claimant and ask a series of security questions such as name, address, National Insurance Number and date of birth in order to confirm identity and only then will the relevant information be released

### West Bank, Coleraine: Emergency Housing

**Mr Ó hOisín** asked the Minister for Social Development whether any efforts have been made to secure emergency housing on the west bank in Coleraine.

(AQW 23011/11-15)

**Mr McCausland:** The Housing Executive consistently advertises and trawls local estate agents in an attempt to source properties that could be used as temporary accommodation. To date there has been little response from private landlords within the West Bank area in Coleraine.

Whilst the majority of private properties within the West Bank catchment area are typically used as seasonal lets the Housing Executive will continue to seek properties within the West Bank area and they are planning to re-advertise in the Autumn.

### Houses in Multiple Occupation: Legislation

**Mr Agnew** asked the Minister for Social Development to which geographical areas does the current houses in multiple occupation legislation apply; and how these areas were designated.

(AQW 23018/11-15)

**Mr McCausland:** The Northern Ireland Housing Executive house in Multiple Occupation Registration Scheme has been implemented progressively from 2004. Since April 2013, all HMOs in Northern Ireland, regardless of location, are specified to be registered.

### Houses in Multiple Occupation: Scheme

**Mr Agnew** asked the Minister for Social Development whether the Housing Executive is administering the houses in multiple occupation scheme for private residences where owners have homes on which they have a mortgage.

(AQW 23021/11-15)

**Mr McCausland:** Article 75 of the Housing (NI) Order 1992 states that where more than 2 persons, who are unrelated live in a house, it is a House in Multiple Occupation. (HMO) Whether or not the owner has a mortgage or is resident in the house does not affect this designation.

### Social Housing: Double Glazing

**Mr McKay** asked the Minister for Social Development whether any of the companies he met in 2012, prior to his decision to review the specifications for installation of double-glazing windows in social housing, have a direct interest in changing these specifications; and to list these companies.

(AQW 23023/11-15)

**Mr McCausland:** I received a number of requests for meetings to discuss the double glazing contracts from companies with an interest in the specifications. I agreed to meet in April 2012 with representatives of the Glass and Glazing Federation and Fusion 21 and in September 2012 I met with Superseal. However, any changes to the specifications for installation of double glazing is entirely an operational matter for the Housing Executive.

## Social Security Agency: Recruitment

**Mr Weir** asked the Minister for Social Development what action he is taking to ensure that recruitment to the Social Security Agency reflects community balance.

**(AQW 23054/11-15)**

**Mr McCausland:** For the purposes of the Fair Employment and Treatment (NI) Order 1998, the NICS is treated as being a single employer.

All recruitment to the NICS is undertaken in line with NICS Recruitment Policy which reflects the NICS statutory obligations as a large employer, including in terms of creating equality of opportunity for all applicants and recruiting and appointing individuals on the basis of the merit principle. This is a principle enshrined in statute. The Civil Service Commissioners for Northern Ireland have a statutory role to ensure the merit principle is upheld for all recruitment to the NICS and successful candidates are offered posts as they arise in merit order. Community background is not a consideration in allocating posts.

## Houses in Multiple Occupation: Legislation

**Mr Agnew** asked the Minister for Social Development how many owner occupiers have received demands from the Housing Executive to comply with house in multiple occupancy legislation and provide gas and electric safety certificates; and why they are being issued with these demands when they are not landlords.

**(AQW 23084/11-15)**

**Mr McCausland:** The Northern Ireland Housing Executive has told me that the total number of HMO properties with owner occupiers in residence that have had notices issued against them is 18. The total number of Electric/Gas Certificates requested is 12.

Although these types of properties are HMOs under the current definition, the Northern Ireland Housing Executive has said that it will cease issuing notices in respect of owner occupied self-contained converted apartments and withdraw those notices it has already served. However, where a dwelling has three or more unrelated people living in it the Housing Executive will continue to enforce HMO regulations.

## Specialist Benefit Advice Services

**Mr Durkan** asked the Minister for Social Development whether his Department has considered funding specialist benefit advice services for employment support allowance and disability living allowance claimants who are undergoing treatment for cancer.

**(AQW 23095/11-15)**

**Mr McCausland:** My Department does not routinely fund specialist advice services in respect of specific benefits or health conditions. However, as part of the 2011/12 Benefit Uptake Programme, the Department funded a hospital based model for the provision of advice and information services to people newly diagnosed, living with or affected by cancer. This was one of seven different projects funded as part of the Department's Innovation Fund for Improving Benefit Uptake pilot.

An evaluation of the Innovation Fund has just been completed and the Evaluation Report will be published in the near future. Decisions on how successful outcomes and other learning will be used to inform future benefit uptake approaches are currently being considered. I will be launching Maximising Incomes & Outcomes – a 3 Year Plan for Improving Benefit Uptake in June.

## Housing Executive Properties: Cavity Wall Insulation

**Mr Durkan** asked the Minister for Social Development to detail the number of Housing Executive properties that have cavity wall insulation.

**(AQW 23098/11-15)**

**Mr McCausland:** The Housing Executive has advised me that, they have in the region of 14,000, traditional and non traditional property types which do not have cavity walls (such as No Fines, Orbits or Easiform). They are confident that cavity wall insulation has been installed in nearly all their remaining 75,000 (approximately) stock where it has been feasible to do so, apart from a small number of properties where tenants refused work. They advise that insulation of their non traditional stock is being addressed through alternative means.

## Help-to-Buy Scheme

**Mr Elliott** asked the Minister for Social Development to detail progress on the help-to-buy scheme that is being introduced to assist people in acquiring new homes.

**(AQW 23107/11-15)**

**Mr McCausland:** Within the Budget the Chancellor announced two major investments to assist the housing market under the banner Help to Buy. The first is to help homeowners secure affordable mortgages through the provision of equity loans for new build properties and the second is designed to enable lenders to use Government guarantees to offer £130 billion worth of mortgages with smaller deposits, as little as 5%, on new and existing properties.

At present the Help to Buy Equity Loans Scheme is only available in England and the Northern Ireland Executive is currently considering if it is possible to introduce a similar scheme here. However, an earlier attempt to do so in the form of FirstBuy NI met with little success; no applications being received by the scheme.

HM Treasury is currently working on the final scheme design for the Help to Buy Mortgage Guarantee which requires further analysis and discussion with the lending. This scheme will be available throughout the UK, on both new and existing properties and for first-time buyers, as well as existing homeowners and is due to be launched in January 2014.

### Disability Discrimination Act

**Mr Beggs** asked the Minister for Social Development what plans are in place to ensure that the Belfast premises for medical assessments will be fully compliant with the Disability Discrimination Act.  
(AQW 23122/11-15)

**Mr McCausland:** The medical examination rooms at Royston House, the Belfast Medical Examination Centre, are located on the 4th floor. The building complies with both health and safety and disability discrimination legislation.

### Royston House, Belfast: Medical Assessments

**Mr Beggs** asked the Minister for Social Development to list the number and type of medical assessments that have taken place in Royston House, Belfast over the last 12 months.

(AQW 23124/11-15)

**Mr McCausland:** During the period 1 May 2012 to 30 April 2013 a total of 13,303 assessments were completed in Royston House, as follows:

	No of Assessments
Employment and Support Allowance / Incapacity Benefit Reassessment	12,115
Industrial Injuries Disablement Benefits	918
Disability Living Allowance	258
Overseas cases	12
<b>Total</b>	<b>13,303</b>

### Incapacity Benefit to Employment and Support Allowance

**Mr Weir** asked the Minister for Social Development, pursuant to AQW 22127/11-15, how many of the additional claimants in the years ending (i) 2010; (ii) 2011; and (iii) 2013 had migrated to employment and support allowance from incapacity benefit; and how many were new claimants.

(AQW 23148/11-15)

**Mr McCausland:** The number of additional claimants that have migrated to Employment and Support Allowance from Incapacity Benefit and how many were new claimants are detailed in the table below. Please note prior to June 2011, it was not possible to extract migrated cases from data held.

Period ending	North Down Local Government District	North Down LGD, cases migrated from IB	Total ESA Claimants in North Down LGD
20 Nov 2009	410	-	410
3 Dec 2010	660	-	660
2 Nov 2011	860	70	930
30 Nov 2012	990	590	1,580

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Housing Executive Properties in North Down: Double Glazing

**Mr Weir** asked the Minister for Social Development how many Housing Executive properties in North Down have yet to have double glazing installed, broken down by housing estate.

(AQW 23190/11-15)

**Mr McCausland:** The Housing Executive has advised that their records and surveys indicate that the following two schemes should complete their double glazing installations in the North Down area: -

**Bangor Phase 1 double glazing mop up scheme currently programmed for January 2014 to include properties as follows:-**

Rathgill	35 properties
Willowbrook	24 properties
Bloomfield	2 properties
Crawfordsburn	5 properties
Groomsport	37 properties
Kilcooley	140 properties

**Bangor Phase 2 double glazing mop up scheme currently programmed for April 2014 to include properties as follows:-**

Loughview	57 properties
Redburn	45 properties
Spencer Street	61 properties
Strand/Kinnegar	9 properties
Woodlands	12 properties
Helens Bay	1 property
Conlig	9 properties

**Monkscoole House, Rathcoole**

**Mr Kinahan** asked the Minister for Social Development to detail the plans for Monkscoole House Rathcoole and the timescale that exists for development or return to the Housing Executive.

**(AQW 23216/11-15)**

**Mr McCausland:** The planned improvement scheme for Monkscoole House has been held pending the development of a Stock Transfer Programme that could see major improvements delivered to Housing Executive stock through transfer to housing associations. This programme is currently being finalised by the Housing Executive and my Department.

Once finalised, the Housing Executive will be initiating the process for the schemes later this year.

**Randalstown: Regeneration**

**Mr Kinahan** asked the Minister for Social Development to outline the plans for the regeneration of Randalstown.

**(AQW 23217/11-15)**

**Mr McCausland:** Plans for the regeneration of Randalstown are managed through the town's Masterplan implementation group, led by Antrim Borough Council. My Department is represented on this implementation group.

An environmental improvements scheme for the town centre is one of the projects being taken forward through the Masterplan group. Other schemes to be developed in conjunction with the group include a Revitalisation scheme for the town centre. In addition, some expressions of interest have been received for financial assistance using the Department's Urban Development Grant for building or refurbishing business properties in the town centre. A satisfactory appraisal for all of these projects is necessary and also adequate funding available within the Department's budget allocation.

**ATOS Healthcare**

**Lord Morrow** asked the Minister for Social Development, pursuant to AQW 18194/11-15, to outline why Atos Healthcare can refuse a home visit for work capability assessments, even when a GP supports an application.

**(AQW 23218/11-15)**

**Mr McCausland:** Claimants requesting a home assessment are required to provide medical evidence to support their request.

The information provided is considered by a healthcare professional who will decide whether a home visit is necessary whilst home visits are usually only carried out when a claimant is unable to leave their home for any reason, it is apparent that they are able to attend GP/hospital appointments, then they will normally be expected to attend an assessment centre for their medical assessment appointment.

**Housing Policy and Structures**

**Mr Allister** asked the Minister for Social Development what measures will be put in place to enfranchise tenants in influencing housing policy and structures; and how tenants will be consulted and afforded influence.

**(AQW 23226/11-15)**

**Mr McCausland:** The planning phase for the Social Housing Reform Programme has been initiated. A programme team comprising staff from DSD, the Housing Executive and the Strategic Investment Board has been established. This team is currently in the early stages of exploring and developing my proposals for reform which will include measures on how tenants will be engaged in housing policy and structures.

This exploration and development of the proposals cannot, and will not, be done in isolation. Regular engagement with key stakeholders (of which NIHE tenants are one) will take place throughout the programme.

On 12 June I am meeting with the Central Housing Community Network. This organisation was established in partnership with NIHE as a mechanism to ensure tenants have meaningful involvement with them. The Housing Community Network has agreed to act as a conduit between my Department, NIHE and tenants.

This meeting is the first step in direct engagement with tenants and their representatives; beginning discussions on how the process of engagement will work moving forward to ensure tenant views are built into proposal options.

### Housing Benefit

**Mr Humphrey** asked the Minister for Social Development how many people in the Shankill area of Belfast will be affected by the need to move to a smaller home because of the change in housing benefit.

(AQW 23242/11-15)

**Mr McCausland:** The Housing Executive has advised that the number of households within their Shankill District Office area that are estimated to be affected by under occupancy is 1,502.

### Ballymena Borough Council Area: Social Housing Units

**Mr McKay** asked the Minister for Social Development how many social housing units in each village and town in the Ballymena Borough Council area are in need of double glazing; and when the double glazing will be installed.

(AQW 23269/11-15)

**Mr McCausland:** The Housing Executive has advised that within their Ballymena District Office area - which covers the Ballymena District Council area - they have a double glazing Phase 2 scheme programmed for February 2014 for 268 properties. These properties are situated in the following areas:-

- |                         |                         |
|-------------------------|-------------------------|
| ■ Ballymena town centre | ■ Kells                 |
| ■ Dunclug               | ■ Moorfields/Glenwherry |
| ■ Harryville            | ■ Tullygarley           |
| ■ Glarryford            | ■ Dunvale               |
| ■ Slatt/Straid          |                         |

### Moyle District Council Area: Social Housing Units

**Mr McKay** asked the Minister for Social Development how many social housing units in each village and town in the Moyle District Council area are in need of double glazing; and when the double glazing will be installed.

(AQW 23271/11-15)

**Mr McCausland:** The Housing Executive has advised that within their Ballycastle District Office area - which covers the Ballycastle District Council area - their double glazing programme is complete.

### Ballymoney Borough Council Area: Social Housing Units

**Mr McKay** asked the Minister for Social Development how many social housing units in each village and town in the Ballymoney Borough Council area are in need of double glazing; and when the double glazing will be installed.

(AQW 23272/11-15)

**Mr McCausland:** The Housing Executive has advised that within their Ballymoney District Office area - which covers the Ballymoney District Council area - they have a double glazing scheme programmed for December 2013 for 104 properties. These properties are situated in the following areas:-

- |                   |                |
|-------------------|----------------|
| ■ Ballymoney town | ■ Corkey       |
| ■ Balnamore       | ■ Loughgiel    |
| ■ Bendooragh      | ■ Clintyfinnan |
| ■ Dervock         |                |
| ■ Killrammer      |                |
| ■ Dunloy          |                |
| ■ Rasharkin       |                |
| ■ Seacon          |                |
| ■ Cloughmills     |                |



## Help-to-Buy Scheme

**Mr Campbell** asked the Minister for Social Development, following the introduction of the help-to-buy scheme at Westminster in April 2013, what is the current position in Northern Ireland.

**(AQW 23301/11-15)**

**Mr McCausland:** Within the Budget the Chancellor announced two major investments to assist the housing market under the banner Help to Buy. The first is to help homeowners secure affordable mortgages through the provision of equity loans for new build properties and the second is designed to enable lenders to use Government guarantees to offer £130 billion worth of mortgages with smaller deposits, as little as 5%, on new and existing properties.

At present the Help to Buy Equity Loans Scheme is only available in England and the Northern Ireland Executive is currently considering if it is possible to introduce a similar scheme here. However, an earlier attempt to do so in the form of FirstBuy NI met with little success; no applications being received by the scheme.

HM Treasury is currently working on the final scheme design for the Help to Buy Mortgage Guarantee which requires further analysis and discussion with the lending industry. This scheme will be available throughout the UK, on both new and existing properties and for first-time buyers, as well as existing homeowners and is due to be launched in January 2014.

## Zero Carbon Social Housing

**Mr Agnew** asked the Minister for Social Development whether he intends to introduce a target date after which all new social housing will have to be zero carbon; and what action he is taking to incentivise the construction of zero carbon social housing.

**(AQW 23317/11-15)**

**Mr McCausland:** My Department's policy is that all new build social housing must meet current Building Regulations. Responsibility for the development and implementation of policy relating to Building Regulations rests with the Department of Finance and Personnel.

In the spring 2013 Budget, the UK Government reaffirmed its commitment to ensuring all new homes are zero carbon from 2016. You may wish to seek the views of the Minister for Finance and Personnel on his intentions in this matter.

## Kilcooley Estate, Bangor: Kilclief Flats

**Mr Easton** asked the Minister for Social Development to outline the timescale for the demolition of the Kilclief flats in the Kilcooley Estate, Bangor.

**(AQW 23352/11-15)**

**Mr McCausland:** The Northern Ireland Housing Executive is in the process of tendering for a specialist demolitions contractor to allow them to progress the demolition of Kilclief Flats in the Kilcooley Estate, Bangor.

This process involves the preparation of the contract documents, the tender process itself and the subsequent analysis and awarding of the tender.

This is being treated as a priority and it is anticipated that work will commence on site in September 2013.

## Benefits Appeal Tribunals: Panel Members

**Lord Morrow** asked the Minister for Social Development whether an appellant or advocate can halt a benefits appeal tribunal hearing in the event that any member of the panel displays an unacceptable or insensitive attitude or causes distress to the appellant.

**(AQW 23394/11-15)**

**Mr McCausland:** The Appeal Tribunal is an independent judicial body. Responsibility for the operation of the Tribunals is a statutory function of the President of the Appeal Tribunals, Mr Conall MacLynn. The President can be contacted directly at Office of the President of Appeal Tribunals, 6th Floor, Cleaver House, 3 Donegal Square North, BT1 5GA.

## Farmers: Help

**Mr McMullan** asked the Minister for Social Development whether he will meet the Minister of Agriculture and Rural Development to identify ways in which his Department can help farmers; and whether he will communicate to the farming community the ways in which his Department can help through the current crisis in farming.

**(AQW 23410/11-15)**

**Mr McCausland:** The Minister for Social Development is pleased to accept any invitation from other Ministers to consider how the work of his Department can help. He would be happy to discuss with the Minister of Agriculture how his Department may help through the current crisis in farming.

## Ballyree Drive, Bangor: Bungalows

**Mr Agnew** asked the Minister for Social Development to outline the reasons for the delay in the stock transfer of bungalows at Ballyree Drive, Bangor; and when these homes will be refurbished.

(AQW 23427/11-15)

**Mr McCausland:** As I have outlined in recent responses to Assembly Questions on this matter my Department and NIHE had been awaiting approval of the relevant Economic Appraisal from the Department of Finance and Personnel. This is an important step in moving forward as we must be sure that value for money is being achieved by the public purse when transferring assets.

However, I am pleased to be able to inform you that the necessary approval to proceed was received on 15 May 2013. As a result of this approval NIHE issued the Formal Consultation 1st Notice to the tenants in Bloomfield Bungalows on Friday 17 May 2013; this consultation period will now be open until 21 June 2013 and will include a public meeting between staff from NIHE and Oaklee Housing Association and the tenants on Thursday 24 May. I understand invites for this meeting have been issued to elected representatives.

Following this consultation period any comments, queries and responses from tenants will be considered and the NIHE will then issue the Formal Consultation 2nd Notice which will include the papers for the tenant ballot. This second consultation period will last for 4 weeks from 5 July to 2 August 2013. Should the tenant vote outcome be in favour of the transfer the NIHE Board will ratify the result at its Board meeting in August 2013 and DSD will subsequently give its formal consent to transfer. The formal transfer to Oaklee Housing Association will then complete in September 2013 and the work to undertake the multi-element improvements will then commence.

## Volunteer Now

**Mrs Dobson** asked the Minister for Social Development, in light of his recent announcement on funding changes for volunteer organisations, for his assessment of how the changes will impact on the work and services of Volunteer Now.

(AQW 23589/11-15)

**Mr McCausland:** I cannot comment on the work and services provided by any independent Voluntary and Community Sector organisations. What I can comment on is my funding changes for supporting volunteering activity in Northern Ireland.

By nearly doubling the resources being made available for the Volunteering Small Grants Programme, rising from £300k per year to £600k per year, I am making sure that resources are firmly directed to front line volunteering activity.

By significantly increasing the resources available to volunteering innovation projects, up from £300k per year to £500k per year, I am providing support to areas of volunteering such as sport, faith based and people with disabilities which have never received DSD support in the past.

While such rebalancing of resources will result in a reduction of financial support for Volunteering Infrastructure, down to £600k per year from £1.1m per year, I remain confident that this allocation is sufficient to meet the objective agreed by the NI Executive, namely the successful implementation of our first ever Volunteering Strategy.

## Village Area, Belfast: Regeneration

**Mr Spratt** asked the Minister for Social Development for an update on the regeneration of the Village area of South Belfast.

(AQO 4120/11-15)

**Mr McCausland:** The overall regeneration plan has progressed well. Most of the properties due to be demolished have been. Phases 1 and 2, totalling 87 new homes, are currently under construction. The first 10 houses in Phase 1 were handed over in March 2013 with the remaining 77 houses to be handed over in phases ending at Christmas 2013.

Phase 3 comprising 27 dwellings has been agreed and will be submitted for planning approval in the next few weeks and is scheduled to start in March 2014. The detailed scheme design for this final phase is currently being worked up in consultation with the local community, residents groups and the Housing Executive. The planning application for this phase will incorporate plans for an adjacent play park.

Fold Housing Association has also recently started to rehabilitate nine previously derelict properties in the area and has plans to rehabilitate a further 12 similar properties later this year. Grants for homeowners are being promoted in the area and the Housing Executive has installed new kitchens and double glazing to almost 150 of its properties in the area.

## Welfare Reform: Advice

**Mrs McKeivitt** asked the Minister for Social Development what additional funding his Department has identified for those providing advice on welfare rights in anticipation of the expected changes to the benefits system.

(AQO 4121/11-15)

**Mr McCausland:** It is recognised that Welfare Reform will have a significant effect on claimants. A dedicated team has been set up within the Social Security Agency tasked with preparing, informing and supporting claimants, staff, stakeholders and the public through the forthcoming changes. The Social Security Agency provides comprehensive advice and support

to claimants through an extensive network of services available at their nearest Jobs & Benefits Office and through the enhanced telephony service provided under Customer First.

Across the Social Security Agency network of offices and processing centres there are 447.27 Full Time Equivalent staff members in front-line and telephony roles who give advice and information to claimants as part of their roles. The Agency provides high quality, accurate, timely and consistent information and advice to claimants.

My Department has delivered annual benefit uptake programmes since 2005 using a range of evidence based approaches. These have included direct and indirect targeting, advertising and community outreach activities. Programmes to date have generated more than £50million in additional benefit for over 15,000 people. Last year saw outcomes which were more than three times that of the previous year with over £13.1m in new and additional benefits being generated for more than 4,000 mainly older people – an average of £60 per household benefiting.

In addition my Department provides substantial funding in the region of £4.5m annually to support voluntary advice services across the region. My officials are already working with the Northern Ireland Advice Service Consortium (the umbrella group that provides regional support for advice services in Northern Ireland) to consider the potential impact of the Welfare Reforms and how best to support our claimants through the changes. The Northern Ireland Advice Consortium is required to monitor and provide robust evidence of any changing demand for advice services on the ground, thereby enabling my Department to make key decisions about resourcing levels and priorities as we move through the Welfare Reforms.

### **Houses in Multiple Occupation: Apartments**

**Mr McCarthy** asked the Minister for Social Development how many owner-occupied apartments have been inspected by the Housing Executive to check for compliance with houses in multiple occupation legislation, where only a main front door and stairwell are shared.

**(AQO 4122/11-15)**

**Mr McCausland:** The Housing Executive has advised me that they do not record the tenure type of the property on their Houses in Multiple Occupation (HMO) database and are therefore unable to identify those properties that are owner-occupied self contained flats/apartments.

### **Housing Executive: Insulation**

**Mr McGlone** asked the Minister for Social Development to detail the insulation requirements placed on the Northern Ireland Housing Executive, when constructing and acquiring residential property.

**(AQO 4123/11-15)**

**Mr McCausland:** In responding to this question I would like in the first instance to point out that building requirements are not the responsibility of DSD and that the Housing Executive does not build new social housing and have not in fact done so since 1996.

All new build properties constructed by Housing Associations must comply with the standards laid down in the current Building Regulations.

For acquired properties, there is no requirement to upgrade on purchase to current Building Regulations standards; however if any significant refurbishment work is undertaken, Building Control may deem it necessary to improve the energy efficiency of the property to the current Building Regulations.

In addition, any Housing Association should consider the condition of its stock and comply with the Decent Homes Standard, particularly with regard to energy efficiency.

### **Housing Executive: Contracts**

**Ms S Ramsey** asked the Minister for Social Development what procedures are in place to ensure that contractors tendering for Housing Executive contracts have the financial ability to complete the contract.

**(AQO 4124/11-15)**

**Mr McCausland:** In accordance with the Public Contracts Regulations (2006) The Northern Ireland Housing Executive carries out checks of all contractors using the Government's Constructionline service. This service is provided to all UK public sector bodies to allow for financial and technical checks of contractors that may tender for government work.

Contractors tendering for Housing Executive work must either provide their Constructionline registration number and have 'active status', or, if they are not registered they must provide their last three years audited accounts. The Constructionline 'active status' is only given to contractors following a review of their annual accounts. Should they not submit their accounts on time, they are marked as 'suspended'.

The Housing Executive, when considering the financial status of a contractor, will only accept those that either have an 'active status' on Constructionline or if not registered, pass a full analysis of their company accounts. This process is fully accepted by the Construction Employers Federation. In addition, the Construction Industry Forum for Northern Ireland which comprises the Government Construction Clients Group and the Construction Industry Group has also endorsed this process.

The Housing Executive considers that the process of using Constructionline is an appropriate tool for checking contractor's financial stability.

In addition, the Housing Executive also requires a contractor's annual turnover to be a certain percentage of the annualised contract value. This ensures that only those contractors with the appropriate financial capacity can win Housing Executive contracts.

### **Welfare Reform: Underoccupancy Penalty**

**Mr McGimpsey** asked the Minister for Social Development how many households in the South Belfast constituency will be affected by the underoccupancy penalty within the Welfare Reform Bill.  
(AQO 4125/11-15)

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not routinely collate information by Parliamentary constituency. However, I can advise that the number of households within the Housing Executive's South Belfast District Office area that are estimated to be affected by under occupancy is 1,503.

### **Housing: Private Tenants**

**Mr Givan** asked the Minister for Social Development to outline the legislation that supports home owners who experience problems with tenants of privately rented accommodation in their area.  
(AQO 4126/11-15)

**Mr McCausland:** Article 26 of the Housing (NI) Order 2003 introduced powers to allow the Housing Executive, Registered Housing Associations and private sector landlords to deal with anti-social behaviour by or affecting their tenants. These landlords can seek an injunction to restrain any individual over 18 from anti-social behaviour. Because the residential premises to which this Article applies include Housing Executive, housing association and private tenancies, there is no specific protection for persons in residential premises which are owner-occupied. However, an Article 26 injunction could be used by a landlord to prohibit a person from engaging in conduct likely to cause a nuisance or annoyance to a person in the locality of the landlord's premises, such as a neighbour, regardless of that neighbour's tenure (rented or owner-occupied).

### **Housing Executive: Redecoration Grants**

**Ms McCorley** asked the Minister for Social Development to outline the criteria for redecoration grants to be awarded to Housing Executive tenants after having window and kitchen replacements.  
(AQO 4127/11-15)

**Mr McCausland:** The Housing Executive has advised that the main objective when replacing windows is to avoid as far as reasonably practicable unnecessary damage to the internal plastered reveals irrespective of how they may be finished. However, a redecoration payment will be made in relation to window replacements if the walling and the fronting into the room are damaged during the installation. In relation to kitchen replacements, there is almost always disruption to internal décor as there is usually rewiring involved and the tenant in these circumstances would be entitled to redecoration allowance for the kitchen.

The Housing Executive also advises that there may be cases where a higher rate of redecoration allowance can be considered. The qualifying criteria for the higher rate of redecoration allowances is as follows: -

All of the following criteria must be satisfied:

#### **Community Based Schemes**

There must be no community based schemes available to tenants to undertake the redecoration work. It is the responsibility of the District Manager to confirm if such a community based scheme is in existence and available for tenants and

#### **Financial Hardship**

The tenant(s) must be in receipt of a means tested benefit (e.g. Housing Benefit, Income Support etc.) **and**

#### **Capability**

The tenant(s) must be considered to be of a disposition where it would be unreasonable to expect them to carry out the redecoration work, i.e.

- Tenants(s) must be aged 60 or older (both male and female) or
- Tenant(s) must have a disability

Reference to benefit entitlement may be made when considering if a tenant is deemed to have a disability. A tenant can be deemed to have a disability if he/she are in receipt of disability linked benefits: and

**Non Dependent Household**

Tenant(s) will not qualify for the higher rate of redecoration allowance if there is an able bodied person living in the household i.e. (persons between 18 and 59 inclusive and without a disability).

For joint tenants to receive the higher rate of redecoration allowance both tenants must fulfill the qualifying criteria.

Office's must pay the higher rate of redecoration allowance in situations where:

- The checking procedures failed to identify information which would have resulted in a higher rate being paid and
- The tenant can verify the necessary information.

In all instances when processing redecoration allowances Office's must check the Housing Management and Housing Benefit systems for details of:

- Means Tested Benefits
- Dates of Birth
- Disability Linked Benefits and
- Non dependents within the household.

Tenants / residents who meet the relevant criteria must be paid the higher rate. Offices must ensure in all instances that the maximum payment level for redecoration allowances (currently £770) is never surpassed.

**Regional Infrastructure Programme: Woman**

**Mrs D Kelly** asked the Minister for Social Development for an update on the progress of the regional infrastructure support programme for the women's sector.

**(AQO 4128/11-15)**

**Mr McCausland:** Good progress is being made in terms of regional support for women in disadvantaged and rural areas. Interim arrangements are already in place to ensure the continued delivery of regional support pending the development of new arrangements geared to ensure a more collaborative approach and better quality services, which are planned to come into effect in October 2013. In support of this, the Department conducted research to identify the specific support needs of frontline women's organisations, thereby ensuring that their views were not overlooked. Going forward this research will inform key service delivery priorities under the new arrangements. All of the key organisations which expressed an interest in delivering the new arrangements are currently engaged in collective discussion to explore how they might work together collaboratively in delivering the new arrangements, so that scarce resources can be utilized effectively and that all women in disadvantaged/rural areas can receive the important support they need.



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# Northern Ireland Assembly

Friday 7 June 2013

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### **Social Investment Zone Steering Groups**

**Mr Lyttle** asked the First Minister and deputy First Minister why lead partner organisations, through which social investment fund project funding will be distributed, must be members of social investment zone steering groups.

**(AQW 21949/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Lead Partners do not have to be members of Social Investment Zone Steering Groups.

#### **Community Groups: Ethnic Minorities**

**Mr P Ramsey** asked the First Minister and deputy First Minister to outline the funding available from their Department for community groups involved in working with ethnic minorities; and for a description of each fund.

**(AQW 22031/11-15)**

**Mr P Robinson and Mr M McGuinness:** Minority Ethnic Development Fund

Since its establishment in 2001, the Fund has supported voluntary and community groups to work towards improving relations between different ethnic groups. A recent call for applications for funding has led to us currently identifying 27 applications to receive support of approximately £1.1m per annum for the next 2 financial years.

#### **Central Good Relations Funding Programme**

This provides an additional source of support to those organisations that are involved in activities that complement Ministerial priorities aimed at building a united, shared and reconciled community. This may include organisations working with minority ethnic people or minority ethnic led organisations. It is planned to open the Fund again in the near future when we will be seeking applications for project funding for the 2013/14 funding year.

#### **The District Council Good Relations Programme**

This has been operational through all local authorities here since 1989. It seeks to identify key good relations issues and priorities to promote better relations locally and to develop and implement good relations initiatives to meet local and regional priorities. The District Council Good Relations Programme is seen as a vital component to support the Executive's commitment to creating an equal, shared and inclusive society. Funding towards promoting good race relations has been made available through this programme.

#### **Community Relations Council**

The Department also makes funding to promote good relations available through the Community Relations Council. Organisations working with minority ethnic people or minority ethnic led organisations may be eligible to apply for funding from this source.

#### **Legislative Consent Motions: Assembly Approval**

**Mr Kinahan** asked the First Minister and deputy First Minister how many requests have been made by Government Departments in Westminster in the last three years seeking Assembly approval for legislative consent motions to enable the extension of provisions in a Bill before Parliament to Northern Ireland; and which requests they declined or did not take forward.

**(AQW 22859/11-15)**

**Mr P Robinson and Mr M McGuinness:** In the three-year period to May 2013, four requests for Legislative Consent Motions were received by OFMDFM. LCMs were subsequently tabled and agreed by the Assembly, in respect of the Public Bodies Bill, the Protection of Freedoms Bill and the Antarctic Bill. Another request relating to the establishment of the Social Inclusion and Child Poverty Commission, as provided for in the Westminster Welfare Reform Bill, was not taken forward.

OFMDFM does not hold information in relation to all requests which may have been received by other departments. It is in the first instance for each Minister and, ultimately, the Executive to agree which Legislative Consent Motions should be tabled for the approval of the Assembly, and all Legislative Consent Motions so tabled are recorded in the Official Record of the Assembly.

### **‘Together: Building a United Community’**

**Mr Kinahan** asked the First Minister and deputy First Minister whether the summer schools or summer camps announced in the ‘Together: Building a United Community’ document will be in place for summer 2013.

**(AQW 22930/11-15)**

**Mr P Robinson and Mr M McGuinness:** Design and delivery arrangements for all of the Together: Building a United Community programmes are under consideration. The aim is to get these operative as soon as possible.

### **‘Together: Building a United Community’**

**Mr Kinahan** asked the First Minister and deputy First Minister whether the summer schools or summer camps, that were announced in the ‘Together: Building a United Community’ document, will be specifically targeted towards individual schools or areas of high social segregation.

**(AQW 22931/11-15)**

**Mr P Robinson and Mr M McGuinness:** Design and delivery arrangements for all of the Together: Building a United Community programmes are at a very early stage of consideration. We are therefore unable, at this time, to advise regarding qualifying criteria for the Shared Summer Schools proposal.

### **‘Together: Building a United Community’**

**Mr Kinahan** asked the First Minister and deputy First Minister whether pupil attendance at the summer schools or summer camps, that were announced in the ‘Together: Building a United Community’ document, will be accredited; and how these camps will tie in with the current education curriculum.

**(AQW 22932/11-15)**

**Mr P Robinson and Mr M McGuinness:** Design and delivery arrangements for the Together: Building a United Community programmes are under consideration. Further details will be announced in due course.

### **‘Together: Building a United Community’**

**Mr Copeland** asked the First Minister and deputy First Minister to detail the projected budget for the (i) 100 summer schools or summer camps; and (ii) 10 shared education campuses announced in the ‘Together: Building a United Community’ document; and whether this money will come from existing Department of Education budgets or will additional funding be required.

**(AQW 22934/11-15)**

**Mr P Robinson and Mr M McGuinness:** Design and delivery arrangements for all of the Together: Building a United Community programmes are currently under consideration. We will make an announcement on the details in due course.

### **Planning Appeals Commission: Appeals and Article 31 Hearings**

**Mr Weir** asked the First Minister and deputy First Minister, pursuant to AQW 22646/11-15, how many of the appeals received a decision (i) within six months; (ii) between six and 12 months; and (iii) after 12 months.

**(AQW 23052/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Planning Appeals Commission is an independent tribunal Non-Departmental Public Body. Given its status, we have asked its Chief Commissioner to provide a response directly to you.

### **Programme for Government: Delivery Plans**

**Mr Kinahan** asked the First Minister and deputy First Minister how the Programme for Government delivery plans are monitored.

**(AQW 23680/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Programme for Government monitoring process requires that departments regularly review, and where necessary update, the Delivery Plans for which they are responsible. These Plans are integral to the assessment of progress at various levels within the PfG Delivery Framework, as set out at Annex 1 to the Programme for Government.

Ensuring the currency and accuracy of Delivery Plans is the responsibility of the lead department, and Plans are, at the discretion of departments, shared with, and scrutinised by, relevant Assembly Committees.



The latest versions of Strategic Programme for Government Delivery Plans are available on the Programme for Government section of the Executive's website: [www.northernireland.gov.uk/pfg](http://www.northernireland.gov.uk/pfg)

(Direct link:

<http://www.northernireland.gov.uk/index/work-of-the-executive/pfg-budget-economic-strategy/pfg/pfg-2011-2015-delivery-plans.htm>)

### Programme for Government: Delivery Plans

**Mr Kinahan** asked the First Minister and deputy First Minister for an update on their Programme for Government delivery plans. (AQW 23681/11-15)

**Mr P Robinson and Mr M McGuinness:** Programme for Government Delivery Plans are reviewed regularly. The latest versions of Strategic Delivery Plans are available on the Programme for Government section of the Executive's website: [www.northernireland.gov.uk/pfg](http://www.northernireland.gov.uk/pfg) (Direct link: <http://www.northernireland.gov.uk/index/work-of-the-executive/pfg-budget-economic-strategy/pfg/pfg-2011-2015-delivery-plans.htm>).

### Delivering Social Change: Universities

**Mr McKay** asked the First Minister and deputy First Minister for an update on their work with local universities on Delivering Social Change.

(AQO 4185/11-15)

**Mr P Robinson and Mr M McGuinness:** An important element of the Delivering Social Change framework is the opportunity for more effective engagement between government, academia, the community and voluntary sectors and the business sector. The framework also affords us the opportunity to learn from and share best practice, on social issues, with our wider European partners.

We have been considering how this work might be best taken forward and hope to make a public announcement, around how we intend to proceed, in the very near future.

## Department of Agriculture and Rural Development

### Fishing Fleet: Assistance with Costs

**Mr Frew** asked the Minister of Agriculture and Rural Development whether she has any plans to assist the fishing fleet with the high costs associated with purchasing highly selective fishing gears, as well as other increased overhead costs, such as fuel. (AQW 21975/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** I have recently announced a package of financial measures that will assist the fishing industry to respond to Common Fisheries Policy reforms. Financial resources will be made available through the European Fisheries Fund (EFF) to include the establishment of a "research and development fund" specifically to develop fishing gear with very low catch rates of unwanted fish. In addition, further financial assistance will be provided to the industry to improve skills and safety. Finally and subject to the completion of a business case, I will consider support for the full cost of replacing the fishing fleet's current vessel satellite monitoring systems with new multifunctional systems.

I have no plans to provide assistance in relation to operational costs such as fuel.

### Farm Modernisation Programme: Tranche 3

**Mr Elliott** asked the Minister of Agriculture and Rural Development to detail the total number of (i) applications for the farm modernisation programme tranche 3; and (ii) successful applications, broken down by constituency. (AQW 23132/11-15)

**Mrs O'Neill:** The total number of (i) applications to Tranche 3 of the Farm Modernisation Programme; and (ii) successful applications, based on the postcode information provided by applicants, broken down by constituency, is detailed in the table below:

Constituency	Number of Farm Modernisation Programme Tranche 3 Applications	Number of Successful Farm Modernisation Programme Tranche 3 Applications
Belfast East	4	3
Belfast North	4	0
Belfast South	8	6
Belfast West	2	0

Constituency	Number of Farm Modernisation Programme Tranche 3 Applications	Number of Successful Farm Modernisation Programme Tranche 3 Applications
East Antrim	171	54
East Londonderry	440	145
Fermanagh And South Tyrone	1,066	344
Foyle	35	13
Lagan Valley	161	87
Mid Ulster	1,004	392
Newry And Armagh	800	291
North Antrim	524	201
North Down	19	9
South Antrim	257	120
South Down	565	208
Strangford	162	77
Upper Bann	163	75
West Tyrone	982	359
<b>Grand Total</b>	<b>6,367</b>	<b>2,384</b>

### The Young Farmers' Clubs of Ulster

**Mrs Dobson** asked the Minister of Agriculture and Rural Development for her assessment of the work of the Young Farmers' Clubs of Ulster and whether she will continue funding to enable the clubs to continue to promote the interests of young farmers.

(AQW 23175/11-15)

**Mrs O'Neill:** DARD currently provides a 3 year grant of £75K per year to the YFCU (2011-2014) subject to YFCU fulfilling five specific work areas, as agreed in a Letter of Offer. The grant is subject to the receipt of satisfactory monitoring data and a satisfactory evaluation. YFCU received the full £75K grant for year 1 and my officials will be meeting YFCU officials within the next few weeks to review progress and outcomes for year 2 and finalise targets for year 3. A final post project evaluation of the project will be required in April 2014, as stated in the Letter of Offer. This will be used to judge the success of the project and to inform decisions on future YFCU funding.

### Unanswered Questions: AQW 21973/11-15; AQW 21974/11-15; and AQW 21975/11-15

**Mr Frew** asked the Minister of Agriculture and Rural Development, to detail why AQW 21973/11-15; AQW 21974/11-15; and AQW 21975/11-15 have not yet been answered; and when they will be answered.

(AQW 23205/11-15)

**Mrs O'Neill:** AQW 21973 was answered on 29th May, AQW 21974 was answered on 30th May and AQW 21975 was answered 3rd June.

### Administrative Costs

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail the administrative costs within her Department, for each of the last three years.

(AQW 23274/11-15)

**Mrs O'Neill:** The Department carries out a number of functions that are categorised as Administration and reported in the Departmental Resource Accounts. The previous 3 financial years' outturn was:

**£000's**

2009/10 55,167

2010/11 52,383

2011/12 53,649

## Defibrillators: Rural Areas

**Ms McGahan** asked the Minister of Agriculture and Rural Development whether funding is available for the provision of defibrillators in rural areas.

**(AQW 23281/11-15)**

**Mrs O'Neill:** I take your enquiry to refer to funding under Axis 3 of the Rural Development Programme.

All Axis 3 applications are competitively assessed by the Local Action Group in line with their agreed local development strategy and are subject to robust assessment including economic appraisal.

With exceptions such as motor vehicles or agricultural equipment projects are not assessed on the items being funded but rather on the nature and sustainability of the project and the benefits, whether social or economic, that will be achieved for the local community.

## Better Regulation Review

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development for an update on the better regulation review and to outline the action plan and timescales for delivery of the objectives.

**(AQW 23334/11-15)**

**Mrs O'Neill:** The NI Agri-Food Better Regulations and Simplification Review was published in April 2009 and made 85 recommendations aimed at reducing the administrative burden on the agri-food industry.

The DARD Better Regulation Action Plan, which was recommended by the Review, dealt with the 63 recommendations put forward by an Independent Panel which were accepted or accepted in principle. The areas covered are what are considered to be the ten most burdensome areas of regulation in the sector.

Officials briefed the ARD Committee in November 2011 on the outcome of the interim re-measurement which showed a 4.3% net reduction in the administrative burden from the baseline set in 2007. This outcome was against a target to reduce the administrative burden on the agri-food sector by 25% by 2013, with an interim target of 15% by 2011. Officials in the Better Regulation Advisory Unit have also managed to broaden the scope of the simplification work by attending a series of events such as stakeholders road shows and agriculture shows to talk to customers about their concerns. Unfortunately the response so far has been minimal but the Department is committed to keeping similar channels of communication open should an individual or business wish to make any helpful suggestions.

The Better Regulation Action Plan came to an end on 31st March 2013. A final re-measurement exercise is currently underway again involving industry representatives and officials will brief the ARD Committee and make a final report available to the Assembly when this work has been completed.

## G8 Summit

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development to detail (i) whether her Department has made representations about retaining the infrastructure that will be brought in to cover the G8 summit; and (ii) to whom she has made representations regarding this.

**(AQW 23345/11-15)**

**Mrs O'Neill:** I have not made any representations regarding retaining the infrastructure that will be brought in to cover the G8 Summit.

## Relocation of the Rivers Agency/Fisheries

**Mr Frew** asked the Minister of Agriculture and Rural Development, in relation to her announcement on the relocation of the Rivers Agency and fisheries to Cookstown and Downpatrick, to detail (i) what discussions she has had with her Executive colleagues on these relocations; (ii) on what authority she can make relocation decisions; and (iii) what procedure will she follow to deliver on these announcements given the problems around the relocation of her Department's headquarters.

**(AQW 23383/11-15)**

**Mrs O'Neill:** The commitment to advance the relocation of my Department to a rural area is a priority for the Executive and is contained in the Programme for Government.

Since I announced my decision last September to relocate the DARD headquarters to Ballykelly, I outlined publicly my intention to consider whether or not it was appropriate to relocate all of the business areas within my Department to the new headquarters. It is now clear that both Fisheries Division and Rivers Agency will meet the demands of their business much more effectively from bases in South Down and Cookstown respectively rather than Ballykelly.

I will follow agreed NICS procedures and guidelines for relocating jobs within my Department.

## Ash Dieback Disease

**Mr Dickson** asked the Minister of Agriculture and Rural Development what support her Department will provide to Carrickfergus Borough Council to replace trees lost to ash dieback disease.

**(AQW 23440/11-15)**

**Mrs O'Neill:** I have asked officials to develop a policy outlining the support which may be made available to assist woodland owners with existing grant agreements to replant areas affected by Chalara ash dieback with alternative tree species, following compliance with a statutory plant health notice.

## Farmers: Inspections

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 22831/11-15, to detail the number of farmers who are scheduled for inspection, as opposed to those who have just been inspected, as stated in the original question.

**(AQW 23637/11-15)**

**Mrs O'Neill:** In 2012, 400 participants in the NI Countryside Management Scheme claimed for Field Boundary Restoration work, of these, 74 had been selected for inspection. At the time of reply to AQW 22831/11-15, all 74 scheduled inspections had taken place.

## Dignity at Work Cases

**Mr Spratt** asked the Minister of Agriculture and Rural Development how many dignity at work cases have been lodged in his Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been resolved.

**(AQW 23645/11-15)**

**Mrs O'Neill:** Details of the Dignity at Work (DAW) cases lodged in the Department of Agriculture and Rural Development in each of the last five years, broken down by (i) core department and (ii) non departmental public body are set out in the attached Annex.

Annex

### DARD Core Department DAW Cases

Year	No. of DAW Complaints	No. of Complaints resolved
1/4/08 to 31/3/09	5	5
1/4/09 to 31/3/10	12	12
1/4/10 to 31/3/11	14	14
1/4/11 to 31/3/12	11	11
1/4/12 to 31/3/13	14	6
<b>Total</b>	<b>56</b>	<b>48</b>

### NDPB - Agri-Food and Biosciences Institute (AFBI)

Year	No. of DAW Complaints	No. of Complaints resolved
1/4/08 to 31/3/09	0	0
1/4/09 to 31/3/10	2	2
1/4/10 to 31/3/11	4	4
1/4/11 to 31/3/12	2	2
1/4/12 to 31/3/13	2	2
<b>Total</b>	<b>10</b>	<b>10</b>

DARD is also responsible for four other NDPBs; The Drainage Council, Agricultural Wages Board, NI Fishery Harbour Authority and the Livestock and Meat Commission. No DAW cases have been lodged in

## Milk Quotas

**Mrs Hale** asked the Minister of Agriculture and Rural Development for her assessment of the lifting of milk quotas in the Republic of Ireland and how this affects local farmers.

**(AQW 23656/11-15)**

**Mrs O'Neill:** Following the ending of restrictions on milk production it is anticipated that production in the south of Ireland may increase significantly. The south's Food Harvest 2020 Report suggested that their milk production should aim to increase by 50% by 2020. However, whether this happens will depend on market conditions.

An increase of this magnitude would require not only new markets for dairy produce but also the provision of additional processing capacity and I believe that steps are being taken to address this need. However, should the increase in milk production highlight that there is inadequate processing capacity in the south of Ireland this could also impact on the north of Ireland by reducing demand for our milk for processing. It is anticipated that most of the production increase is expected to take place in the south west of Ireland. In that situation, processors in the border counties may find it more attractive to continue to source milk from the north Ireland rather than transport it from the south west of Ireland, but as you will appreciate this would be a purely commercial decision.

A different situation pertains in the north. Since 1995 our dairy farmers have been able to expand their milk production by taking advantage of the freeing of milk quota movements both here and in Britain, as the subsequent reduced production in Britain. Also, in recent years production here and in Britain has been significantly below quota, so in effect there are currently no restraints on production.

The abolition of milk quotas will increase the momentum towards a completely market-led industry. With the changes in global markets and increased competition the future sustainability of our dairy industry will be determined by its ability to respond to changed times with a product mix in line with consumer expectations.

I believe that the dairy sector has the potential to grow further and to exploit opportunities arising from the predicted expansion in world population. I therefore welcome the timely publication of the Agri-Food Strategy Board Report, Going for Growth, which outlines a roadmap for the growth of the agri-food industry including the dairy sector.

The key for the dairy sector will be to grasp the opportunities presented and I would encourage it to continue to work with the Agri-Food Strategy Board, DARD and other relevant partners in taking forward agreed recommendations within the report.

### **Farm Modernisation Scheme**

**Mrs Hale** asked the Minister of Agriculture and Rural Development to outline the forward planning that she has implemented for farm modernisation, including the replacement of farm sheds deemed not fit for purpose.  
(AQW 23658/11-15)

**Mrs O'Neill:** The development of the future Rural Development Programme 2014-2020, which includes a capital grant scheme for the replacement/upgrading of farm buildings, is well underway and the proposals for the new programme have been discussed at the Stakeholder Consultation Group which was established last November. A public consultation on the draft Rural Development Programme is planned for later this year.

You may be aware EU negotiations on the rural development proposals are continuing and I am working with Defra and the other Devolved Administrations to ensure the Commission's proposals remain flexible enough to meet the needs of the agri-food industry and the other broader rural areas. A key issue is the amount of funding which will be available for the Rural Development Programme and my understanding is that the allocation of the CAP Pillar 2 budget to Member States has still to be finalised.

### **Feed Price Increase**

**Mrs Hale** asked the Minister of Agriculture and Rural Development, given the large rise in feed prices over the last six months, how her Department can assist farmers financially at this time.  
(AQW 23688/11-15)

**Mrs O'Neill:** You will be aware that I secured £1m, by agreement of Executive colleagues, on 16th May 2013 to fund the Fodder Transport Scheme. The Scheme subsidised the transport costs for importing fodder into the north, thus increasing the availability of fodder. Through the scheme in the region of 15,000 tonnes of fodder was brought into the north which has eased both the fodder supply and price pressures that the industry was facing.

I have also set up a Fodder Task Force that includes representatives of the main banks servicing the agricultural sector. One of the issues they will be considering is the financial pressures facing farmers. This will include issues such as cash flow and capital repayment schedules.

The Task Force will be providing recommendations on actions my Department and the Industry can take to mitigate the current situation.

### **Disease Outbreaks: Lost Trees**

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she has considered a reconstruction scheme to compensate landowners who have lost trees due to recent disease outbreaks similar to that delivered in the Republic of Ireland.  
(AQW 23695/11-15)

**Mrs O'Neill:** My Department's policy is not to offer compensation for plants affected by Chalara Ash dieback that are required to be destroyed to comply with a Statutory Plant Health Notice. However, Forest Service is currently making assistance

available to landowners in order to clear sites quickly, thereby minimising the risk of disease spread. In addition, I have asked officials to develop a policy outlining the support which may be made available to assist woodland owners with existing grant agreements to replant areas affected by Chalara ash dieback with alternative tree

### **Rural Communities: Boost Scheme**

**Mr Frew** asked the Minister of Agriculture and Rural Development how her Department is promoting the Boost scheme in rural communities.

**(AQW 23711/11-15)**

**Mrs O'Neill:** As you know the 'BOOST' scheme is one of a number of initiatives taken forward as part of the Tackling Rural Poverty and Social Isolation programme and aims to improve the employability of rural young unemployed people. DARD provide co-funding in conjunction with DEL and the scheme is delivered on the ground by Advantage Foundation Ltd.

Advantage Foundation Ltd engage with over 350 partner agencies, including job centre networks, libraries, Rural Development Council, Local Action Groups, District Councils, Agricultural shows, Local Enterprise Agencies, Rural Colleges and Sports Centres in order to target eligible participants and promote the scheme.

My Department also actively promotes BOOST as part of our Community Development activity by disseminating project information through the Rural Support Networks and encouraging participation among the 800 rural community and voluntary groups affiliated to them.

In addition, details of the BOOST project were included in the Tackling Rural Poverty and Social Isolation information flyers which were issued recently with the 2013 Single Farm Applications packs, delivered to 37,600 rural homes during March and April 2013.

### **Central Investigation Service Employees**

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the number of central investigation service employees that hold accredited counter-fraud specialist status, as recognised by the UK Counter Fraud Professional Accreditation Board.

**(AQW 23775/11-15)**

**Mrs O'Neill:** I am unable to release this data as it is subject to the restrictions of the Data Protection Act 1998 and, accordingly, its release would breach the first and second principles as set out in Schedule 1 of the Data Protection Act 1998.

### **Central Investigation Service**

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the number of investigations conducted on the operations or workings of the central investigation service, in each of the last five years.

**(AQW 23776/11-15)**

**Mrs O'Neill:** In the last five years the Department commissioned one review of the Central Investigation Service. In April 2010 the Department commissioned consultants to conduct an independent review regarding the conduct of a number of its investigations. The Consultant's report contained 10 recommendations, all of which were accepted and implemented by the Department.

### **Wind Turbines: Livestock Abortions**

**Mr Byrne** asked the Minister of Agriculture and Rural Development whether there is any evidence to confirm that the proximity of wind turbines leads to an above average number of livestock abortions.

**(AQW 23942/11-15)**

**Mrs O'Neill:** My Department has no evidence that the proximity of wind turbines leads to an above average number of livestock abortions.

### **Rural Primary Schools: Closure**

**Mr McNarry** asked the Minister of Agriculture and Rural Development whether she plans to raise any concerns with the Minister of Education on the proposals to close some rural primary schools, following the public consultation on draft area plans for primary provision which ended on 1 June 2013.

**(AQW 23963/11-15)**

**Mrs O'Neill:** I have previously written to the Minister of Education on a number of occasions regarding the future of rural schools highlighting the important role they play in helping to sustain rural communities. The Minister of Education has responded reaffirming his commitment to sustaining rural communities and outlining his Department's Sustainable Schools Policy.

He has also confirmed that the Sustainable Schools Policy was rural proofed prior to its publication in 2009 and that any decision to close or amalgamate a rural school is subject to an assessment using the criteria set out in the policy, covering a number of factors, not just the number of pupils. He also reaffirmed that it is the quality of education which is his over-riding consideration. You will wish to note that the consultation process on Strategic Area Plans Primary Provision runs until 30 June 2013.

## Department of Culture, Arts and Leisure

### Fundraising Committee of Tyrone Gaelic Athletic Association: Chairman

**Mr Allister** asked the Minister of Culture, Arts and Leisure (i) will she investigate whether the chairman of the fundraising committee of Tyrone Gaelic Athletic Association is also the club's accountant and auditor; and (ii) for her assessment of whether this is an acceptable arrangement for a body in receipt of government funding, in terms of the standards of transparency and efficacy expected by her Department in relation to financial accountability.

**(AQW 17814/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** It would be inappropriate for the functions, as described in the question, to be performed by one individual within a body in receipt of public funding.

The funding made available to Tyrone Co Board through the Ulster Council GAA (UCGAA) is from the 'Promoting Equality, Tackling Poverty and Social Exclusion through Sport Programme'.

All funding made available through this programme has a condition of award, attached to the Letter of Offer, that requires recipients of funding to demonstrate that, 'appropriate accounting and audit arrangements are in place' prior to the release of any funding.

My department monitors all award conditions to ensure that they are met appropriately.

### Backin' Belfast Campaign

**Mr Ross** asked the Minister of Culture, Arts and Leisure what input her Department has had into the Backin' Belfast campaign. **(AQW 20483/11-15)**

**Ms Ní Chuilín:** The Backin' Belfast campaign is being co-ordinated by Belfast Visitor and Convention Bureau in consultation with Belfast City Council.

There has been no request for input from my Department.

### Ulster-Scots Newspaper

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure to detail the cost of producing the Ulster-Scots newspaper since its inception.

**(AQW 20485/11-15)**

**Ms Ní Chuilín:** From 2004-2009, the average cost of the Ulster-Scots newspaper was £18,138 per circulation issue for 42 issues totaling £761,796. From 2010-2011 the average cost per circulation issue fell to £11,094 for 12 issues totaling £133,128 due to the phasing out of overseas distribution in favour of internet publication. During 2012 there was a gap in production of the Ulster-Scots newspaper while the Agency re-launched the production of the paper, and from the end of 2012 the average cost per circulation issue is £5,600 for 6 issues totaling £33,600.

### Ulster-Scots Newspaper

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure how the Ulster-Scots newspaper is distributed; and to which public buildings.

**(AQW 20486/11-15)**

**Ms Ní Chuilín:** The Ulster-Scot newspaper is distributed as a supplement in the Saturday edition of The Newsletter in counties Down, Antrim and Derry. Copies of the newspaper are also distributed to libraries and tourist information centres in all nine counties of Ulster.

An online version of each newspaper is available on the Ulster-Scots Agency website.

### Ulster-Scots Newspaper

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure how much advertising revenue the Ulster-Scots newspaper has generated.

**(AQW 20487/11-15)**

**Ms Ní Chuilín:** The Ulster-Scots newspaper has generated no advertising revenue.

### Foras na Gaeilge: Legal Advice

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure whether Foras na Gaeilge received legal advice regarding the closure of 'Gaelscéal' in response to legal action from other parties if the contract with Torann na dTonn continued.

**(AQW 20537/11-15)**

**Ms Ní Chuilín:** Foras na Gaeilge received legal advice from their solicitor regarding the contract with Torann na dTonn and its termination.

### Claim Settlement

**Mr Easton** asked the Minister of Culture, Arts and Leisure how much has been paid to settle claims against her Department, in each of the last three financial years.

**(AQW 20559/11-15)**

**Ms Ní Chuilín:** In the financial year 2011-12, the Department paid £36,464.87 in respect of settlement of claims.

No amounts were paid in either 2009-10 or 2010-11.

### World Police and Fire Games 2013

**Mr Allister** asked the Minister of Culture, Arts and Leisure, in relation to the World Police and Fire Games 2013, whether the Union flag will be flown to represent the Northern Ireland team when national flags are being displayed.

**(AQW 20566/11-15)**

**Ms Ní Chuilín:** The programme and content of the Opening Ceremony is still under development.

The World Police and Fire Games Company are working closely with my officials to ensure the Opening Ceremony is inclusive and agreed.

### World Police and Fire Games 2013

**Mr Dunne** asked the Minister of Culture, Arts and Leisure to list all the venues that were considered to host the opening ceremony of the World Police and Fire Games 2013.

**(AQW 20620/11-15)**

**Ms Ní Chuilín:** 15 venues were scored against a comprehensive set of criteria to identify the most suitable venue to host the Opening Ceremony. The venues that were shortlisted for the Opening Ceremony are:

- |  |                            |
|--|----------------------------|
| ■ Casement Park  | ■ Odyssey Arena            |
| ■ Ravenhill  | ■ Windsor Park             |
| ■ Lower Botanic  | ■ Girdwood                 |
| ■ Stormont   | ■ Titanic Quarter slipways |
| ■ Titanic quarter option A (directly beside slipways)                | ■ City Hall                |
| ■ Titanic Quarter option B, C and D (different locations around T13) | ■ Kings Hall               |
| ■ Odyssey Car Park   | ■ Boucher Playing Fields   |
|  | ■ Ormeau Park              |

### World Police and Fire Games 2013

**Mr Dunne** asked the Minister of Culture, Arts and Leisure to detail (i) the reason why the King's Hall was chosen to host the World Police and Fire Games 2013; and (ii) the reasons why other venues were turned down.

**(AQW 20621/11-15)**

**Ms Ní Chuilín:** 15 venues were scored against a comprehensive set of criteria to identify the most suitable venue to host the Opening Ceremony.

This process identified a preferred option and contingency options for consideration by the World Police and Fire Games Board.

The Board considered these options at its meeting on 20 February and the venue selected for the Opening Ceremony is the Kings Hall, Belfast.

Other venues considered were not deemed to be as suitable as the Kings Hall based on the set criteria.

This venue has been agreed with the World Police and Fire Games Federation.

### City of Culture 2013

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure how she is encouraging visitors attending events at the City of Culture 2013 to explore other parts of Northern Ireland.

**(AQW 20627/11-15)**

**Ms Ní Chuilín:** The Department of Culture, Arts and Leisure plays a central role in cultural tourism in the north through investment in cultural infrastructure such as museums, theatres, sports venues and Derry City of Culture.



Furthermore, my officials have established a 2013 Stakeholder Group to ensure that actions, events and promotional activities are co-ordinated during 2013 across the culture, arts and leisure sectors.

My Department's arms length bodies are engaged in promoting cultural tourism, through provision of facilities; on-going support for cultural services; building partnerships; and funding projects to attract visitors, such as genealogy events and exhibitions.

These facilities and services are being highlighted to visitors to the City of Culture to encourage them to visit and explore other parts of the north.

### Children with Disabilities: Participation in Team Sports

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure to outline how her Department is encouraging children with disabilities to participate in team sports.

**(AQW 20629/11-15)**

**Ms Ní Chuilín:** My Department's strategy for sport, Sport Matters, contains a specific target aimed at increasing participation in sport, including team sports, by people with disabilities, including children. The associated Action Plan for Implementation sets out a range of actions that key stakeholders have signed up to which are aimed at helping to deliver this target. These include a range of participation initiatives involving Sport NI, district councils, Disability Sports NI, sports governing bodies and other interests. A copy of the Action Plan is available on the Sport NI website at <http://www.sportni.net/about/SportMatters/Sport+Matters+Implementation>.

Furthermore, over the last three financial years, Sport NI has provided significant funding to various initiatives and programmes aimed at increasing participation in sport, including team sports, by people and children with disabilities. This includes:-

- £7.89m Lottery funding to Active Communities, which aims to increase participation in sport among under-represented groups, including children with disabilities;
- £1.08m exchequer funding to Special Olympics Ireland to support disabled athletes to participate in a range of sports including team sports; and
- £566k exchequer funding to Disability Sports NI to support the implementation of a Disability Mainstreaming Policy which includes promoting the inclusion of children with a disability in team sports.

### Cycling

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail how much has been spent on encouraging people to take up cycling in the last five years.

**(AQW 20643/11-15)**

**Ms Ní Chuilín:** Over the last five financial years, Sport NI, which is an arm's-length body of my Department, has provided £843,003 to a range of organisations, including Cycling Ireland, Cycling Ulster, cycling clubs, district councils and Sustrans, aimed at encouraging people to take up cycling.

### Central Investigation Service: Fraud Awareness Training

**Mr Swann** asked the Minister of Culture, Arts and Leisure to outline the reasons why her Department uses the central investigation service for fraud awareness training as opposed to the Chartered Institute of Public Finance and Accountancy.

**(AQW 20657/11-15)**

**Ms Ní Chuilín:** The Department of Culture Arts and Leisure has engaged the services of DARD Central Investigation Service (CIS) since January 2009, through a Service Level Agreement (SLA). In line with the roles and responsibilities outlined in the SLA, DARD CIS provide fraud related training tailored specifically to DCAL requirements and its Arms Length Bodies staff. DCAL staff can attend training from the Centre of Applied Learning (CAL), which was established in 2006 to provide generic training to civil servants, which would include general fraud awareness training delivered by Chartered Institute of Public Finance and Accountancy (CIPFA). Staff can also attend CIPFA training courses if the need was deemed to be specific in nature and peculiar to DCAL business.

### Effective Employer's Pension Contribution to Staff

**Mr Allister** asked the Minister of Culture, Arts and Leisure what was the effective employer's pension contribution to staff, in terms of the percentage of pay contributed by the employer, in each North/South body within her Department's ambit, in the last available calendar year.

**(AQW 20705/11-15)**

**Ms Ní Chuilín:** The employers pension contributions paid by the two agencies of the North South Language Body and Waterways Ireland in 2012 were as follows:-

- 1 The Ulster-Scots Agency has no pensioners on its payroll thus the effective employers contribution to staff for the calendar year 2012 for pensions was zero;

- 2 Total amount paid out in pensions as a percentage of Foras na Gaeilge's Pay bill was 11.16%; and
- 3 Waterways Ireland effective employer's pension contribution to staff, in terms of percentage of pay contributed by the employer was 5.9%.

### World Police and Fire Games 2013

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail (i) the venues that will be used for the World Police and Fire Games 2013; and (ii) the events that do not have a venue confirmed.

**(AQW 20775/11-15)**

**Ms Ní Chuilín:** All of the sporting venues for the Games have been confirmed with venue organisers and were announced on 31 May 2012. Full details of sporting venue locations are provided on the 2013 World Police and Fire Games website at [www.2013wpfg.com](http://www.2013wpfg.com).

The venues for the Opening and Closing Ceremonies and the Athletes Village are to be at the King's Hall, Titanic Slipways and Custom House Square respectively.

### Water Turbines: Fish Kills

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure to detail all instances over the last 20 years where water turbines have been found to have been responsible for killing fish, including the (i) location; (ii) date; (iii) estimated number of fish involved; and (iv) the action taken by her Department.

**(AQW 20777/11-15)**

**Ms Ní Chuilín:** The Department has no record of any incidents where water turbines have been responsible for killing fish over the last twenty years.

### Postage Costs

**Mr Easton** asked the Minister of Culture, Arts and Leisure how much her Department has spent on postage, in the last three financial years.

**(AQW 20919/11-15)**

**Ms Ní Chuilín:** The Department spent the following amounts on postage in the years in question:

Financial Year	Amount (£)
2009-10	22,527
2010-11	19,467
2011-12	29,907

### World Police and Fire Games 2013

**Mr Humphrey** asked the Minister of Culture, Arts and Leisure if the cultural programmes linked to the World Police and Fire Games 2013 will be used to promote established cultures such as Ulster-Scots, Irish and the Orange tradition, alongside new cultures to Northern Ireland, including those representing the Indian, Chinese and Polish communities.

**(AQW 20922/11-15)**

**Ms Ní Chuilín:** I am developing a co-ordinated cultural programme to promote the culture arts and leisure sector across all traditions. I intend to support step up activity around the Games, particularly in relation to established festivals taking place in July and August in Belfast, through a series of strategic interventions.

The aim is to maximise the number of athletes, friends and family who are encouraged to visit and ensure they enjoy a rich experience in the north of Ireland this summer.

### DCAL: Hospitality Expenses

**Mr Allister** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 19492/11-15, whether the figure includes the Department's arm's-length bodies and if not, to provide the figure.

**(AQW 20924/11-15)**

**Ms Ní Chuilín:** The figure provided in the answer to AQW 19492/11-15 did not include spend by the Department's Arms Length Bodies. Total spend on hospitality in the 2011-12 financial year by these bodies (excluding North/South bodies) was £48,137.

The Department's North/South bodies have a financial year which mirrors the calendar year and so, spending on hospitality during 2012 for these bodies was £11,590.

## Ravenhill Stadium Project

**Mr Dunne** asked the Minister of Culture, Arts and Leisure what is the proposed time frame for the completion of the upgraded Ravenhill stadium project.

**(AQW 20925/11-15)**

**Ms Ní Chuilín:** The initial phase of the redevelopment started in November 2012 and will run to August 2013 and will see new stands built at both the Memorial and Aquinas ends of the ground.

The final phase of the redevelopment will run from May 2013 to September 2014 and will see the demolition of the existing main stand and the construction of a replacement grandstand with a new promenade.

## Boxing Strategy: Belfast

**Mr Humphrey** asked the Minister of Culture, Arts and Leisure what progress is being made in establishing a joined-up approach, in terms of a boxing strategy for Belfast, involving her Department and Belfast City Council.

**(AQW 20927/11-15)**

**Ms Ní Chuilín:** Responsibility for establishing and progressing a boxing strategy for Belfast rests with Belfast City Council (BCC). My Department has developed a boxing investment strategy for the north of Ireland and sought information from boxing clubs across the north on their equipment and facility needs. As part of this process I met with BCC last year to learn about their plans for a Belfast strategy. At that time I encouraged the Council to ensure their strategy was aligned to my broader and then emerging strategy for the sport. To assist the Council in this regard, Sport NI, which is an arms length body of my Department, is represented on the Council's strategy steering group. As a member of this group, Sport NI has offered advice on boxing needs and will be encouraging the Council to ensure that its plans for boxing in the city complement and contribute to the broader objectives and requirements of my boxing strategy initiative. As part of this, DCAL and Sport NI will be asking district councils, including Belfast City Council, to assist in identifying options for resolving the long term facility deficit that exists for boxing clubs in their area in recognition of the fact that the £3.27m Lottery funding being provided through Sport NI is merely a start to a process, and will not resolve all the issues.

## Bangor: Aurora Swimming Pool

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure to detail the height of each diving board at the Aurora swimming pool in Bangor and whether it can accommodate Olympic divers' training needs.

**(AQW 20946/11-15)**

**Ms Ní Chuilín:** The Aurora Pool facility has the following diving boards:

- One 5 metre platform for two people
- One 3 metre platform for two people
- Two 3 metre springboards
- One 1 metre diving platform
- Two 1 metre springboards
- Two continuous pool-side plinths

DCAL's primary objective in supporting the construction of the Pool by North Down Borough Council was to help provide a facility that could accommodate Olympic swimmers' training needs, in accordance with essential requirements agreed by the governing body for swimming and diving sports in the north of Ireland, Swim Ulster. As part of this process, diving provision was identified as desirable rather than essential. On that basis some limited diving facilities, that could also help meet aspiring Olympic divers' needs, are included within the facility. This level of provision for diving was likewise agreed with Swim Ulster.

## Salmon and Inland Fisheries Forum

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 19314/11-15 and in relation to the current vacancy for a publicly advertised post on the Salmon and Inland Fisheries Forum, to detail (i) when the press release was submitted to her and the departmental press office for approval; (ii) when the approved advertisement was submitted for publication in the appropriate newspapers; (iii) how many people requested an application pack; (iv) how many applications were received; (v) when interviews were arranged; (vi) whether interviews have been completed and letters issued to all candidates; and (vii) the date of the next Salmon and Inland Fisheries Forum.

**(AQW 20951/11-15)**

**Ms Ní Chuilín:**

- (i) 6 September 2012
- (ii) The advert was published in Belfast Telegraph on 2 October 2012 and in the Belfast Newsletter and Irish News on 4 October;
- (iii) 5 people requested application packs;
- (iv) 4 completed applications were received;

- (v) Interviews were initially arranged for 11 December 2012, but had to be postponed due to the unexpected unavailability of key officials involved in the interview process.
- (vi) Interviews were re-scheduled for the 18 April and the 8 May 2013;
- (vii) The next Salmon and Inland Fisheries Forum meeting will be held in June, date to be confirmed.

### Translations: Costs

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

**(AQW 20966/11-15)**

**Ms Ní Chuilín:** In the financial years 2007-08 to 2011-12 inclusive, the Department spent the following amounts on the translation of departmental letters and documents:

Year	English to Irish Translation costs (£)	English to Ulster Scots Translation costs (£)
2007-08	653	0
2008-09	824	0
2009-10	4,453	370
2010-11	305	0
2011-12	5,027	0

### Transgender Community

**Ms Maeve McLaughlin** asked the Minister of Culture, Arts and Leisure, in terms of its legal obligation under section 75 of the Northern Ireland Act, how her Department consults with the transgender community.

**(AQW 20984/11-15)**

**Ms Ní Chuilín:** My Department is committed to carrying out consultation in accordance with the principles contained in the Departmental Equality Scheme.

All consultations will seek the views of those directly affected by the policy. Initially all consultees, as a matter of course, will be notified (by email or post) of the policy being consulted upon.

The Equality Scheme, sited on the department's website, lists all organisations who wish to be currently consulted. This includes representation from the transgender community.

The consultation list is maintained on an ongoing basis including an annual exercise when all consultees are contacted to check if they still wish to remain on the Departmental list. In addition, advertisements are placed in the press seeking new consultees.

As well as written documentation the Department's consultation process can also include face-to-face meetings, public meetings and questionnaires.

### Woodford Fly Fishery: Fishing Competition

**Mr Allister** asked the Minister of Culture, Arts and Leisure why her Department did not provide a bailiff to monitor a fishing competition on 9 March 2013 at Woodford Fly Fishery; and whether her Department had received prior notification that a number of participants had no licences to fish.

**(AQW 21013/11-15)**

**Ms Ní Chuilín:** Woodford Fly Fishery is a private put and take trout fishery located outside Carrickfergus. Private enterprises organising fishing competitions on waters outside the DCAL Public Angling Estate waters are not required to notify the Department of such events.

The Department's priority at this time is the conservation and protection of wild fisheries. Any information received in relation to alleged illegal fishing is carefully considered in line with Departmental priorities and the resources available for possible follow up action.

In this case the Department received a telephone call advising that a fishing competition was being held at Woodford Fly Fishery on 9 March 2013. The caller said he believed that some anglers taking part might not have the required rod licences, but provided no evidence to substantiate his claim.

The Department has written recently to all registered private fishery owners reminding them of the legal requirement that anglers using their facilities must have the appropriate valid rod licence and that DCAL Fisheries Protection Officers have the power of entry to all fisheries in the jurisdiction.

## Water Turbines: Installation

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure (i) to outline any instances in the last five years where the installation of water turbines has been responsible for damaging fish stocks; (ii) how many fish were affected; and (iii) what action her Department took as a result.

**(AQW 21049/11-15)**

**Ms Ní Chuilín:** The Department has no record of any incidents over the last five years where the installation of water turbines has been responsible for damaging fish stocks.

## Elite Programme

**Mrs McKeivitt** asked the Minister of Culture, Arts and Leisure whether she has any plans to reintroduce the Elite programme.

**(AQW 21058/11-15)**

**Ms Ní Chuilín:** The original Elite Facilities Programme was developed to help deliver one of the targets set out in my Department's strategy for sport, Sport Matters, ie PL23 – to have a minimum of 10 new or upgraded facilities that will support NI player/athlete development in Olympic and Paralympic sports. At the last meeting of the Sport Matters Monitoring Group, which I chair, a number of capital developments (5 major and 18 other) were identified that are already contributing to the achievement of this target. It was therefore agreed unanimously by the Group that PL23 should be considered as achieved. For this reason, I have no immediate plans to reintroduce the previous Elite Facilities Programme.

## Ballyclare: War Years Remembered Museum

**Mr Allister** asked the Minister of Culture, Arts and Leisure what plans her Department has to assist and sustain the War Years Remembered museum in Ballyclare and to outline any engagement she has had with the promoters.

**(AQW 21084/11-15)**

**Ms Ní Chuilín:** My Department does not provide core funding for non-accredited independent private museums. DCAL's significant annual investment in the museums sector is primarily through the funding of National Museums and the NI Museums Council (NIMC).

The NIMC supports local museums in the north of Ireland to gain accreditation under the Arts Council England's 'Museum Accreditation Scheme'.

All local museums which attain this standard and are members of NIMC are eligible for funding through its various grant schemes. These include the Accredited Museum Grant Programme and the Acquisition Fund.

NIMC funding is not available to non-Accredited museums. However assistance is provided to non-Accredited museums, heritage bodies (and the general public) by way of advice, guidance and training, with particular support being given to new museum proposals and to those organisations preparing to apply to the Accreditation standard. I would encourage the organisers of the War Years Remembered to engage with the NIMC to determine what steps can be taken to enhance the sustainability of the exhibition.

## Public Consultations

**Mr Nesbitt** asked the Minister of Culture, Arts and Leisure to detail (i) the number of public consultations undertaken by her Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.

**(AQW 21120/11-15)**

**Ms Ní Chuilín:** I have provided at Annex A the detail of public consultations undertaken in each year since 2007, plus the current year to date.

In relation to the cost of each consultation it is not possible to disaggregate staff costs from the overall policy development process.

### Annex A

Consultation	Year	Cost	Type
The Northern Ireland Strategy for Sport & Physical Recreation 2007 – 2017	2007	£9122.93	Policy
Proposals for an Ulster Scots Academy (prepared by the Ulster Scots Academy Implementation Group- USAIG)	2007	Unable to extrapolate consultation costs from USAIG overall budget	Policy
Salmon & Inland Fisheries Stakeholder Forum Consultation	2007	£948.00	Policy/ EQIA

Consultation	Year	Cost	Type
DCAL Budget Consultation 2008 – 2011	2008	Nil	Policy
DCAL Guide to Making Information Accessible	2008	Nil	Policy
Proposed Subordinate Legislation Consultation Paper, Public Use of the Records (Management & Fees) Rules Northern Ireland	2008	£1,207.00	Legislation
DCAL Budget Consultation 2010 -2011	2010	Nil	Policy
Museums Policy for Northern Ireland	2010	£1,209.62	Policy
DCAL Disability Action Plan 2010-2013	2010	Nil	Policy
DCAL Draft Budget Consultation 2011-2015	2010	Nil	Policy
Cultural Awareness Strategy	2011	£1,970.00	Policy
Revised Equality Scheme	2011	£1,636.84	Policy
Salmon Conservation Measures in DCAL Jurisdiction.	2012	£1,143.40	Policy
Draft Strategy for Protecting and Enhancing the Development of the Irish Language	2012	£17,321	Policy / EQIA
Draft Strategy for Ulster Scots Language, Heritage and Culture	2012	£1,288.00	Policy / EQIA
Ministerial Advisory Group (MAG) – Ulster Scots Academy development and research strategy and associated grant scheme	2012	£1595.00	Policy / EQIA

## Sport NI

**Mr Weir** asked the Minister of Culture, Arts and Leisure when Sport Northern Ireland will be informing sports clubs of the outcome of the current round of capital funding.

**(AQW 23289/11-15)**

**Ms Ní Chuilín:** Sport NI should be in a position to inform the small number of clubs awaiting a decision on capital funding of the outcome of that decision, when the result of the first financial monitoring round of 2013/14 is confirmed. This confirmation is expected shortly after the Assembly Statement on the financial monitoring round, which is currently scheduled for 1 July.

## Unanswered Questions: AQW 21176/11-15; AQW 21177/11-15; AQW 21178/11-18; AQW 21179/11-15; and AQW 21180/11-15

**Mr Copeland** asked the Minister of Culture, Arts and Leisure when she will answer AQW 21176/11-15; AQW 21177/11-15; AQW 21178/11-18; AQW 21179/11-15; and AQW 21180/11-15.

**(AQW 23321/11-15)**

**Ms Ní Chuilín:** An answer was provided to each of these questions on 23 May 2013.

## Portadown: Carleton Over-50s Association

**Mrs Dobson** asked the Minister of Culture, Arts and Leisure whether she is aware of the work of the Carleton over-50s association, Portadown, and to detail what assistance her Department can provide to the Association.

**(AQW 23612/11-15)**

**Ms Ní Chuilín:** My Department does not directly fund organisations. Funding is provided through the Arts Council of NI and I understand this organisation received funding in 2010/11 and 2011/12.

In relation to the assistance the department can provide the Arts Council's Small Grants programme is open on a rolling basis to all eligible organisations.

In addition, they also manage the Arts and Older People Programme which aims to increase opportunities for older people to engage with the arts. The programme is currently closed but is expected to open again later in the summer.

NI Screen's Digital Film Archive (DFA) which is a free public access resource can be accessed at 18 sites across the North of Ireland. The DFA Education Officer also, upon request, makes regular customised presentations from the archive to any interested groups including special interest groups, community groups, historical societies, retired groups, care homes and day centres.

## Sport NI: Netball Northern Ireland

**Mr I McCrea** asked the Minister of Culture, Arts and Leisure for a breakdown of the funding Sport Northern Ireland have provided to Netball Northern Ireland, in each of the last two years.

**(AQW 23615/11-15)**

**Ms Ní Chuilín:** Sport NI, an arms length body of my Department, has provided total funding of £303,409 to Netball NI for the development of the sport over the last two financial years. The details are as follows:-

Financial Year	Exchequer Funding	Lottery Funding	Total
2011/12	£149,652	-	£149,652
2012/13	£123,757	£30,000	£153,757
<b>Grand Total</b>			<b>£303,409</b>

In the same period, Sport NI has also provided £129,444 of exchequer and Lottery funding to the sport of netball through grants to Councils and local netball clubs under its Active Communities and Awards for Sport programmes.

## River Miles

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure how many river miles are controlled by her Department.

**(AQW 23660/11-15)**

**Ms Ní Chuilín:** My Department is responsible for fisheries protection and enforcement of fisheries legislation at all water bodies across the DCAL jurisdiction. No data is held on the total length of rivers covered due to the significant number of rivers and streams involved.

## North Down: Arts Opportunities

**Mr Weir** asked the Minister of Culture, Arts and Leisure to outline the opportunities that exist in the North Down constituency for older people to get involved in the arts.

**(AQW 23720/11-15)**

**Ms Ní Chuilín:** The Arts Council of NI manage the Arts and Older People Programme which aims to increase opportunities for older people to engage with the arts. The programme is currently closed but is expected to open again later in the summer.

NI Screen's Digital Film Archive (DFA) can be accessed at 18 sites across the North of Ireland with the Ulster Folk and Transport Museum being one of these locations. The DFA Education Officer also, upon request, makes regular customised presentations from the archive to any interested groups including special interest groups, community groups, historical societies, retired groups, care homes and day centres.

## Children: Hearing Impairments

**Mr McCarthy** asked the Minister of Culture, Arts and Leisure to outline what support services are available for parents of children with a hearing impairment, who are participating in an event or programme organised by her Department.

**(AQW 23788/11-15)**

**Ms Ní Chuilín:** My Department provides secretariat support and funding for the Sign Language Partnership Group which brings together organisations representing the Deaf Community and 11 government departments to improve access to public services for British and Irish Sign Language users

Invitees to events arranged by my Department are given the opportunity to give prior notice of any accessibility requirements they have to enable them or their guests to attend. Departmental officials arrange for signers to be present at events when either requested to do so or if aware that members of the deaf community will be present.

There is a loop system available at PRONI'S reception and also at the collection point in the Reading Room to assist those with hearing difficulties.

## Department of Education

### New School Builds: Planning Permission

**Mr Agnew** asked the Minister of Education for an update on the 22 new school builds which were approved in June 2012, including how many have received planning permission and how many have submitted development plans.

**(AQW 23164/11-15)**

**Mr O'Dowd (The Minister of Education):** In my statement to the Assembly on 25 June 2012 I announced 18 new build projects to proceed. This included 13 new school builds in the primary and post-primary sectors together with 5 special schools. All of the projects are at various stages of planning with some estimated to start construction work in the autumn.

In relation to planning permission, 7 of the projects have planning approval, 7 applications have been submitted and are pending, while 4 projects are not yet at the stage where planning approval is being sought.

In relation to your query on Development Plans, of the 18 projects announced in June 2013 a Development Proposal was required for 6 projects.

A Development Proposal for Belmont House and Foyleview Special School in Derry is currently underway. The remaining 11 projects did not require Development Proposals.

### **Dickson Plan Catchment Area: Post-primary Schools**

**Mrs Dobson** asked Minister of Education to list the members of boards of governors of all post-primary schools in the Dickson plan catchment area.

**(AQW 23264/11-15)**

**Mr O'Dowd:**

#### **Clounagh Junior High School**

SELB governors	Mr Arnold Hatch Mr Paul Stevens Mr Gordon Speers Mrs Roberta Brownlee
DE/Transferor/Trustee governors	Mr David Blevins Mrs Aldrina Magwood Mrs Pamela Hutchinson Mr Drew Gilpin Rev William Adair
Parent governors	Mrs Michelle Giffin Mrs Alison Perry Mrs Helen Burke Mrs Arlene McClelland
Teacher governors	Mr Leslie Irwin Mrs Edriss Hanson

#### **Killicomaine Junior High School**

SELB governors	Mr David Thompson Mr Peter Aiken Mr William Lindsay
DE/Transferor/Trustee governors	Mr Nigel Gould Mrs Caroline Walker Ms Sheree Totton Mr Mark Neale Mr Nigel McClelland
Parent governors	Mrs Anne Quinn Mrs Dianne McClelland Mr John McCullagh Mr Conall Reilly
Teacher governors	Mrs Helen Dougan Mr Robert McVeigh

#### **Lurgan Junior High School**

SELB governors	Ms Carla Lockhart Mrs Marie Donnell Mr Ivan Turkington Mr Sydney McCormick
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DE/Transferor/Trustee governors  
 Rev Maurice Laverty  
 Rev Geoffrey Wilson  
 Mr Trevor Enderby  
 Mr Brian Costley  
 Mr Thomas McKay  
 Mrs Joycelyn Canning

Parent governors  
 Mrs Michele Hanlon  
 Mr Keith Bradley  
 Mrs Eileen Cardwell  
 Mr Philip Irwin

Teacher governors  
 Mr Michael Thompson  
 Mrs Rhoda Kerr

#### **Tandragee Junior High School**

SELB governors  
 Mr Mark Bleakney  
 Mr Lavelle McIlwrath  
 Mr Roy Leckey  
 Mr Timothy Mayes

DE/Transferor/Trustee governors  
 Mrs Carol Agg  
 Mrs Roslyn Bell  
 Mr Walter Marks  
 Mrs Wendy Grant  
 Mr John Agnew

Parent governors  
 Mr Alan Wright  
 Mrs Vanessa Hodgen  
 Mrs Dianne Brownlee

Teacher governors  
 Mr Karl Gale  
 Miss Ruth Mattison

#### **Craigavon Senior High School**

SELB governors  
 Mr Walter Ferris  
 Mrs Elizabeth McClurg  
 Dr Philip Weir  
 Mr Fred Crowe

DE/Transferor/Trustee governors  
 Ms Sheree Totton  
 Rev William Adair  
 Mr Marshall Allen  
 Mr Thomas McKay  
 Mr Brian Costley  
 Mr Wilbert McKee

Parent governors  
 Mr Ivan Forbes  
 Mr Albert McIntosh

Teacher governors  
 Mrs Maureen Elmore  
 Mrs Rebecca Spence

#### **Lurgan College**

SELB governors  
 Mrs Linda Wylie  
 Mr Stephen Moutray  
 Mrs Marie Donnell  
 Mrs Ruth Craig  
 Dr H McAllister  
 Mr Ivan Parry

DE/Transferor/Trustee governors  
 Mr Robert Oliver  
 Mr Robert Martin  
 Mrs Sylvia Matthews  
 Mr Stanley Abraham

Parent governors  
Mr David Smith  
Mrs Avril Allen  
Dr Richard Barr  
Mr Robert Russell

Teacher governors Mr Alan Reavie  
Mr Wayne Buttery

#### **Portadown College**

SELB governors  
Mr Peter Aiken  
Mrs Rebecca Spence  
Dr Philip Weir  
Mr Kenneth Twyble  
Mr A Sleator  
Mr Peter Thompson

DE/Transferor/Trustee governors  
Mr Andrew Gribben  
Mrs Patricia Carville  
Mr William Kenny  
Mr Victor Trueman

Parent governors  
Mr David Dougan  
Mr Mark Montgomery  
Mr Nigel McClelland  
Mr Gary Kennedy

Teacher governors  
Ms Gillian Gibb  
Ms Pauline Curry

#### **Brownlow Integrated College**

SELB governors  
Mr Peter Anderson  
Mr Andrew Millar  
Mr Peter Aiken  
Mr Tom French

DE/Transferor/Trustee governors  
Sr Myrtle Morrison  
Mr Dill Morrison

Parent governors  
Mr Stephen Slack  
Mr Patrick Johnston  
Mrs Joanne Thompson  
Mrs Diane Hunniford

Teacher governors  
Mr Timothy McCormack  
Mrs Pauline Quinn

#### **Drumcree College**

SELB governors  
Mrs Patricia Thornbury  
Mr Michael McCoe

DE/Transferor/Trustee governors  
Rev Brian White  
Mr Denis McKeever  
Mrs Mary Delaney  
Rev Michael O'Dwyer  
Mrs Elizabeth O'Neill

Parent governor  
Mrs Susan Judge

Teacher governor  
Mrs Anita McGibbon

#### **Lismore Comprehensive**

SELB governors  
Mrs Cathy Adams  
Mr John Hagan

DE/Transferor/Trustee governors  
Mr John McGrann  
Ms Patricia McConville  
Rev Martin McAlinden  
Mr Felix Darragh  
Mr T Patterson

Parent governor Mr Ciaran McAleenan

Teacher governor Mrs C O'Neill

### **St Mary's High School, Lurgan**

SELB governors Mr Michael Campbell  
Mrs Fiona Hamill

DE/Transferor/Trustee Mrs Joan Shine  
Mrs Laurette McGeown  
Mrs Marian Nicholson  
Mr L Creaney

Parent governor Mrs Geraldine Owens

Teacher governor Ms Clare McGourty

### **St Paul's Junior High School**

SELB governors Mrs Ailis McKeown  
Mr Eugene Barrett

DE/Transferor/Trustee governors Mrs Louise Kearney  
Mrs Marie O'Neill  
Mrs Nuala McKeagney  
Very Rev Aidan Hamill  
Mr Ciaran McGeown

Parent governor Mrs Sharon Skelton

Teacher governor Mrs Marie Lavery

### **St Michael's Grammar School**

SELB governors Sr Regina McGeown  
Very Rev Aidan Hamill  
Mr Tony Elliott  
Mrs Sinead Carlin

DE/Transferor/Trustee governors Mr Paul McConaghy  
Miss Deirdre Lavery  
Mr Willie Grogan

Parent governor Mr Kieran Ward

Teacher governor Mrs Colette Murphy

## **Departmental Budget: Efficiency Savings**

**Mr Kinahan** asked the Minister of Education what outside guidance and advice is being sought to achieve efficiency savings in his departmental budget.

**(AQW 23297/11-15)**

**Mr O'Dowd:** My Department has worked closely with DFP's Performance and Efficiency Delivery Unit (PEDU) in developing and implementing recommendations aimed at achieving efficiency savings across a number of areas within the education sector. Two reports have been published, the first identifying a number of broad areas where there appeared to be scope to make savings, with the second report producing more detailed recommendations on the areas of home to school transport and school catering. Action plans to take forward PEDU's recommendations are currently being finalised, and have been developed with a focus on delivering improved value for money rather than simple cost-cutting in order to maintain standards of service delivery. These action plans will be published in due course.

In relation to capital works, the Department also liaises with DFP's Central Procurement Division and the Education and Library Boards to seek effective & efficient procurement processes, where possible, in the pursuit of value for money in the management of the schools estate.

## **Orchard County Primary School**

**Mrs Dobson** asked the Minister of Education how many letters of support his Department received for the proposal to increase capacity at Orchard County Primary School.

**(AQW 23349/11-15)**

**Mr O'Dowd:** During the statutory two month consultation period which followed the publication of Development Proposal (DP) No 276, my Department received 18 letters of support for the proposal to increase capacity at Orchard County Primary School.

No requests for a meeting to discuss the proposal were received from either supporters or objectors during this consultation period.

### Initial Teacher Education Colleges

**Mr Ross** asked the Minister of Education to detail the programmes in place to assist graduates from initial teacher education colleges to find full-time employment.

**(AQW 23425/11-15)**

**Mr O'Dowd:** I refer the member to my answer to AQW 21752/11-15 which was published in the Official Report on 26 April 2013.

### Initial Teacher Education Colleges

**Mr Ross** asked the Minister of Education to detail the number of graduates from initial teacher education colleges who graduated in each of the last 10 years who (i) did not obtain a full-time position in a school within one year; (ii) did not obtain a full-time position in a school within three years; and (iii) have not yet obtained a full-time position in a school.

**(AQW 23426/11-15)**

**Mr O'Dowd:** The Department does not hold the information in the format requested or for the last ten years. However, the General Teaching Council (GTCNI) collects data on the employment position of teachers based on a "snapshot" of those registered with the Council.

The Table below sets out the employment position of registered graduates from the north of Ireland from 2004/05 to 2012/13, as provided by the GTCNI.

#### North of Ireland Graduate Trend Analysis

North of Ireland Graduates	March 2005	March 2006	March 2007	March 2008	March 2009	March 2010	March 2011	March 2012	March 2013
<b>01/04/2004 - 31/03/2005</b>									
No Graduates	n/a	789	791	791	792	794	794	795	795
Currently Registered		686	675	665	657	651	640	624	621
% Registered		86.95%	85.34%	84.07%	82.95%	81.99%	80.60%	78.49%	78.11%
Registered with Employment		312	428	489	528	552	555	548	553
% Registered with Employment		45.48%	63.41%	73.53%	80.37%	84.79%	86.72%	87.82%	89.05%
<b>01/04/2005 - 31/03/2006</b>									
No Graduates	n/a	800	811	816	816	816	815	815	815
Currently Registered		519	673	667	658	636	631	615	601
% Registered		64.88%	82.98%	81.74%	80.64%	77.94%	77.42%	75.46%	73.74%
Registered with Employment		133	330	410	480	501	510	512	517
% Registered with Employment		25.63%	49.03%	61.47%	72.95%	78.77%	80.82%	83.25%	86.02%
<b>01/04/2006 - 31/03/2007</b>									
No Graduates	n/a	n/a	790	807	807	807	807	807	807
Currently Registered			674	700	690	676	671	657	640
% Registered			85.32%	86.74%	85.50%	83.77%	83.15%	81.41%	79.31%
Registered with Employment			181	329	428	485	508	513	516
% Registered with Employment			26.85%	47.00%	62.03%	71.75%	75.71%	78.08%	80.63%

North of Ireland Graduates	March 2005	March 2006	March 2007	March 2008	March 2009	March 2010	March 2011	March 2012	March 2013
<b>01/04/2007 - 31/03/2008</b>									
No Graduates	n/a	n/a	n/a	801	807	808	811	811	812
Currently Registered				686	693	681	674	656	648
% Registered				85.64%	85.87%	84.28%	83.11%	80.89%	79.80%
Registered with Employment				190	343	417	455	458	485
% Registered with Employment				27.70%	49.49%	61.23%	67.51%	69.82%	74.85%
<b>01/04/2008 - 31/03/2009</b>									
No Graduates	n/a	n/a	n/a	n/a	727	735	735	735	735
Currently Registered					657	651	633	615	594
% Registered					90.37%	88.57%	86.12%	83.67%	80.82%
Registered with Employment					214	303	369	363	380
% Registered with Employment					32.57%	46.54%	58.29%	59.02%	63.97%
<b>01/04/2009 - 31/03/2010</b>									
No Graduates	n/a	n/a	n/a	n/a	n/a	690	691	691	691
Currently Registered						603	606	592	561
% Registered						87.39%	87.70%	85.67%	81.19%
Registered with Employment						175	258	313	335
% Registered with Employment						29.02%	42.57%	52.87%	59.71%
<b>01/04/2010 - 31/03/2011</b>									
No Graduates	n/a	n/a	n/a	n/a	n/a	n/a	680	681	681
Currently Registered							585	580	541
% Registered							86.03%	85.17%	79.44%
Registered with Employment							128	207	243
% Registered with Employment							21.88%	35.69%	44.92%
<b>01/04/2011 - 31/03/2012</b>									
No Graduates	n/a	n/a	n/a	n/a	n/a	n/a	n/a	647	649
Currently Registered								532	528
% Registered								82.23%	81.36%
Registered with Employment								119	161
% Registered with Employment								22.37%	30.49%
<b>01/04/2012 - 31/03/2013</b>									
No Graduates	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	632

North of Ireland Graduates	March 2005	March 2006	March 2007	March 2008	March 2009	March 2010	March 2011	March 2012	March 2013
Currently Registered									475
% Registered									75.16%
Registered with Employment									78
% Registered with Employment									16.42%

**Notes:**

- 1 "Currently Registered" refers to GTCNI registered north of Ireland graduates.
- 2 "Registered with Employment" refers to registered teachers for whom GTCNI holds details of employment in a grant-aided school, where the nature of employment is permanent or a significant temporary period (ie 1 school term or more).
- 3 GTCNI "snap shot" survey is carried out at 31 March each year and commenced in March 2006.
- 4 All data is subject to data cleansing and inaccuracies amended accordingly. Consequently the number of graduates may not remain constant across the years.

**Sperrinview Special School**

**Lord Morrow** asked the Minister of Education, pursuant to AQW 22695/11-15, how the multi-use games area would be of limited benefit to pupils with severe learning and disability issues; and what engagement took place with Sperrinview School staff on this issue.

**(AQW 23511/11-15)**

**Mr O'Dowd:** Following receipt of a request from Sperrinview School for a multi-use games area and outdoor gym on 12 December 2012, Board officers met with the Vice-Principal on 23 January 2013.

At the meeting Board officers advised that, based on the information provided by the school, the element of the proposal relating to the outdoor gym was not designed to meet the specific requirements of pupils at the school. Further guidance was, therefore, provided at the meeting on outdoor exercise equipment designed specifically for use by children with a variety of special educational needs.

**Programme for International Student Assessment**

**Mr Allister** asked the Minister of Education, pursuant to AQW 22049/11-15, what communications he has entered into with Andreas Schleicher of the programme for international student assessment (PISA) to provide an answer, in mathematical terms, to the question of the conceptual flaw in the Rasch model used by PISA.

**(AQW 23516/11-15)**

**Mr O'Dowd:** I have not entered into any discussions with Mr Scheicher in regards this matter.

**Cerebral Palsy: Special Education Provision**

**Ms McGahan** asked the Minister of Education to detail the special education provision for cerebral palsy within (i) special; and (ii) mainstream schools; and how many children avail themselves of these services.

**(AQW 23561/11-15)**

**Mr O'Dowd:** The Education and Library Boards (ELBs) have advised that there is a wide range of special education provision available in both special and mainstream schools to meet the individual needs of children with cerebral palsy. Each child will have an Individual Education Plan and an Individual Health Care Plan and the provision detailed therein will vary depending on the individual special educational needs of each child.

Provision in special schools may involve:-

- Adapted/specialist seating;
- Specialist lifting equipment and adapted technology;
- Allied Health Services such as speech and language therapy, physiotherapy, hydrotherapy and occupational therapy;
- Specialist outdoor play facilities.

Provision in mainstream schools may involve:-

- Support from a classroom/general assistant;
- Specialist advice and support for the child's teacher;

- Recommendations regarding curriculum access and technology support;
- Allied Health Services such as speech and language therapy, physiotherapy, hydrotherapy and occupational therapy;
- Lifting and handling training for staff;
- Specialist furniture/equipment.

ELBs may also have specialist educational centres for children with physical difficulties, including cerebral palsy.

The number of children who avail of these services in 2012/13 is as follows:-

	Special Schools	Mainstream Schools
BELB	118	31
NEELB	31	60
SEELB	32	53
SELB *	24	48
WELB	28	65

**Source:** NI school census

\*In addition 2 pupils attend educational centres for the physically disabled.

### Buddy Bear Primary School

**Ms McGahan** asked the Minister of Education how many children from each Education and Library Board attend the Buddy Bear primary school; and whether the school receives statutory funding for the children that attend.

**(AQW 23562/11-15)**

**Mr O'Dowd:** The Education and Library Boards (ELBs) have advised that the number of children currently attending Buddy Bear School, who have been placed there by a board, is as follows:-

BELB	0
NEELB	1
SEELB	0
SELB	0
WELB	0

There may also be children attending Buddy Bear School at the request of a parent. As Buddy Bear is an independent school neither my department nor the ELBs would hold data relating to these children.

The school receives statutory funding from any ELB that refers a child to the school.

### Specialist Schools Programme

**Mr Storey** asked the Minister of Education, pursuant to AQW 22794/11-15, to outline the nature of the learning and good practice which emerged from the specialist schools programme which he hopes to incorporate into the new regional service.

**(AQW 23580/11-15)**

**Mr O'Dowd:** A key aim of the specialist school programme was that it would provide opportunities for the whole school to develop through a focus on self-evaluation and self-improvement and the application of aspects of an existing curricular strength. Accordingly, key learning points that have emerged from the programme have been the importance of focusing on the pupil, the usefulness of developing capacity through self-evaluation and self-improvement and the sharing of teaching and learning approaches across the school to raise overall performance, and the value of developing links with the community. It is this learning and good practice that I would like to see incorporated into the future delivery of the new regional service.

### Schools Enhancement Programme

**Mr Storey** asked the Minister of Education, pursuant to AQW 22714/11-15, which education stakeholders made representations to have the date extended.

**(AQW 23581/11-15)**

**Mr O'Dowd:** I can confirm that my officials received a number of verbal requests from education stakeholders to extend the deadline for return of applications for the School Enhancement Programme (SEP). A written request to extend the deadline was received from CCMS.

As a result of these various representations the deadline for the return of applications was extended from 12 April 2013 to 10 May 2013.

## Dignity at Work Cases

**Mr Spratt** asked the Minister of Education how many dignity at work cases have been lodged in his Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been successfully resolved.

**(AQW 23591/11-15)**

**Mr O'Dowd:**

- (i) In each of the last five financial years, nine Dignity at Work complaints were lodged in my Department as set out in the table below:

Financial Year	Number of complaints lodged	Number of complaints resolved
2008/09	3	3
2009/10	1	1
2010/11	0	0
2011/12	4*	3
2012/13	1	1

\* 1 case withdrawn by complainant

- (ii) No Dignity at Work complaints from staff in Non-Departmental Public Bodies (NDPB's) were lodged in my Department. Any such complaints are matters for the relevant NDPB.

## Catholic Maintained and Integrated Primary Schools: Preparation for Sacraments

**Lord Morrow** asked the Minister of Education how preparation for sacraments is carried out in (i) Catholic maintained; and (ii) integrated primary schools.

**(AQW 23600/11-15)**

**Mr O'Dowd:** Religious Education is a statutory element of the curriculum from Foundation Stage to Key Stage 4. The Department does not hold information on how individual schools prepare pupils for sacraments, however, the Council for the Catholic Maintained Schools and the NI Council for Integrated Education have advised that:

- In Catholic Maintained Schools, provision for preparation for the Sacraments is made through each schools Religious Education programme. The Religious Programmes are all conducted in accordance with the core syllabus set down by the four main churches and using guidelines set out by Diocesan Advisers for Religious Education. Clergy, where available, or other qualified members of pastoral Councils are on occasions invited to support sacramental preparation as an aspect of the relationship between the school, the family and the parish.
- In integrated schools, the teaching and preparation of the Sacraments is based on the model that is operated in Catholic Maintained schools. Integrated schools follow the core syllabus for RE and how they deliver this varies and sits within the structure of the school. However, in the Sacramental years catholic pupils, who are preparing for the sacraments, have time together to do so. This tends to be during one of the RE classes timetabled each week for a number of weeks. Protestant pupils have the opportunity to explore their religious/cultural identity whilst their classmates are attending the sacramental preparation classes.

## Integrated Schools Enrolment

**Mr Lunn** asked the Minister of Education, pursuant to AQW 21126/11-15, what commitment he can give to parents, who opt to send their child to an integrated school in areas where children remain unplaced because of oversubscription, that his Department and the relevant Education and Library Board will work with parents to ensure that all children are allocated a place in their chosen sector.

**(AQW 23618/11-15)**

**Mr O'Dowd:** The relevant Education and Library Board(s) are responsible for administering the admissions process, and if due to oversubscription within an area children remain unplaced, the Board and my Department will work with parents to ensure that all children are allocated a place in their appropriate sector.

Where children remain unplaced my Department will consider requests from schools for temporary variations of their approved admissions numbers. Each case will be considered against its individual circumstances and in strict accordance with the school's rank order for admission when its admissions criteria are applied. Other factors will be taken into account, such as, the available teaching accommodation and class size restrictions.

In the longer term, area planning is the process through which the need for all education provision is determined. It provides the basis on which popular oversubscribed schools will be allowed to grow but only within the wider area planning context. Where area plans identify a need for an increased number of places in a particular sector, they will also specify how these places should be provided.



## Maintained Primary Schools

**Mr Rogers** asked the Minister of Education to detail the number of children who currently attend maintained primary schools in the (i) south Belfast; and (ii) south Down constituencies who have been accepted into controlled grammar schools for admission in September 2013.

**(AQW 23620/11-15)**

**Mr O'Dowd:** The Education and Library Boards have advised me that those children currently attending maintained primary schools who have been accepted into controlled grammar schools for admission in September 2013 number (i) in the South Belfast constituency 2, and (ii) in the South Down constituency 27.

## Glasswater Primary School, County Down

**Mr Rogers** asked the Minister of Education why Glasswater Primary School, County Down is permitted to submit a development proposal to expand its enrolment from 97 to 130, given that the school is currently under subscribed.

**(AQW 23621/11-15)**

**Mr O'Dowd:** You will be aware that planning of the Controlled schools' estate is, in the first instance, the responsibility of the Education & Library Boards (ELBs).

Glasswater Primary School is a controlled school in the South Eastern Education & Library Board (SEELB) and the Board is currently undertaking pre-publication consultation on the proposal with those directly affected by the proposal including parents and teachers. Following the consultation, it will be for the SEELB to decide whether or not to proceed with publication of the development proposal.

If published, a statutory 2 month period ensues during which time anyone who wishes to do so may offer comment to the Department.

My role in the process is to decide on the proposal following the statutory two month consultation should the Board decide to proceed. I will do so in the best interest of the children and in line with the requirements of the local area.

## Convention on the Rights of a Child

**Lord Morrow** asked the Minister of Education, pursuant to AQW 22695/11-15, what consideration the Southern Education and Library Board gave to the United Nations Convention on the Rights of the Child, in particular articles 2, 3 and 31.

**(AQW 23626/11-15)**

**Mr O'Dowd:** The Southern Education and Library Board has confirmed that due cognisance is given to the principles underpinning the United Nations Convention on the Rights of the Child (UNCRC) and that all meetings and communications with Sperrinview School have embraced these and other UNCRC Articles in the best interests of the school community.

## Board of Governors: Councillor

**Mr Weir** asked the Minister of Education to list (i) the schools that have a councillor on their board of governors; and (ii) the respective councillors.[R]

**(AQW 23640/11-15)**

**Mr O'Dowd:** The education and library boards have provided me with the information which is set out below.

### (i) Schools by ELB area

### (ii) Councillors

#### Belfast Education and Library Board

##### Nursery

St Mary's Nursery School

Patrick Convery

##### Primary

Ballygolan Primary School

David Browne

Black Mountain Primary School

Frank McCoubrey

Blythefield Primary School

Robert Stoker

Currie Primary School

Guy Spence

Currie Primary School

Ian Crozier

Donegall Road Primary School

Robert Stoker

Fane Street Primary School

Robert Stoker

Harding Memorial Primary School

May Campbell

Knocknagoney Primary School

Jim Rodgers

St Malachy's Primary School

Patrick McCarthy

St Mary's Star of the Sea Primary School	Patrick Convery
Stranmillis Primary School	Michael McGimpsey
Victoria Park Primary School	Jim Rodgers

**Post Primary**

Ashfield Girls' High School	Jim Rodgers
Belfast Boys' Model School	Brian Kingston

**Western Education and Library Board****Nursery**

Bligh's Lane Nursery School, Derry	Patricia Logue
Limavady Nursery School	Edwin Stevenson

**Primary**

Bunscoil an Traonaigh	Ruth Lynch
Christ the King Primary School, Omagh	Jo Deehan
Erganah Primary School	Derek Hussey
Gortin Primary School	Derek Hussey
Lack Primary School	Rosemary Barton
Lisnagelvin Primary School	April Garfield-Kidd
Newbuildings Primary School	Maurice Devenney
St Brigid's Primary School, Altamuskin/ St Matthew's Primary School Gervaghey	Ann Marie Fitzgerald
St Brigid's Primary School, Altamuskin/ St Matthew's Primary School Gervaghey	Rose Marie Shields
St Brigid's Primary School, Carnhill	Mary Bradley
St Brigid's Primary School, Cranagh	Claire McGill
St Dympna's Primary School, Dromore	Pat McDonnell
St Eugene's Primary School, Victoria Bridge	Claire McGill
St Joseph's Primary School, Drumquin	Pat McDonnell
St Mary's Primary School, Maguiresbridge	Ruth Lynch
St Mary's Primary School, Newtownbutler	Thomas O'Reilly
St Patrick's Primary School, Castledearg	Ruairi McHugh

**Post Primary**

Collegiate Grammar School, Enniskillen	Robert Irvine
Dean Maguirc College, Carrickmore	Ann Marie Fitzgerald
Devenish College	Alex Baird
Limavady Grammar School	Jack Rankin
Limavady High School	Jack Rankin
Lisneal College	Drew Thompson
St Brigid's Secondary School, Carnhill	Sean Gallagher
St Comghall's High School, Lisnaskea	Thomas O'Reilly
St Mary's High School, Brollagh	Brendan Gallagher

**Special**

Knockavoe Special School	Derek Hussey
North Eastern Education and Library Board	

**Nursery**

Ballyhenry Nursery School	Mark Cosgrove
Ballymena Nursery School	James Henry
Ballymena Nursery School	P J McAvoy
Dunclug Nursery School	James Henry

Mossley Nursery School

Lynn Fraser

**Primary**

Ballycarry Primary School

Bobby McKee

Ballycraig Primary School

Sam Dunlop

Ballyhenry Primary School

John Blair

Ballymoney Model Controlled Integrated Primary School

Mervyn Storey

Ballynure Primary school

Pamela Barr

Broughshane Primary School

Paul Frew

Bushmills Primary School

Robert A McIlroy

Bushvalley Primary School

Frank Campbell

Carhill Controlled Integrated Primary School

Adrian McQuillan

Carnaghts Primary School

Hubert Nicholl

Carnlough Controlled Integrated Primary School

Geraldine Mulvenna

Carnlough Controlled Integrated Primary School

Maureen Morrow

Carrickfergus Central Primary School

Deborah Emerson

Clough Primary School

Robin Cherry

Clough Primary School

S J Hanna

Creavery Primary School

Trevor Clarke

Culcrow Primary School

D D Barbour

Cullycapple Primary School

Adrian McQuillan

D H Christie Memorial Primary School

David McClarty

Doagh Primary School

Pat McCudden

Dunseverick Primary School

Robert A McIlroy

Earlview Primary School

Lynn Fraser

Eden Primary School, Ballymoney

Cecil Cousley

Glenann Primary School

Randal McDonnell

Glengormley Controlled Integrated Primary School

Paula Bradley

Glynn Primary School

Roy Beggs

Greenisland Primary School

Charles Johnston

Groggan Primary School

Trevor Clarke

Harryville Primary School

Beth Adger

Harryville Primary School

M Clarke

Hollybank Primary School

Ken Robinson

Kells &amp; Connor Primary School

Beth Adger

Kells &amp; Connor Primary School

J K F Currie

Killowen Primary School

D D Barbour

Landhead Primary School

Frank Campbell

Longstone Primary School

Hubert Nicholl

Moorfields Primary School

Jim Allister

Mossley Primary School

Fraser Agnew

Parkhall Primary School

Sam Dunlop

Portrush Primary School

N F Hillis

Randalstown Central Primary School

Trevor Clarke

St Bernard's Primary School

Noreen McClelland

St Brigid's Primary School, Ballymena

P J McAvoy

St Mary's Primary School, Cushendall

Randal McDonnell

St Patrick's Primary School, Loughgiel

Harry Connolly

Straid Primary School

J Bingham

Sunnylands Primary School

May Beattie

Sunnylands Primary School

T Hogg

Templepatrick Primary School

Alan Lawther

The Diamond Primary School

Jayne A Dunlop

Upper Ballyboley Primary School	Greg McKeen
Whiteabbey Primary School	Ken Robinson
Whitehead Primary School	Lynn McClurg
Whitehouse Primary School	Dineen Walker
William Pinkerton Memorial Primary School	Evelyne Robinson
William Pinkerton Memorial Primary School	Frank Campbell
Woodburn Primary School	Jim Brown

**Post Primary**

Ballee Community High School	Robin Swann
Ballycastle High School	Robert A McIlroy
Ballyclare High School	Alan Lawther
Ballyclare Secondary School	Alan Lawther
Ballyclare Secondary School	Paul Girvan
Ballymoney High School	Cecil Cousley
Ballymoney High School	John Finlay
Ballymoney High School	Mervyn Storey
Cambridge House Grammar School	Paul Frew
Cambridge House Grammar School	Robin Swann
Carrickfergus College	Jim Brown
Carrickfergus College	Thomas Hogg
Coleraine College	D D Barbour
Crumlin Integrated College	Thomas Burns
Cullybackey High School	T Nicholl
Dunclug College	John Carson
Dunclug College	M T Mills
Glengormley High School	Lynn Fraser
Larne Voluntary Grammar	Roy Craig
Monkstown Community School	Dineen Walker
Monkstown Community School	J Bingham
Monkstown Community School	William Ball
Newtownabbey Community High	W Webb
St Patrick's College (Maghera)	John (Sean) Kerr

**Special**

Hillcroft Special School	Mandy Girvan
Hillcroft Special School	J Bingham
Roddensvale Special	Bobby McKee

**South Eastern Education and Library Board****Nursery**

Hollywood Nursery School	Jennifer Gilmour
St Luke's Nursery School	Brian Heading
Trinity Nursery School	Roberta Dunlop

**Primary**

Alexander Dickson Primary School	Robert Gibson
Ballycarrickmaddy Primary School	Cecil Calvert
Ballycarrickmaddy Primary School	James Tinsley
Ballymacash Primary School	William Leathem
Bangor Central Integrated Primary School	Roberta Dunlop
Belvoir Park Primary School	John Beattie
Branial Primary School	Vivienne McCoy

Brownlee Primary School	William Ward
Crawfordsburn Primary School	Marion Smith
Cregagh Primary School	Gareth Robinson
Cregagh Primary School	John Norris
Dromara Primary School	Allan Ewart
Fort Hill Integrated Primary School	Jennifer Palmer
Fort Hill Integrated Primary School	Paul Porter
Good Shepherd Primary School	Brian Heading
Kilcooley Primary School	Marion Smith
Killowen Primary School	William Leathem
Kirkistown Primary School	Angus Carson
Largymore Primary School	William Ward
Leadhill Primary School	Michael A Long
Maghaberry Primary School	James Tinsley
McKinney Primary School	Cecil Calvert
Moira Primary School	Jim Dillon
Rathmore Primary School	Marion Smith
Riverdale Primary School	William G Watson
Seymour Hill Primary School	Margaret Tolerton
St Comgall's Primary School	Anne Wilson
St Patrick's Primary School, Ballynahinch	Michael Coogan
Tonagh Primary School	Jennifer Palmer
Victoria Primary School, Ballyhalbert	Angus Carson

**Post Primary**

Bangor Academy & 6th Form College	Anne Wilson
Glastry College	Jim Shannon
Lisnagarvey High School	Jennifer Palmer
Nendrum College	Robert Gibson
St Colman's High School	Michael Coogan
St Columbanus' College	Brian Wilson
St Mary's High School	Colin McGrath

**Special**

Ardmore House School	Carmel O'Boyle
Clifton Special School	Roberta Dunlop
Parkview Special School	Jeffrey Donaldson

**Southern Education and Library Board****Nursery**

Grove Nursery School	Freda Donnelly
Millington Nursery School	Gladys McCullough

**Primary**

Abercorn Primary School	Junior McCrum
Anamar/Clonalig Primary School	Terry Hearty
Annalong Primary School	William Burns
Bocombra Primary School	Kenneth Twyble
Bronte Primary School	Junior McCrum
Bunscoil an Iuir	Charlie Casey
Carrick Primary School, Warrenpoint	Declan McAteer
Clare Primary School	Robert Turner
Clea Primary School	Thomas O'Hanlon

Clontifleece Primary School	Michael Ruane
Cloughoge Primary School	Patrick McDonald
Darkley Primary School	Thomas O'Hanlon
Donacloney Primary School	George Savage
Dromintee/Jonesboro Primary School	Anthony Flynn
Dromore Central Primary School	Carol Black
Fivemiletown Primary School	Robert Mulligan
Hardy Memorial Primary School	Jim Speers
Hart Memorial Primary School	Arnold Hatch
Kilkeel Primary School	William Burns
Killowen Primary School	Mick Murphy
Killylea Primary School	Joy Rollston
Maralin Village Primary School	Carla Lockhart
Millington Primary School	Arnold Hatch
Milltown Primary School	Ian Burns
Orchard County Primary School	Kenneth Twyble
Orritor Primary School	Sam Glasgow
Poyntzpass Primary School	Robert Turner
Richmount Primary School	Sydney Anderson
Scarva Primary School	John Hanna
Seagoe (C of I) Primary School	Ronnie Harkness
St Brigid's Primary School, Drumilly/	
St Laurence's Primary School, Belleeks	Jimmy McCreesh
St Bronagh's Primary School	Mick Murphy
St Dallan's Primary School	Michael Ruane
St John's Primary School, Middletown	Gerald Mallon
St Joseph's Primary School, Meigh	Patrick McDonald
St Malachy's Primary School, Armagh	Cathy Rafferty
St Malachy's Primary School, Carnagat	John McArdle
St Mary's Primary School, Barr	Pat McGinn
St Mary's Primary School, Cabra	Anthony McGonnell
St Mary's Primary School, Dechomet	Seamus Doyle
St Mary's Primary School, Dunamore	Sean Clarke
St Mary's Primary School, Mullaghbawn	Anthony Flynn
St Oliver Plunkett's Primary School, Forkhill	Patrick McDonald
St Patrick's Primary School, Annaghmore	Jim Cavanagh
St Patrick's Primary School, Dungannon	Barry Monteith
St Patrick's Primary School, Newry	Charlie Casey
St Peter's Primary School, Collegelands	John Campbell
Tullygally Primary School	Ronnie Harkness

**Post Primary**

Aughnacloy College	Robert Mulligan
Aughnacloy College	Roger Burton
Banbridge High School	Ian Burns
Banbridge High School	Junior McCrum
City of Armagh High School	Sylvia McRoberts
Clounagh Junior High School	Arnold Hatch
Cookstown High School	Trevor Wilson
Drumglass High School	Kenneth Reid
Fivemiletown College	Robert Mulligan
Lurgan College	Stephen Moutray
Lurgan Junior High School	Carla Lockhart

Newtownhamilton High School	Sylvia McRoberts
St Joseph's High School, Crossmaglen	Geraldine Donnelly
St Joseph's High School, Crossmaglen	Terry Hearty
St Mark's High School	Michael Ruane
St Patrick's High School, Keady	Gerald Mallon

**Special**

Ceara Special School	Carla Lockhart
Donard Special School	Joan Baird
Lisanally Special School	Sylvia McRoberts

**Board of Governors: MLA**

**Mr Weir** asked the Minister of Education to list (i) the schools that have an MLA on their board of governors; and (ii) the respective MLA.[R]

**(AQW 23641/11-15)**

**Mr O'Dowd:** The education and library boards have provided me with the information set out below.

**(i) Schools by ELB area      (ii) MLAs**

**Belfast Education and Library Board****Primary**

Carr's Glen Primary School	Nelson McCausland
Edenbrooke Primary School	William Humphrey
Springhill Primary School	William Humphrey

**Post Primary**

Campbell College	Mike Nesbitt
Western Education and Library Board	

**Primary**

Lack Primary School	Tom Elliott
St Brigid's Primary School, Mountfield	Declan McAleer
St Mary's Primary School, Killyclogher	Declan McAleer

**Post Primary**

Omagh High School	Ross Hussey
North Eastern Education and Library Board	

**Primary**

Ballymoney Model Controlled Integrated Primary School	Mervyn Storey
Broughshane Primary School	Paul Frew
Carhill Controlled Integrated Primary School	Adrian McQuillan
Creavery Primary School	Trevor Clarke
Cullycapple Primary School	Adrian McQuillan
D H Christie Memorial Primary School	David McClarty
Glengormley Controlled Integrated Primary School	Paula Bradley
Glynn Primary School	Roy Beggs
Groggan Primary School	Trevor Clarke
Moorfields Primary School	Jim Allister
Randalstown Central Primary School	Trevor Clarke

**Post Primary**

Ballee Community High School	Robin Swann
Ballymoney High School	Mervyn Storey

Ballyclare Secondary School	Paul Girvan
Cambridge House Grammar School	Paul Frew
Cambridge House Grammar School	Robin Swann

### South Eastern Education and Library Board

#### Nursery

Barbour Nursery School	Trevor Lunn
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#### Primary

Ballyholme Primary School	Peter Weir
Ballymacash Primary School	Paul Givan
Bloomfield Primary School	Peter Weir
Braniel Primary School	Michael Copeland
Carr Primary School	Edwin Poots
Castle Gardens Primary School	Michelle McIlveen
Harmony Hill Primary School	Jonathan Craig
Hollywood Primary School	Gordon Dunne
Kilcooley Primary School	Peter Weir
Killinchy Primary School	Michelle McIlveen
Killowen Primary School	Jonathan Craig
Meadow Bridge Primary School	Edwin Poots
Moneyrea Primary School	Jimmy Spratt
Pond Park Primary School	Paul Givan
Portaferry Integrated Primary School	Kieran McCarthy
Rathmore Primary School	Gordon Dunne
Riverdale Primary School	Edwin Poots
St Patrick's Primary School, Ballygalget	Kieran McCarthy
West Winds Primary School	Simon Hamilton

#### Post Primary

Laurelhill Community College	Jonathan Craig
Movilla High School	Simon Hamilton
Priory Integrated College	Stephen Farry
Regent House School	Jonathan Bell

### Southern Education and Library Board

#### Primary

Ballyholland Primary School	Karen McKeivitt
Bessbrook Primary School	Danny Kennedy
Carrick Primary School, Lurgan	Samuel Gardiner
Clea Primary School	Cathal Boylan
Dickson Primary School	Samuel Gardiner
Richmount Primary School	Sydney Anderson
St Colman's Abbey Primary School, Newry	Mickey Brady

#### Post Primary

Lurgan College	Stephen Moutray
Newry High School	Danny Kennedy

### Postgraduate Certificate in Education

**Mr Clarke** asked the Minister of Education how many places have been made available for postgraduate certificate in education courses, in each of the last five years.

**(AQW 23676/11-15)**



**Mr O'Dowd:** The information requested is routinely published and is available on the Department's website at the following web link.

[www.deni.gov.uk/index/school-staff/teachers-teachinginnorthernireland\\_pg/teachers\\_-\\_teaching\\_in\\_northern\\_ireland-4\\_approved\\_intakes.htm](http://www.deni.gov.uk/index/school-staff/teachers-teachinginnorthernireland_pg/teachers_-_teaching_in_northern_ireland-4_approved_intakes.htm)

### Shared Education: Promotion and Facilitation

**Mr Kinahan** asked the Minister of Education what financial resources the Executive will be making available for the promotion and facilitation of shared education for the remainder of the budgetary period.

(AQW 23679/11-15)

**Mr O'Dowd:** I continue to engage with my Executive colleagues over the pressures faced by education as a result of the cuts imposed upon the Executive by the British Government.

I will use any additional resources obtained across education including the promotion of Shared Education.

### Catholic Maintained Primary Schools

**Lord Morrow** asked the Minister of Education, pursuant to AQW 22816/11-15, what role Roman Catholic clergy have in the preparation of children for sacraments in catholic maintained primary schools.

(AQW 23689/11-15)

**Mr O'Dowd:** Religious Education is a statutory element of the curriculum from Foundation Stage to Key Stage 4. The Department does not hold information on how individual schools prepare pupils for sacraments, however, the Council for the Catholic Maintained Schools and the NI Council for Integrated Education have advised that:

- In Catholic Maintained Schools, provision for preparation for the Sacraments is made through each schools Religious Education programme. The Religious Programmes are all conducted in accordance with the core syllabus set down by the four main churches and using guidelines set out by Diocesan Advisers for Religious Education. Clergy, where available, or other qualified members of pastoral Councils are on occasions invited to support sacramental preparation as an aspect of the relationship between the school, the family and the parish.
- In integrated schools, the teaching and preparation of the Sacraments is based on the model that is operated in Catholic Maintained schools. Integrated schools follow the core syllabus for RE and how they deliver this varies and sits within the structure of the school. However, in the Sacramental years catholic pupils, who are preparing for the sacraments, have time together to do so. This tends to be during one of the RE classes timetabled each week for a number of weeks. Protestant pupils have the opportunity to explore their religious/cultural identity whilst their classmates are attending the sacramental preparation classes.

### Widening Access Programme

**Mrs D Kelly** asked the Minister of Education which schools are in the Widening Access programme.

(AQW 23699/11-15)

**Mr O'Dowd:** Access to Success is a Department for Employment and Learning-led strategy aimed at widening participation in Higher Education, in particular for those students from disadvantaged backgrounds and those with disabilities and learning difficulties. The aim of widening participation applies to any post-primary school with post-16 provision.

The University of Ulster runs the Step-Up programme. This is a science-based programme delivered by schools in areas of social and economic disadvantage in the Derry and Belfast areas, in conjunction with the university, industry and government. The following schools are participating in this programme:

- |  |                               |
|--|-------------------------------|
| ■ Ashfield Boys' High School           | ■ St Patrick's College        |
| ■ Ashfield Girls' High School          | ■ St Rose's Dominican College |
| ■ Belfast Boys' Model School           | ■ Lisneal College             |
| ■ Belfast Model School for Girls       | ■ St Brigid's College         |
| ■ Christian Brothers' Secondary School | ■ St Cecilia's College        |
| ■ Corpus Christi College               | ■ St Mary's College           |
| ■ Orangefield High School              | ■ St Joseph's Boys' School    |
| ■ St Gemma's High School               | ■ St Peter's High School      |
| ■ St Joseph's College                  |                               |

Queens University Belfast runs the Discovering Queens programme. This is aimed at introducing potential students from disadvantaged backgrounds to higher education through a range of activities connected with the university. The following schools are participating in this programme:

- |   |                                       |
|---|---------------------------------------|
| ■ Ashfield Girls' High School           | ■ Belfast Model School for Girls      |
| ■ Bangor Academy and Sixth Form College | ■ Christian Brothers Secondary School |
| ■ Belfast Boys' Model                   | ■ Corpus Christi                      |

- Glengormley High School
- Hazelwood Integrated College
- Holy Trinity College
- Kilkeel High School
- Limavady High School
- Little Flower Girls' School
- Meanscoil Feirste
- Newry High School
- Omagh High School
- St Cecilia's College
- St Colm's High School
- St Genevieve's High School
- St Louise's Comprehensive College
- St Malachy's High School
- St Mary's College
- St Mary's High School
- St Patrick's College
- St Paul's High School
- St Rose's High School
- Ulidia Integrated College

### Programme for International Student Assessment

**Mr Kinahan** asked the Minister of Education what research his Department has conducted on the education administration and support structures that exist in countries that perform well in the programme for international student assessment. (AQW 23740/11-15)

**Mr O'Dowd:** We continue to look closely at the characteristics in countries and regions with high performing, effective education systems to see what relevant learning can be derived and applied.

In reviewing these systems we are assisted by research produced by the Organisation for Economic Cooperation and Development (OECD) which runs the Programme for International Student Assessment (PISA) surveys. Its reports highlight the key features of education systems that combine high excellence with high equity.

While the key focus of such reports is often on teaching and learning and school leadership, the reports also provide insight into approaches to funding; autonomy and accountability; admissions arrangements; structures for supporting the professional development of teachers; and other support structures.

Additionally, we are participating in a major OECD Review on Assessment and Evaluation Frameworks and their contribution to school improvement which will provide further insight into the effectiveness of aspects of our administration and support structures when compared to those in other countries and regions.

### Education and Skills Authority

**Mr Kinahan** asked the Minister of Education what international research and findings were integrated into the design of the Education and Skills Authority. (AQW 23741/11-15)

**Mr O'Dowd:** The design for the Education and Skills Authority (ESA), informed by work carried out by Deloitte in 2009, is based upon eight key design principles. These design principles were derived from examples of recognised good practice, both nationally and internationally. A copy of the Deloitte recommendations is available in the Assembly library.

The Finance and ICT, HR and Workforce Development, and Operations and Estates Directorates are largely support directorates and have been designed to reflect the efficiencies to be gained from regionalising services and modernisation which can be achieved through increased use of technology and wider application of more up to date processes.

The Education Quality and Strategic Planning and the Children's and Young People's Directorates are being developed to respond to the challenges set out in the Programme for Government and draws upon international best practice and research in relation to support for individual children with specific barriers to learning, and system wide improvement.

### North Antrim: Nursery, Primary and Post-primary Pupils

**Mr Frew** asked the Minister of Education how many (i) nursery; (ii) primary; and (iii) post-primary pupils for the 2013-14 intake in North Antrim did not receive a place in their first choice school or nursery unit. (AQW 23747/11-15)

**Mr O'Dowd:** The North Eastern Education and Library Board has advised me that there were (i) 26 full time nursery; (ii) 8 primary and (iii) 153 post primary pupils for the 2013/14 intake in North Antrim who did not receive a place in their first choice school.

### Primary School Places: Refused First Choice

**Lord Morrow** asked the Minister of Education how many children in each Education and Library Board have been refused their first choice for primary school places in the September 2013 intake. (AQW 23764/11-15)

**Mr O'Dowd:** The Education and Library Boards have advised me that the number of pupils in each of the Board areas who did not receive their first choice primary school for September 2013, are as provided in the table below.

Education & Library Board	Pupils Who Did Not Receive First Choice Primary School
Belfast Education & Library Board	243
Western Education & Library Board	22
North Eastern Education & Library Board	113
South Eastern Education & Library Board	320
Southern Education & Library Board	152

### Literacy and Numeracy Two-year Teaching Support Posts

**Mr Weir** asked the Minister of Education what criteria will be used for the selection of the schools that will receive the additional literacy and numeracy two-year teaching support posts.

**(AQW 23783/11-15)**

**Mr O'Dowd:** The schools invited to participate in the Delivering Social Change Signature Project on improving literacy and numeracy (the Project) have been selected using criteria based on a combination of academic performance and Free School Meal Entitlement (FSME).

In the **primary school sector** the methodology used was:

- Schools where the percentage of pupils achieving the expected level at Key Stage 2 (i.e. Level 4 or above) was twenty percent or more below the north of Ireland average<sup>1</sup> over a three-year period (2008/09 to 2010/11 inclusive) in either Literacy and/or Numeracy; and
  - Schools in Free School Meal bands 4, 5, 6 and 7 where the percentage of pupils achieving the expected level at Key Stage 2 (i.e. Level 4 or above) was ten percent or more below the north of Ireland average over a three-year period (2008/09 to 2010/11 inclusive) in either literacy and/or numeracy.
  - Using the above methodology, teachers will be allocated to eligible schools based on the school's enrolment and performance at Key Stage 2 in literacy and/or numeracy.
- 1 (In 2010/11 the NI Average for pupils achieving Key Stage 2 Level 4 or above in English was 82.4%; in Maths it was 82.9%).

In the **post-primary sector** the methodology used was:

- Schools where the percentage of pupils achieving GCSE English (Grades A\*-C) and/or GCSE Maths (Grades A\*-C) was an average of seventy percent or below, over a three-year period 2008/09 to 2010/11 inclusive and/or where the percentage of pupils achieving 5+ GCSEs (including English and Maths) Grades A\*-C was an average of seventy percent or below, over a three-year period 2009/10 to 2011/12 inclusive.
- Using the above methodology, teachers will be allocated to eligible schools based on the school's enrolment and performance in GCSE English and/or GCSE Maths and 5+ GCSEs (including GCSE English and GCSE Maths).

The seventy-percent threshold was used because the Department has a target to increase school leavers' attainment in GCSE English, GCSE Maths and 5+ GCSEs grades A\*-C (including English and Maths) to seventy percent by 2020 as specified in Count, Read: Succeed, DE's Strategy to Improve Outcomes in Literacy and Numeracy.

Further details on the criteria for the identification of eligible schools are contained in the Programme Implementation Plan which is published on the Western Education and Library Board's website at the following link: <http://www.welbni.org/index.cfm/do/DSCProject>

### North Down: Nursery School Placement

**Mr Easton** asked the Minister of Education how many children in North Down have yet to receive a nursery school placement. **(AQW 23820/11-15)**

**Mr O'Dowd:** At the end of Stage 2 of the Pre-School Admissions Process, all parents who had applied to a setting in the North Down council area and who fully participated in the admissions process received an offer of a place for their child.

However, 21 children whose parents did not participate fully were unplaced at the end of the process. These included the parents of 18 children who did not state further preferences at the end of Stage 1 and the parents of 3 children who submitted a late application during Stage 2 of the process.

22 funded pre-school places remained available in the North Down area at the end of Stage 2.

### North Down: Primary 1 Places

**Mr Easton** asked the Minister of Education how many children in North Down have yet to receive a primary 1 school placement.

**(AQW 23821/11-15)**

**Mr O'Dowd:** The South-Eastern Education and Library Board have advised that as at 4 June 2013 six children remain unplaced in North Down for admission to primary school in September 2013; four in Bangor and two from Groomsport.

### Southern Education and Library Board: Public Liability Insurance

**Lord Morrow** asked the Minister of Education, pursuant to AQW 23371/11-15, whether this assessment and decision also apply to the application for the multi-use games area.

**(AQW 23881/11-15)**

**Mr O'Dowd:** The Southern Education and Library Board has advised that as the school occupies a designated site within the Area of Landscape Policy, which includes Tree Preservation Orders, the site was unlikely to be able to accommodate a multi-use games area of the proposed size.

### Primary and Post-primary School Pupils

**Mrs Dobson** asked the Minister of Education to detail the average attendance at (i) primary; and (ii) post-primary schools of pupils who are in receipt of free school meals.

**(AQW 23900/11-15)**

**Mr O'Dowd:** Information on the average attendance of children in receipt of free school meals is not available. Instead, information on the average attendance of children entitled to free school meals is detailed in the table below.

#### % Average attendance of Key stage 1 – 4 pupils in primary and post-primary schools, 2011/12

School type	% attendance for pupils not entitled to free school meals	% attendance for pupils entitled to free school meals
Primary	96.0	93.3
Post-primary	94.2	88.3

**Source:** School census

#### Note:

1 Figures exclude pupils who were not counted in the October 2011 school census.

In compilation of figures for 2011/12, it was not possible to include attendance figures for six primary schools:

2 three which had recently closed, a further two which were new and, one school which was unable to make a return in time to be included in the finalised data release, following a technical issue in relation to submission of their data.

### Preschool Allocation

**Mr Agnew** asked the Minister of Education what actions his Department will take following the second stage for children who have not been allocated a place in preschool; and what guarantee he can give that every child will be allocated a place.

**(AQW 23906/11-15)**

**Mr O'Dowd:** At the end of the 2013/14 pre-school admissions process 99.9% of target aged children, whose parents fully engaged with the process were offered a funded place in a pre-school setting. Only 30 children whose parents fully engaged with the process were not offered a place.

The parents of those children who remained unplaced, and those who did not fully engage with the process were notified of the remaining available places in a letter that issued from the relevant education and library board on 31 May.

The commitment in the Programme for Government is to ensure that at least one year of pre-school education is available to every family that wants it. Overall sufficient places remain available to meet demand. However it is a matter of parental preference as to whether or not parents will choose to apply for these places.

### Preschool Children: Equality of Provision

**Mr Agnew** asked the Minister of Education how his Department ensures equality of provision for all children in preschool.

**(AQW 23907/11-15)**

**Mr O'Dowd:** Funded pre-school education places are available in nursery schools, nursery units attached to primary schools and in voluntary and private pre-school settings participating in the Pre-School Education Programme.

All funded pre-school providers, whether in the statutory nursery or voluntary/private playgroup sector, are required to comply with a number of requirements designed to promote high quality pre-school education provision. These include adherence to the pre-school curriculum drawn up by the Council for the Curriculum, Examinations and Assessment (CCEA), minimum standards for staff qualifications and staffing levels, and expert support from a qualified teacher or qualified early years specialist. In addition all settings are subject to inspection by the Education and Training Inspectorate. The findings of these inspections are available on the DE website.

### Preschools: Minimum Security Standards

**Mr Agnew** asked the Minister of Education to detail the minimum standards of security for preschools; and what assessment his Department undertakes to ensure that preschools meet this standard.

**(AQW 23909/11-15)**

**Mr O'Dowd:** On the Departments website is a document 'Security and Personal Safety in Schools'. This document was produced in March 1997 by the Health and Safety Advisers of the Education and Library Boards and the Council for Catholic Maintained Schools in association with the Department for all schools including nurseries. It provides information and advice for managing security risks in all schools whether housed in a new build or in an older property.

All new build nursery schools are designed in accordance with the requirements of section 2 of the 'School Building Handbook' (also available on the Departments website) that refers to nursery schools. Security is considered as an integral part of the design process for a new nursery school and all designs are checked for compliance with the 'Schools Building Handbook' prior to Departmental approval being given to permit a new build to commence.

Management responsibility for school security resides with the Employing Authority and the Board of Governors of a school.

Funded pre-school education places are available in nursery schools, nursery units attached to primary schools and in voluntary and private pre-school settings participating in the Pre-School Education Programme. Registration and regulation of settings in the private and voluntary sector are a matter for the relevant Health and Social Care Trust.

### Transporting Pupils to and from School: Costs

**Mr Weir** asked the Minister of Education to detail the cost of transporting pupils to and from school in each Education and Library Board, in each of the last five years.

**(AQW 23939/11-15)**

**Mr O'Dowd:** The cost of transporting pupils to and from school in each Education and Library Board, for each of the last five years is provided in the table below.

Year	BELB	NEELB	SEELB	SELB	WELB
2007/08	4,977,267	16,985,000	13,278,093	17,311,000	14,599,679
2008/09	5,567,740	18,305,121	13,964,295	19,538,000	16,423,919
2009/10	5,671,038	18,922,826	14,368,825	19,975,011	16,410,141
2010/11	5,555,520	18,378,955	14,489,379	19,526,191	16,512,168
2011/12	5,488,554	18,026,680	13,485,515	19,423,876	15,951,086

Figures for 2012/13 are not yet available.

Except for 2007/08, the figures in the table above include the annual payment made to Translink to ensure that no pupil sits three to a two-person seat or stands. These safety measures, introduced from 2007 onwards, required Translink to provide additional buses. The total additional cost for 2007/08 was £910,672 and this cannot be disaggregated to each Board without incurring disproportional cost.

### Children with Special Needs: Transport Assistance

**Ms Fearon** asked the Minister of Education what transport assistance is provided in each Education and Library Board for children with special needs who do not attend their nearest school.

**(AQW 23952/11-15)**

**Mr O'Dowd:** Provided a pupil is in possession of a statement of special education needs that specifies a particular school and a particular means of transport, then a Board will provide that means of transport to the specified school, even where it is not the nearest school. Where parents decide not to accept the terms of the statement – for example, by choosing a more distant school - then the terms of the statement no longer apply and a Board does not have to provide any assistance to a more distant school under the terms of existing transport policy and under Article 44 of The Education and Libraries Order 1986 – the duty to avoid unreasonable expenditure.

## Primary Legislation: Entry Criteria

**Mr Kinahan** asked the Minister of Education which clauses in existing primary legislation entrench the rights of schools to set their own entry criteria.

**(AQW 23982/11-15)**

**Mr O'Dowd:** The relevant provisions in existing legislation on admissions criteria are: Article 16 of the Education (NI) Order 1997; and Article 32 of the Education (NI) Order 1998.

These are not entrenched provisions as defined by Section 7 of the Northern Ireland Act 1998, and may be amended or repealed by an Act of the Assembly.

## English as an Additional Language

**Mr Ross** asked the Minister of Education to detail the support available to pupils who have English as an additional language in primary and post-primary schools.

**(AQW 24014/11-15)**

**Mr O'Dowd:** My Department provides additional funding under the Common Funding Scheme (CFS) to support Newcomer pupils, which is claimed directly by the school. This funding is available for the first three years that a pupil is designated as a Newcomer in the school census. Schools use this funding to provide additional support for newcomer pupils, for example in areas such as employing classroom assistants to provide additional support; developing pastoral care initiatives; organising inter-cultural school events to encourage greater participation and engagement by parents and families of newcomer pupils.

In addition to the CFS funding my Department provides additional earmarked funding for the provision of the regional Inclusion and Diversity Service. The Inclusion and Diversity Service provides support to schools through a regional network of co-ordinators, providing translation and interpreting services, provision of multi-lingual information to parents, provision of training and resources to schools and provision of an aid for assessment.

## Department for Employment and Learning

### Staff Training: Discriminatory Advertising

**Mr Durkan** asked the Minister for Employment and Learning to detail the (i) training staff have had in relation to discriminatory advertising; and (ii) regions in which any such training has been completed.

**(AQW 23246/11-15)**

**Dr Farry (The Minister for Employment and Learning):** Training in Job-matching and Pre-selection was delivered to all front line Managers throughout the network of 35 offices in February/March 2013 and this was then cascaded to staff. The training was delivered by the Department's Employer Engagement Team in partnership with the Equality Commission. Consistent with the Equality Commission's Good Practice Guide for Recruitment Advertising and the Department's guidance, this training advised staff of the procedures to be followed for managing vacancy advertisements.

In addition, a number of Employment Service staff have availed of information sessions provided by the Equality Commission for Northern Ireland and the Labour Relations Agency.

### St Mary's University College/Stranmillis University College/Queen's University, Belfast: Merger

**Mr Weir** asked the Minister for Employment and Learning for an update on the merger of St Mary's University College with Stranmillis University College and Queen's University, Belfast.

**(AQW 23287/11-15)**

**Dr Farry:** No merger of St. Mary's University College, with Stranmillis University College and Queen's University Belfast has been proposed. I would refer the Member to the statement made in the Assembly on 21 May.

### World Host Training

**Mr D McIlveen** asked the Minister for Employment and Learning, pursuant to AQW 21955/11-15, whether the figures contained relate to the number of participants as individuals or as establishments.

**(AQW 23294/11-15)**

**Dr Farry:** The figures contained in the previous response relate to participants as individuals not establishments.

### Youth Employment Service Scheme

**Mr Campbell** asked the Minister for Employment and Learning for his assessment of the success of events to promote the youth employment service scheme, such as on 24 April 2013 in Coleraine.

**(AQW 23296/11-15)**

**Dr Farry:** In July 2012 I announced to the Assembly a package of new measures – “the Youth Employment Scheme” - to help young people gain experience, acquire new skills and find employment. Since then my Department has arranged a number of events across Northern Ireland to promote the scheme to both employers and young people.

Employer information seminars have been held across Northern Ireland to connect employers with the scheme since its launch last year. These have been held in Belfast, Ballykelly, Bangor, Coleraine, Cookstown, Craigavon, Enniskillen, Larne, Limavady, Lisburn, Londonderry, Newry, Portadown and Omagh.

As a result of these events and other marketing activity there has been considerable success in ‘signing-up’ employers and obtaining opportunities for young people. More than 1,700 agreements for the different elements of the Youth Employment Scheme have been signed and 2,270 opportunities have been secured since the scheme was launched.

In addition to the employer information seminars there has been a series of event to promote the scheme to young people. These events have been organised by each local Jobcentre and Jobs and Benefit Office and often have a varied format to meet local needs. At many of these events employers offering opportunities have been present and staff have been able to match young people with the Youth Employment Scheme opportunities on offer on the day.

As a result of these events many young people have been able to link directly with opportunities. At the event in Coleraine which you refer to in your question, 9 of the young people who attended were linked directly to opportunities available and have now availed of the scheme.

On a more general note these events help to market the Youth Employment Scheme to young people and given the steady rise in the numbers participating there is evidence that they have been successful. Since its launch in July 2012 the numbers of young people who have participated in the Youth Employment Scheme stands at 868 with 300 (35%) having commenced since the beginning of April 2013. Furthermore of these 868 young people, almost 270 moved directly into jobs supported by the Enhanced Employer Subsidy and a further 50 young people obtained employment after leaving the other elements of the scheme.

I am confident that the scheme is delivering success for young people and I trust you will support all future events and encourage young people to become involved in the Youth Employment Scheme.

### Skills Solutions Service

**Mr D McIlveen** asked the Minister for Employment and Learning how many employers his Department has made contact with via the skills solutions service.

**(AQW 23331/11-15)**

**Dr Farry:** The number of employers contacted via the Skills Solutions Service in the following financial years was:-

- 2011/2012 1249
- 2012/2013 882

### Additional Support Fund

**Mr P Ramsey** asked the Minister for Employment and Learning whether the additional support fund can be used by further education colleges to fund or subcontract support provided by external organisations which have expertise in learning disability.  
**(AQW 23374/11-15)**

**Dr Farry:** The Additional Support Fund can be used by Further Education colleges to fund external organisations, in order to provide specialist support for students with learning difficulties and/or disabilities enrolled in mainstream and discrete Further Education provision. Organisations used by colleges have included the Royal National Institute for the Blind, Action on Hearing Loss, Middleton Centre for Autism, Sign Video, Mencap, and a number of enabling technology providers.

Moreover, colleges can also engage the services of Educational Psychologists and Sign Language Interpreters who provide formal dyslexia assessments and interpreting services for students with disabilities, through the Additional Support Fund.

### Additional Support Fund

**Mr P Ramsey** asked the Minister for Employment and Learning for his assessment of the adequacy of the additional support fund in meeting the demand from people with a learning disability.  
**(AQW 23375/11-15)**

**Dr Farry:** My Department is currently reviewing the Additional Support Fund allocation to ensure that it is meeting the needs of both existing and future students. It is anticipated that this will complete by the end of June 2013.

My Department is also engaged in an audit of provision across the Further Education sector, which is also due to complete by the end of June.

The Additional Support Fund currently provides Further Education colleges with £3.5 million per annum to help meet the additional support needs of students with learning difficulties and/or disabilities.

The fund provides £1.5 million for individual additional support, and £2 million for the provision of tailored programmes, including smaller class sizes, for those unable to access mainstream provision.

## Patient and Client Council Report

**Mr P Ramsey** asked the Minister for Employment and Learning how he has liaised with the Minister of Health, Social Services and Public Safety to take forward the recommendations of the Patient and Client Council report on further education provision for people with a learning disability.

**(AQW 23377/11-15)**

**Dr Farry:** My Department's liaison is primarily conducted through my membership of the DHSSPS-led Ministerial Group on Mental Health and Learning Disability, Chaired by Minister Poots, which was established to help deliver on a wide range of issues identified by the Bamford Review. In addition to this, my officials regularly report progress on DEL's contribution to the DHSSPS-led Bamford Inter-Departmental Implementation Group. My Department works closely with DHSSPS to communicate the Department's offering for people with learning disabilities.

The Patient and Client Council reports that relate to further education were addressed at Inter-Departmental Group meetings.

## North Down: Youth Employment Scheme

**Mr Weir** asked the Minister for Employment and Learning to detail the number of employers in North Down that have signed agreements for the youth employment scheme since its introduction.

**(AQW 23389/11-15)**

**Dr Farry:** In the North Down area, serviced by Bangor and Newtownards Jobcentres, a total of 99 employer agreements have been signed by a total of 69 employers since I launched the Youth Employment Scheme in July 2012. Employers have made 112 opportunities available and to date 56 young people have availed of a placement, 24 of these having secured subsidised employment.

My Department is actively working with employers to source as many opportunities as possible across Northern Ireland. I have been encouraged by the response of employers so far (more than 1,100 have signed up to the scheme) and I expect many more to come forward to offer opportunities for young people in the coming months.

The focus of the Youth Employment Scheme is on early intervention for young people aged 18 to 24 with the specific aim of helping this group gain work experience, develop additional skills and achieve recognised relevant qualifications needed by those sectors that have the potential for future growth. This scheme is specifically designed to help those young people claiming Jobseekers Allowance and who are almost job ready move into employment.

I appreciate your interest in the Youth Employment Scheme and would ask you to encourage employers and young people to become involved.

## 'The Effects of the Selective System of Secondary Education in Northern Ireland'

**Mr Allister** asked the Minister for Employment and Learning, pursuant to AQW 22502/11-15, to outline the investigations that are being conducted by his Department and Queen's University, Belfast, to establish the existence of the book referenced in 'The Effects of the Selective System of Secondary Education in Northern Ireland'.

**(AQW 23458/11-15)**

**Dr Farry:** My Department does not hold any information in relation to the publication referred to in AQW 22502/11-15.

## Creative Industries Apprenticeship Pilot

**Mr P Ramsey** asked the Minister for Employment and Learning why the creative industries apprenticeship pilot did not operate in Derry, given that it is the City of Culture 2013.

**(AQW 23467/11-15)**

**Dr Farry:** ApprenticeshipsNI is a demand led programme with employers submitting new/existing employees to a contracted Training Supplier for entry to the programme. The Creative Industries pilot adhered to similar principles.

In early 2009 officials from my Department met with Creative & Cultural Skills (Sector Skills Council) representatives to discuss the proposal to run a Creative & Cultural Skills focused apprenticeship pilot. My Department was supportive of this proposal and, consequently, a series of discussions were held between Creative & Cultural Skills and local further education colleges. The outcome of these discussions was that Belfast Metropolitan College agreed to support the delivery of a pilot programme of up to twelve apprentices following a Technical Theatre (sound, light and stage lighting) Level 3 framework.

Creative & Cultural Skills marketed the apprenticeship pilot to all suitable employers across Northern Ireland, with the target of 12 new entrants undertaking apprenticeships.

The pilot project commenced in April 2010. The employers who supported apprentices on the programme were from Cookstown, Omagh, Downpatrick and Belfast.



## Further Education Colleges

**Mr Weir** asked the Minister for Employment and Learning how the drop-out rates at further education colleges compare with the rest of the UK.

**(AQW 23471/11-15)**

**Dr Farry:** A standardised method of measuring drop-out rates and retention rates in further education does not exist currently across the various UK countries. Variances in definitions and methodologies employed mean that like for like comparisons cannot be made. Within this context, the latest published information indicates that drop-out rates in further education are 12% for Northern Ireland (2011/12, Department for Employment and Learning), 11% for England (2010/11, Department for Business, Innovation and Skills), 10% for Wales (2011/12, Welsh Government) and 15% for Scotland (2011/12 Scottish Funding Council).

## Higher Education Institutes

**Mr Weir** asked the Minister for Employment and Learning how the drop-out rates at higher education institutes compare with the rest of the UK.

**(AQW 23473/11-15)**

**Dr Farry:** Data on drop-out rates for Higher Education Institutions are only available for undergraduate entrants who fail to return to Higher Education in the following academic year. In terms of reporting information on drop-out rates in Higher Education, the key measure used by the Department focuses on full-time first degree entrants.

The drop-out rate at Higher Education Institutions in Northern Ireland compared with the rest of the UK is detailed in the table overleaf:

Country of HEIs	Non Continuation Rate
Northern Ireland	6.0 %
England	7.3 %
Scotland	8.9 %
Wales	8.0 %
UK	7.4 %

**Source:** Higher Education Statistics Agency

### Notes:

- 1) Data on drop-out rates for Higher Education Institutions are obtained from the Higher Education Statistics Agency's Performance Indicators data.
- 2) It should be noted that the above information relates to non continuation in Higher Education following year of entry and is based on full time first degree enrolments for 2010/11 and their continuation into 2011/12

## Registered Carers: Return to Education

**Ms Maeva McLaughlin** asked the Minister for Employment and Learning what financial assistance is available from his Department for registered carers who wish to return to education.

**(AQW 23504/11-15)**

**Dr Farry:** Financial assistance for those seeking to undertake a vocational course at a further education college is not aimed specifically at any particular group. Financial help is targeted at those who are most in need and eligibility is based on family income. Further education students who require financial assistance with meeting the costs associated with learning, including travel and childcare costs, can apply for help through Further Education (FE) Awards and / or college Hardship Funds. The amount of assistance provided is dependent on individual circumstances, although the maximum amount payable is £3,500 per annum. Assistance with childcare costs is payable in addition to this amount.

Further details regarding financial assistance can be obtained from the Student Finance Team at any further education college.

A higher education student can apply for a Special Support Grant of up to £3,475 a year, payable to some students who are eligible to claim means-tested benefits such as Income Support and Housing Benefit. Generally, this will be lone parents with caring responsibilities and students with disabilities.

Supplementary grants for students, in addition to maintenance loans and grants, are also available. These include: Childcare Grants available for full-time higher education students who have dependent children and a low household income; Parents' Learning Allowance for help with course-related costs of up to £1,538 a year for students with dependent children; and Adult Dependents' Grant of up to £2,695 a year for students who have a partner or another adult who depends on them financially.

## A-level Exams

**Mr Weir** asked the Minister for Employment and Learning what plans he has to meet with the Secretary of State for Education to ensure that any changes to A-level exams do not prejudice opportunities of admission to universities for students from Northern Ireland.

**(AQW 23537/11-15)**

**Dr Farry:** My Department recognises that the A-Level qualification remains an important and rigorous standard that allows the learners' attainment to be a robust benchmark for the universities, employers and users of the A-Level. The portability of the A-Level qualification is also a key issue.

I understand my Executive colleague John O'Dowd, Minister for Education, has already written to the Secretary of State for Education in relation to the review of A-Levels and I have asked that officials keep me informed of any developments in this matter.

## 'Study of the Teacher Education Infrastructure in Northern Ireland'

**Mr Swann** asked the Minister for Employment and Learning to detail the process by which Grant Thornton was appointed to deliver the 'Study of the Teacher Education Infrastructure in Northern Ireland'.

**(AQW 23551/11-15)**

**Dr Farry:** The first stage of the Study of the Teacher Education Infrastructure in Northern Ireland was put out to tender by the Central Procurement Directorate (CPD) of the Department of Finance and Personnel on behalf of my Department on 1 February 2012. It was placed on the electronic tendering website e-SourcingNI, which allows supplying organisations to take part in Northern Ireland Public Sector tender opportunities, and in the "New to View" advertisement in the local press.

As no organisations had submitted bids by the tender closing date of 22 February 2012, the work was readvertised. This resulted in two companies submitting proposals. These were considered by officials from my Department and from CPD against the terms of reference for the first stage of the study and a standard procurement evaluation matrix.

As a result of this exercise, Grant Thornton UK LLP was appointed to carry out the first stage of the study.

## 'Study of the Teacher Education Infrastructure in Northern Ireland'

**Mr Swann** asked the Minister for Employment and Learning how many companies or individuals responded to the initial tendering process to complete the 'Study of the Teacher Education Infrastructure in Northern Ireland'.

**(AQW 23552/11-15)**

**Dr Farry:** No companies or individuals responded to the initial tendering process to complete the 'Study of the Teacher Education Infrastructure in Northern Ireland'

## Widening Access Programme

**Mrs D Kelly** asked the Minister for Employment and Learning which higher education institutes and further education colleges are included in the Widening Access programme.

**(AQW 23664/11-15)**

**Dr Farry:** In September 2012, I launched Access to Success, my Department's integrated regional strategy for widening participation in higher education. All of Northern Ireland's higher education institutions and further education colleges contributed significantly to the development of that strategy.

Implementation of Access to Success has now commenced. All higher education providers in receipt of funding from my Department, including the three Universities, as well the two University Colleges and the six Further Education Regional Colleges, will be involved in the delivery of the strategy. In addition, the College of Agriculture, Food and Rural Enterprise, although not in receipt of DEL funding, will be involved on a voluntary basis.

## Postgraduate Certificate in Education

**Mr Clarke** asked the Minister for Employment and Learning to detail the average length of time a graduate has to wait to be placed on a postgraduate certificate in education course.

**(AQW 23674/11-15)**

**Dr Farry:** The information requested is not held by my Department.

## Careers Advisers

**Mr Moutray** asked the Minister for Employment and Learning what plans he has to bring forward an initiative whereby careers advisers visit businesses to ascertain the skills required to fill available jobs in order to relay opportunities first hand to students.

**(AQO 4207/11-15)**

**Dr Farry:** Through the Careers Service, it is vital that people are made aware of the skills requirements, progression routes, employer expectations, and various job roles in these sectors. In this way, individuals will be able to make informed decisions

about their future, and an appropriately skilled workforce which meets the needs of Northern Ireland businesses will be developed.

This question is particularly timely, as plans are currently being finalised for my Department's Careers Advisers to spend time in businesses in the priority and STEM-related sectors. The 'Careers Industry Insight' placements will commence in June 2013 and will continue throughout the year.

Careers Advisers already undergo rigorous continuous professional development which includes the use of up to date information on current and future job opportunities, skills shortages and employment trends.

This initiative will focus on priority sectors to rebalance the economy, and will increase the Careers Advisers' knowledge of current and future job opportunities in sectors such as business and financial services and manufacturing.

Good progress has been made in the implementation of the joint Careers Education, Information, Advice and Guidance (CEIAG) Strategy - "Preparing for Success" - alongside the Department of Education. The strategy is due for review in 2014 and the terms of reference for the revised strategy will be drawn up in advance of this date.

### **Further Education Colleges: Renewable Energy Projects**

**Mr Dunne** asked the Minister for Employment and Learning what plans there are for further education colleges to improve the training and up-skilling of students for work on renewable energy projects, such as onshore and offshore wind turbine generation.

**(AQO 4208/11-15)**

**Dr Farry:** Further Education colleges have responsibility for ensuring that their provision meets the needs of the local economy, including in the renewable energy sector. Colleges provide a range of courses specific to the needs of the sustainable energy sector – for example, foundation degrees specialising in wind technology and renewable energies. Colleges also offer a variety of more generic vocational courses at different levels that are relevant to the renewable energy sector.

More generally, under the Department's Employer Support Programme, colleges provide dedicated industry support across six key sectors, one of which is renewable energy and sustainable technologies.

The Carbon Zero NI programme was funded through this programme. Led by South West College, but involving all colleges, this programme extended the regional and international reach of the further education sector in the provision of industry-linked research and development services, innovation support, technology development, specialist training and high quality advice on sustainable development.

Belfast Metropolitan College leads further education in the offshore energy sector. BMC has devised innovative training and assessment techniques for the wind sector, and is working closely with EU Skills and the National Skills Academy for Power to share best practice on a national scale. The college also delivers a suite of level 2 and 3 qualifications that are embraced by the wind sector.

My Department has funded the up-skilling of seven Belfast Metropolitan College lecturers in hydraulics skills, particularly applicable to wind turbines. This project will also develop Level 3 Hydraulics Qualifications on the Qualifications and Curriculum Framework in conjunction with City and Guilds and several local renewable energy companies.

The South West College has submitted an outline proposal to develop a higher level apprenticeship for Renewable Systems Combined Heat and Power to commence in September 2013.

So, colleges support the renewable energy sector in a number of ways.

### **Together: Building a United Community**

**Mr Nesbitt** asked the Minister for Employment and Learning to outline what budget resource he can make available to contribute to the Together: Building a United Community strategy.

**(AQO 4209/11-15)**

**Dr Farry:** The 'Together: Building a United Community' strategy has only recently been announced by the First Minister and deputy First Minister.

I am currently considering how the United Youth Programme element of the proposals can build on my Department's existing and planned employability programmes. I have tasked my officials to explore approaches that will ensure that this new programme complements other DEL programmes for young people not in education employment or training.

To this end, my officials will engage with colleagues in the Office of the First Minister and deputy First Minister and other departments.

I expect that additional resources will be identified for the programme to enable it to be taken forward. At this stage I am unable to indicate what level of resource is to be made available.

## Higher Education Strategy

**Mr Rogers** asked the Minister for Employment and Learning to outline the programmes being developed as part of the higher education strategy.

**(AQO 4210/11-15)**

**Dr Farry:** Graduating to Success, a higher education strategy for Northern Ireland, which I launched in April 2012, sets out a long term vision for the higher education sector, and contains an implementation plan with 16 projects, and targets spanning the period from 2013 until 2020. The projects are grouped under the strategy's four guiding principles, responsiveness - to the needs of the economy; quality - in terms of a high quality learning experience; accessibility - to all those who have the ability to benefit; and flexibility - in terms of delivery and funding.

Together, the projects cover the full spectrum of higher education activity delivered by our higher and further education institutions, and consist of programmes of work or actions designed to maintain and further develop a dynamic, high quality, world-class higher education sector.

Early achievements have focused on responding to the economic need and include the introduction of an additional 1,200 undergraduate places in STEM subjects by 2015, exceeding the strategy target by 500, as well as an additional 300 PhD places in economically relevant areas. This brings the number of postgraduate awards fully funded by my Department to 795 by 2015/16 against a target in the strategy of 1,000 fully funded places by 2020.

Since 2012/13, I have also supplemented the research funding pot by £1million per annum in support of STEM and areas of wider economic relevance.

Moving forwards, my Department's priority is to work in partnership with the higher education sector to complete the implementation of the strategy within the required timescales to ensure that the sector is well-placed to build upon its achievements to date and face the challenges of the future, and that our people, who are our greatest asset, are able to achieve their full potential.

## Work Connect

**Mr Durkan** asked the Minister for Employment and Learning for an update on the Work Connect programme.

**(AQO 4211/11-15)**

**Dr Farry:** Work Connect is a specialist disability programme designed to help recipients of Incapacity Benefit and Employment Support Allowance to overcome barriers to employment, improve their employability and, where possible, find and keep suitable employment.

Work Connect was introduced by the Department as a new employment programme on 1 September 2012. It is delivered by a new consortium of seven disability organisations, called Supported Employment Solutions. Work Connect enables the Department, in partnership with these organisations, to provide specially tailored pre-employment and employment opportunities to clients who have health conditions and/or disabilities, but who are capable of, and wish to play, a full and active role in society.

All clients can benefit from a flexible and tailored package of up to 26 weeks' pre-employment support, which can include Work experience and work skills. Based on progress reports received to date, 89% of participants have shown an improvement in their employability within the first 13 weeks of pre employment support.

Further in-work support for up to 26 weeks, including personal development and mentoring, employer support and guidance and in work skills, can be provided to assist the client to make the transition from unemployment into work, and to help him/her to sustain employment.

As of 31 May 2013, 395 clients have started the programme, 71 of whom have gained employment across a range of sectors.

I am pleased with the progress of the programme and the difference that it is making to so many clients; this is echoed by the consortium and I am confident that this trend will continue throughout the remainder of this year and beyond.

## People with Disabilities: Work Experience

**Mr Copeland** asked the Minister for Employment and Learning what provision his Department makes for people with a disability to acquire relevant work experience.

**(AQO 4212/11-15)**

**Dr Farry:** In conjunction with local employers, my Department helps provide work experience opportunities for many people each year, including those who have a disability.

The Youth Employment Scheme offers all young people, including those with a disability, an opportunity to avail of up to eight weeks' work experience. The Skills Development element which offers a longer-term work experience opportunity is open to all employment sectors for young people with a disability the provision is restricted to the Priority Skills sectors for other participants.

Through the European Social Fund, my Department directly supports twenty local disability employment projects. These projects help the participants, many of whom have quite severe disabilities, to achieve their employment-related goals. They do so through the provision of training, vocational qualifications and work experience opportunities.

In order to maximise the benefits of this work experience, the local disability organisation will work with the employer to ensure it is an appropriate match, and then provide intense support to the employer and the individual during their placement.

The Department's Disability Employment Service manages the Job Introduction Scheme. This job trial initiative offers employers a weekly fund of £75 towards the support costs for a person with a disability during the induction period of employment.

For students with learning difficulties or disabilities attending further education, all colleges aim to incorporate work experience into course provision.

The Training for Success programme which includes work experience is accessible for people with a disability up to age 22; it is age 18 for other participants.

In conclusion, my Department is active in helping to provide meaningful work experience opportunities for people with disabilities. However, such work experience opportunities require employers to be willing to facilitate and provide support, in order for the prospective employee to gain something positive from their work experience.

### **Together: Building a United Community: NEETS**

**Mr G Robinson** asked the Minister for Employment and Learning to outline his Department's role in the 'Together: Building a United Community' proposals in relation to those not in education, employment or training.  
(AQO 4213/11-15)

**Dr Farry:** The 'Together: Building a United Community' strategy has only recently been announced by the First Minister and deputy First Minister.

I am currently considering how the United Youth Programme element of the proposals can build on my Department's existing and planned employability programmes. I have tasked my officials to explore approaches that will ensure that this new programme complements other DEL programmes for young people not in education employment or training.

To this end, my officials will engage with colleagues in the Office of the First Minister and deputy First Minister and other departments.

I expect that additional resources will be identified for the programme to enable it to be taken forward. At this stage I am unable to indicate what level of resource is to be made available.

### **Training for Success: Programme-led Apprenticeships**

**Mr Buchanan** asked the Minister for Employment and Learning for an update on the programme-led apprenticeships Training for Success level 2.  
(AQO 4214/11-15)

**Dr Farry:** The Programme-Led Apprenticeship provision was introduced in September 2009 in response to the economic downturn. Its aim was to help Northern Ireland to develop and retain skills in preparation for the economic upturn. Young people followed the same frameworks as the apprenticeship programmes. Unfortunately many were unable to gain the full award because of a lack of work placements.

The most recent edition of the Department's Statistical Bulletin, published on Wednesday 29 May 2013, provides key information on the Programme-Led Apprenticeships in Northern Ireland and contains data to January 2013.

The numbers on the Programme Led Apprenticeship at the end of January 2013 was 5,125.

From the academic year 2009/10 until 31 January 2013, 9,620 participants left Programme-Led Apprenticeships. Of these, 23% gained a full Framework of qualifications.

The percentage of leavers achieving a full Framework of qualifications has increased each year since 2009/10. In the latest full academic year, 2011/12, 27% of leavers achieved a full Framework. In the most recent academic year, 2012/13, at 31 January 2013, 36% of those who left in-year gained a full Framework.

Recruitment to Programme-Led Apprenticeships will cease from the date of contract award for the new Training for Success programme. A legal challenge has been settled and the new contracts will be awarded at the end of June.

The new Training for Success contract includes four strands: Skills for your Life; and Skills for Work levels one to three.

### **Universities: Applications**

**Mr Milne** asked the Minister for Employment and Learning to outline the discussions he has had with the Universities and Colleges Admissions Service and the Central Applications Office on streamlining the application process for students seeking to apply to universities on the island of Ireland.  
(AQO 4215/11-15)

**Dr Farry:** My Department has not had any discussions with Universities or Colleges Admissions Service or the Central Applications Office as these are independent organisations providing subscribing higher education institutions with a student application service. It is the responsibility of individual higher education institutions to promote available courses and manage their application processes.

However, my Department's Careers Service, in partnership with Universities or Colleges Admissions Service, organises an annual Higher Education Convention in Belfast. Last year, exhibitors included representatives from higher education providers throughout the island of Ireland, in addition to universities in England, Scotland and Wales. These included the National University of Ireland in Galway and Maynooth, Dundalk Institute of Technology, Dublin City University and Dublin Business School, with 8,500 students from 98 schools in Northern Ireland attending.

## Department of Enterprise, Trade and Investment

### Tourism Signage: Irish Language

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to detail the policy that bans the Irish language from being used in tourism signage and for her assessment of the impact that this will have on the reputation of the Northern Ireland Tourist Board.

**(AQW 20005/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The Northern Ireland Tourist Board does not have a policy that bans the Irish language from being used in tourism signage.

### Small Businesses Funding

**Ms Fearon** asked the Minister of Enterprise, Trade and Investment what departmental funding is available for recently established small businesses which have the potential to attract more tourists.

**(AQW 22963/11-15)**

**Mrs Foster:** Subject to meeting Invest NI criteria for support, financial assistance may be available for the establishment or expansion of tourism accommodation businesses which may also avail of the full range of Invest NI developmental support and advice.

New tourism focused business starts may also be able to find support via the new Regional Start Initiative. Recently established tourism businesses which are less than six months old can also avail of help through this initiative. Although no financial support is available, the programme offers a range of specific advice and support to enable entrepreneurs to develop credible and high quality business plans, giving them the best chance of success.

Invest NI works in partnership with local councils to deliver initiatives which will develop the capability of local SMEs and contribute towards the creation of new jobs. Under the EU Sustainable Competitiveness Programme's Local Economic Development measure for example, funding is available to councils to help address the particular needs of businesses in their area - this has resulted in a number of councils developing initiatives targeted specifically at the tourism sector.

### Invest NI

**Mr Allister** asked the Minister of Enterprise, Trade and Investment what consideration has been given to imposing a requirement that Invest NI offers for job creation assistance must include a provision that a percentage of the jobs be made available for young people with disabilities.

**(AQW 23193/11-15)**

**Mrs Foster:** All of Invest NI's job related offers of assistance include clauses to ensure that its clients comply with the relevant statutory provisions in force in Northern Ireland including those in relation to young people with disabilities

Also, under the Jobs Fund, Invest NI has developed a specific measure to provide a NEET Business Start Grant to young people aged 16-24 who are Not in Education, Employment or Training as an additional incentive to support them to start their own business.

### Belfast Welcome Centre and the Belfast Visitor and Convention Bureau: Funding

**Mr Allister** asked the Minister of Enterprise, Trade and Investment how the Belfast Welcome Centre and the Belfast Visitor and Convention Bureau are funded.

**(AQW 23195/11-15)**

**Mrs Foster:** The Belfast Welcome Centre is managed and operated by the Belfast Visitor & Convention Bureau (BVCB). BVCB receives core-funding from Belfast City Council and is part-funded by the Northern Ireland Tourist Board. BVCB operates as a separate commercial entity with its own Board of Directors and on a membership basis.

## Caterpillar: Meetings

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment to detail the number of meetings her Department has held with Caterpillar; and whether she has been advised of the company's long-term future in Larne.

**(AQW 23414/11-15)**

**Mrs Foster:** Since January this year staff from Invest NI have met with local management on seven separate occasions – 14th January, 8th February, 7th, 11th and 20th March, 22nd April and most recently on the 17th May. A meeting was also held in Belfast on the 1st February with a representative of Caterpillar's US senior management. In addition to these face-to-face meetings there have been numerous contacts by telephone and e-mail. I myself met with members of the local management team at the announcement of 200 new jobs in Caterpillar's Shared Services Centre in Springvale on the 12th February.

Since the redundancy announcements were made last year, Invest NI has been working with Caterpillar management to identify opportunities to bring additional, high value work to Northern Ireland. The securing of the 200 new jobs earlier this year is the first of these opportunities to come to fruition and is evidence of the company's continued commitment to Northern Ireland. Invest NI continues to work with management in exploring a range of possible projects aimed at securing the company's presence across all its sites in Northern Ireland.

## Electricity Generated from Renewable Sources

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 21648/11-15, to detail (i) the breakdown and source of the calculation of 13.7% of electricity generation coming from renewable sources; and (ii) whether the percentage is generated within Northern Ireland without reliance on interconnector imports.

**(AQW 23447/11-15)**

**Mrs Foster:**

- (i) The 13.7% figure is a rolling average for the twelve month period to end of March 2013 based on information provided to the Department by NIE on a monthly basis and is calculated as a percentage of total consumption. Table 1 provides a breakdown of the 13.7% figure by technology.

**Table 1: Renewable electricity as a percentage of total consumption 2012-2013**

Technology	Renewable output (MWh)	Contribution as a proportion of renewable output (%)	Contribution to overall electricity distributed (%)
Onshore wind	1026322	92.4	12.62
Landfill gas	57394	5.2	0.71
Hydro	9478	0.9	0.12
Biogas	6064	0.6	0.07
Biomass	5051	0.5	0.06
Tidal	3567	0.3	0.04
Combined Heat & Power (CHP)	2928	0.3	0.04
Solar Photovoltaic	12	0	0.00
<b>Totals</b>	<b>1110816</b>	<b>100*</b>	<b>13.7*</b>

\* Figures rounded

- (ii) The percentage figures provided in Table 1 are collated from Northern Ireland sites only.

## Craigavon Borough Council: Writ of Summons

**Mrs D Kelly** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 10584/11-15, to detail the reasons for, and content of, the writ of summons served on Craigavon Borough Council.

**(AQW 23539/11-15)**

**Mrs Foster:** The writ of summons was issued to allow the Department to pursue monies owing from Craigavon Borough Council. By agreement between the parties the action has been informally stayed pending current negotiations aimed at a resolution of the issues.

The Writ (Record number 2010 No 151576) is available for inspection at the Central Office of the High Court on payment of the appropriate fee.

## Regional Airport Freight Services: Funding

**Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment what funding is available from her Department to support and grow regional airport freight services.

**(AQW 23547/11-15)**

**Mrs Foster:** The EU operates a very strict regime in respect of what assistance can be provided to airports and airlines. However, an important factor which will help to support and grow regional airport freight services is the Northern Ireland Economic Strategy's objective to put export-led growth at the centre of our ambitions. All the measures identified within the Economic Strategy will support the growth of our private sector and lead to a greater number of our local firms competing in global markets and existing exporters entering new markets. By extension, I would expect this widening and deepening of our export base to result in the growth of Northern Ireland's freight trade, which will benefit both Northern Ireland's airports and sea ports.

## North West 200 in 2014

**Mr Dunne** asked the Minister of Enterprise, Trade and Investment what additional support will be provided to the North West 200 in 2014.

**(AQW 23584/11-15)**

**Mrs Foster:** The Northern Ireland Executive has instructed the Ministers of Culture, Arts & Leisure, Regional Development, and I to meet to consider future support for the North West 200 and report back in due course.

## Unanswered Question: AQW 20005/11-15

**Mr McKay** asked the Minister of Enterprise, Trade and Investment why she has not yet answered AQW 20005/11-15.

**(AQW 23635/11-15)**

**Mrs Foster:** AQW 20005/11-15 was answered on 5 June 2013.

## Petroleum Licences and Petroleum Exploration

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment to detail the public information meetings that her Department and the Geological Survey of Northern Ireland have held with respect to petroleum licences and petroleum exploration within the current licensed areas of (i) PL1/10 (Infrastrata); (ii) PL2/10 (Tamboran); (iii) PL3/10 (Rathlin Energy); and (iv) PL5/10 (Provident Resources).

**(AQW 23654/11-15)**

**Mrs Foster:** My Department including the Geological Survey of Northern Ireland have not held any public information meetings with respect to Petroleum Licences and Petroleum Exploration within the four current licensed areas.

Departmental officials have attended a public information meeting in respect of PL2/10, Tamboran.

Additionally, they have participated in a range of interviews with the media on the issue of petroleum licensing and exploration and provided information on both subjects to local newspapers.

## Bilingual Signage

**Mr McKay** asked the Minister of Enterprise, Trade and Investment whether she has instructed officials to ensure that the Northern Ireland Tourist Board policy on bilingual signage is adhered to, and to provide the dates when she issued instruction.

**(AQW 23712/11-15)**

**Mrs Foster:** On 11 January 2011, I indicated that NITB should operate within its existing policy approach on bilingual signage.

## Department of the Environment

### Councillor Severance Scheme

**Mr Weir** asked the Minister of the Environment why twelve years was chosen as the minimum qualifying period for the proposed councillor severance scheme.

**(AQW 22590/11-15)**

**Mr Attwood (The Minister of the Environment):** As I said in my statement to the Assembly on 3 July 2012, I think it is right that the proposed severance scheme recognises the contribution made by those councillors who have served their communities for a long time. Twelve years equates to 3 standard local government terms. An estimated 267 councillors, 46% of all councillors, have served for at least 12 years.

I think an eligibility criterion which can be met by almost half of the total number of councillors is reasonable.



I also took into consideration the fact that the reduction in the number of councillors in the 11 new local government districts is more modest than originally thought and that there are constraints on public finances in the current economic situation.

If the minimum qualifying period was reduced to 10 years and all the eligible councillors applied for severance (and payment was calculated on the two band option set out in the consultation document) the estimated cost would be £4.9m, £0.6m more than the cost if the qualifying period is 12 years.

A consultation on the proposed severance scheme is underway which, amongst other things, seeks views on the eligibility criteria. In coming to a final decision on eligibility and other components of the scheme, responses to the consultation will be taken into consideration.

I believe the minimum qualifying period is the right one, given the variations in councillor allowances over the years, upgrades in allowances in more recent times and given the need to have a required period, the ones that presents is the most appropriate.

### **Councillor Severance Scheme**

**Mr Weir** asked the Minister of the Environment what the additional cost would be were the qualifying period for the Councillor Severance Scheme reduced to ten years instead of twelve.

**(AQW 22591/11-15)**

**Mr Attwood:** As I said in my statement to the Assembly on 3 July 2012, I think it is right that the proposed severance scheme recognises the contribution made by those councillors who have served their communities for a long time. Twelve years equates to 3 standard local government terms. An estimated 267 councillors, 46% of all councillors, have served for at least 12 years.

I think an eligibility criterion which can be met by almost half of the total number of councillors is reasonable.

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A consultation on the proposed severance scheme is underway which, amongst other things, seeks views on the eligibility criteria. In coming to a final decision on eligibility and other components of the scheme, responses to the consultation will be taken into consideration.

I believe the minimum qualifying period is the right one, given the variations in councillor allowances over the years, upgrades in allowances in more recent times and given the need to have a required period, the ones that presents is the most appropriate.

### **Transition Committees**

**Mr Spratt** asked the Minister of the Environment what funding will be made available to councils to place transition committees on a statutory footing and enable them to carry out their anticipated responsibilities.

**(AQW 22601/11-15)**

**Mr Attwood:** Although I bid for it, no specific funding has been made available within the Executive's support package of £47.8m in respect of Statutory Transition Committees. However, £1m has been made available over two years, up to April 2015, to support change management and change manager appointments. The Department wrote to all councils on 17 April 2013 asking how they intend to use the funding, as the Department is keen that this resource is drawn down quickly by councils.

In going forward, while the Executive's funding package is substantial and will make a real difference, councils will also need to contribute. I therefore wrote to Chief Executives on 11 April 2013 encouraging them to consider ways of creating savings by greater sharing and collaboration through ICE, borrowing at preferential rates and the use of council reserves. I feel these potential and real sources of funding can assist, particularly when Transition Committees are placed on a statutory footing.

### **Economic Considerations in Planning Conditions**

**Ms Lo** asked the Minister of the Environment (i) how he will capture economic considerations, such as job creation and investment claims, in planning conditions to ensure that approved developments realise such claims; (ii) whether legal advice has been sought on this issue; and (iii) what was the conclusion of such advice.

**(AQW 22777/11-15)**

**Mr Attwood:** The Department's approach, informed by case law, is only to impose conditions that are necessary, relevant to planning, relevant to the development being permitted, precise, enforceable and reasonable in all other respects. One key test of whether a particular condition is necessary is if planning permission would have been refused if the condition were not imposed.

It is unlikely specific planning conditions relating to the number of jobs to be created by a development or amount of investment to be made would satisfy these tests. This issue will be examined further as part of the outworking of this provision and the preparation of the Single Strategic Planning Policy Statement.

## Clauses 2 and 6 of the Planning Bill: Economic Considerations

**Ms Lo** asked the Minister of the Environment to detail the reasons for the specific singling out of economic considerations in clauses 2 and 6 of the Planning Bill, given that such matters are included in 'sustainable development' and 'any other material considerations'.

(AQW 22778/11-15)

**Mr Attwood:** The aims and objectives of Planning Reform are to improve the planning system to ensure that it (i) supports the future economic and social development needs of the north of Ireland and manages development in a sustainable way, particularly with regard to large, complex or strategic developments; (ii) is delivered at the right level with appropriate managed processes for determining applications; (iii) has streamlined processes that are effective, efficient and improve predictability and quality of service delivery; and (iv) allows full and open consultation and actively engages communities. Planning Reform is recognised as a key building block for achieving Programme for Government priorities such as growing a sustainable economy and investing in the future. It is also key to achieving the Executive's Economic Strategy by delivering faster, more predictable processing of planning applications.

Without prejudicing or diminishing the wider purposes, principles and policy of the planning system, the provisions of Clauses 2 and 6 affirm that economic considerations are a material factor when it comes to preparing planning policy and ,where relevant, determining planning applications. In both policy and legal terms I am satisfied that this is the correct approach. This supports Planning Reform, the Programme for Government and the direction provided by the Executive. Furthermore, and within the context of the current challenging economic climate, it also sends out a strong and positive message that NI is open for business.

Taken alongside other provisions in the Planning Bill this allows the Department to bring forward the much needed reforms in the Planning Act (Northern Ireland) 2011 ahead of the transfer of the majority of planning powers to councils. This will allow the reforms to be put in place sooner rather than later and it will also allow us to test the reforms on the ground ahead of the transfer of planning powers.

Clause 2 and its three subsections, themes and principles should be read together as an integrated approach rather than selective with a hierarchy therein. This carries forward the approach in the Planning Act (Northern Ireland) 2011. The objective to 'promote economic development' in Clause 2 does not elevate this above others. Similarly, Clause 6 affirms economic considerations are material considerations and does not give greater weight to the consideration of the economic advantages / disadvantages of any individual proposal over other considerations.

I intend to elaborate on key concepts such as sustainable development and economic considerations in the forthcoming draft single Strategic Planning Policy Statement which will be out for public consultation towards the end of the year.

## Clauses 2 and 6 of the Planning Bill

**Ms Lo** asked the Minister of the Environment how the proposed additional provisions of clauses 2 and 6 of the Planning Bill contribute to the aims and objectives of planning reform.

(AQW 22780/11-15)

**Mr Attwood:** The aims and objectives of Planning Reform are to improve the planning system to ensure that it (i) supports the future economic and social development needs of the north of Ireland and manages development in a sustainable way, particularly with regard to large, complex or strategic developments; (ii) is delivered at the right level with appropriate managed processes for determining applications; (iii) has streamlined processes that are effective, efficient and improve predictability and quality of service delivery; and (iv) allows full and open consultation and actively engages communities. Planning Reform is recognised as a key building block for achieving Programme for Government priorities such as growing a sustainable economy and investing in the future. It is also key to achieving the Executive's Economic Strategy by delivering faster, more predictable processing of planning applications.

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I intend to elaborate on key concepts such as sustainable development and economic considerations in the forthcoming draft single Strategic Planning Policy Statement which will be out for public consultation towards the end of the year.

### Planning Service: Tree Officers

**Mr Agnew** asked the Minister of the Environment whether tree officers in the Planning Service are qualified to assess the biodiversity value of trees and woodland.

**(AQW 22788/11-15)**

**Mr Attwood:** The role of Tree Officers in DOE Planning is to prepare, administer and manage Tree Preservation Orders (TPOs) in the interest of amenity. The key considerations in the assessment of a TPO include the visual impact and visibility of a tree(s) and the contribution to the amenity of an area. The potential threat, historical importance and the rarity of a tree are also considerations. All Tree officers have received appropriate formal training in terms of Visual Tree Assessment, along with various in house training.

Clearly, DOE in general are very aware of the importance of biodiversity across its full range, including trees as a valued asset.

### River Courses: Invasive Alien Species

**Mr Girvan** asked the Minister of the Environment what invasive alien species have been identified in river courses, broken down by (i) species; and (ii) river course.

**(AQW 23328/11-15)**

**Mr Attwood:** As part of Water Framework Directive monitoring undertaken by the Northern Ireland Environment Agency records of invasive alien species which are detected during survey work are gathered. These records, in addition to records gathered by local county recorders and members of the public, are submitted to the National Biodiversity Data Centre in Waterford and to the Centre for Environmental Data and Recording (CEDaR) based at the Ulster Museum in Belfast.

The National Biodiversity Data Centre in recent years have created a National Invasive Species Database for the island of Ireland. All records held in the database are made publically available through the interactive web mapping facility of their website (<http://invasives.biodiversityireland.ie>).

A table listing the invasive alien species records for rivers which are held by the National Invasive Species database and NIEA has been placed in the Assembly Library.

### Single-tier Taxi System

**Mr G Robinson** asked the Minister of the Environment why the proposals from his Department on a single-tier taxi system allow Belfast taxis to ply for hire outside Belfast, but prevent taxis from outside Belfast plying for hire in the city.

**(AQW 23543/11-15)**

**Mr Attwood:** The assertion in the question is incorrect. As a result of the new single tier licensing system coming into operation on 1 September 2013, all taxis will be permitted to stand or ply for hire anywhere in Northern Ireland. They will also be able to stand at any rank outside Belfast.

However, Belfast Public Hire taxis (yellow plate), being tested and confirmed to be wheelchair accessible, will continue to be the only vehicles which will be able to stand at ranks in Belfast. I fairly believe this the right approach.

These changes will give the consumer greater choice as to how they engage with the taxi industry allowing for a more flexible approach to travel by taxi, as the passenger will be able to get a taxi when they want it without having to plan and book in advance.

### Single-tier Taxi Licensing System

**Mr G Robinson** asked the Minister of the Environment why the one-tier taxi licensing system restricts taxi buses from using Belfast taxi ranks.

**(AQW 23544/11-15)**

**Mr Attwood:** Currently only vehicles tested as wheelchair accessible can stand at ranks in Belfast City Centre, and this will remain the case after single tier taxi licensing has been introduced. The wheelchair accessible features of taxibus vehicles are not tested for safety by DVA as part of their vehicle test, and cannot be licensed to stand at ranks in Belfast City Centre.

## Department of Finance and Personnel

### Posts Filled without Public Competition

**Mr Dallat** asked the Minister of Finance and Personnel to detail the (i) posts, created in the last 12 months in each Department, and their agencies, which have been filled without a public competition; (ii) the salary scale of these posts; and (iii) the reasons that the posts have not been advertised in the public domain.

**(AQW 22698/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** The following table outlines the breakdown of posts created and filled internally within the Northern Ireland Civil Service in line with NICS vacancy management policy within the last twelve months by department and salary scale.

Departments	Grade	No of posts*	Salary scale
PPS		NIL	
DEL		NIL	
DCAL		No response received	
DSD	DP	17	34,847 – 39,282
	SO	26	27,835 – 30,825
	EO1	28	25,438 – 26,638
	EO2	6	23,124 – 23,999
	AO	6	18,298 – 22,180
	AA	4	15,849 – 17,533
OFMDFM	Principal	2	45,694 – 51,304
	DP	10	34,847 – 39,282
	SO	7	27,835 – 30,825
	EO1	1	25,438 – 26,638
	EO2	2	23,124 – 23,999
DRD	EO1	2	25,438 – 26,638
	EO2	1	23,124 – 23,999
	AO	1	18,298 – 22,180
	AA	1	15,849 – 17,533
DOJ	G7	2	45,694 – 51,304
	DP	7	34,847 – 39,282
	ICT6	2	34,847 – 39,282
	ICT5	1	27,835 – 30,825
	SO	2	27,835 – 30,825
	EO2	4	23,124 – 23,999
	AO	1	18,298 – 22,180
	AA	1	15,849 – 17,533
DHSSPS	G7	3	45,694 – 51,304
	DP	3	34,847 – 39,282
	SO	2	27,835 – 30,825

Departments	Grade	No of posts*	Salary scale
DFP	G6	1	53,407 – 62,407
	G7	1	45,694 – 51,304
	DP	4	34,847 – 39,282
	SO	2	27,835 – 30,825
	EO1	9	25,438 – 26,638
	EO2	3	23,124 – 23,999
	AO	6	18,298 – 22,180
DETI	G7	2	45,694 – 51,304
	DP	3	34,847 – 39,282
	SO	6	27,835 – 30,825
	EO1	6	25,438 – 26,638
	EO2	7	23,124 – 23,999
	AO	3	18,298 – 22,180
	AA	1	15,849 – 17,533
DE	G5	1	63,360 – 77,500
	G7	4 (1P/T)	45,694 – 51,304
	DP	12 (1P/T)	34,847 – 39,282
	SO	6 (1P/T)	27,835 – 30,825
	EO1	4 (1P/T)	25,438 – 26,638
	EO2	5 (2P/T)	23,124 – 23,999
DARD	G5	1	63,360 – 77,500
	G7	6	45,694 – 51,304
	DP	3.6	34,847 – 39,282
	ICT6	1.8	34,847 – 39,282
	Inspector Grade II	1	35,578 – 40,343
	SSO	1	34,847 – 39,282
	SO	6.8	27,835 – 30,825
	ICT5	1	27,835 – 30,825
	Inspector Grade III	1	29,246 – 34,456
	Inspector Group 4	6	27,835 – 30,825
	EO1	7	25,438 – 26,638
	Inspector Group 2	2	25,438 – 26,638
	Meat Inspector	0.4	25,438 – 26,638
	ICT 4	5	25,438 – 26,638
DARD	EO2	2	23,124 – 23,999
	AO	8.1	18,298 – 22,180
	AA	1	15,849 – 17,533

Departments	Grade	No of posts*	Salary scale
DOE	G7	4	45,694 – 51,304
	DP	5	34,847 – 39,282
	SO	14	27,835 – 30,825
	EO1	11	25,438 – 26,638
	EO2	2.64	23,124 – 23,999
	AO	5	18,298 – 22,180
	AA	2	15,849 – 17,533
<b>Total number of posts</b>			<b>326.34</b>

\* defined as permanent new posts, to last longer than three years, which were created and filled during the last twelve months.

### Rural Areas: Poverty and Deprivation

**Mr McAleer** asked the Minister of Finance and Personnel for his assessment of the accuracy of the current methodology in determining the levels of poverty and deprivation in rural areas.

(AQW 23279/11-15)

**Mr Wilson:** I refer the Member to my response given in AQW 22353/11-15.

### Zero-carbon Homes: Construction

**Mr Agnew** asked the Minister of Finance and Personnel whether he intends to introduce a target date after which all new homes will have to be zero carbon; and what action he is taking to incentivise the construction of zero-carbon homes.

(AQW 23316/11-15)

**Mr Wilson:** In the Budget Report 2013 the Westminster Government renewed its commitment to implementing zero carbon homes from 2016. The Department for Communities and Local Government (DCLG) is preparing a detailed plan in response to a 2012 consultation on the energy efficiency requirements in England's building regulations. DFP officials have worked with DCLG counterparts on their proposals and are awaiting the outcome of this consultation. As there is a general policy to maintain the Northern Ireland regulatory requirements in line with England's regulations, it is envisaged that a further revision of the Building Regulations in Northern Ireland will follow in 2014, enabling Northern Ireland to keep in line with any proposed standards implemented in the English building regulations in relation to this target.

The Westminster Government is also proposing to consult in 2013 on the next steps for zero carbon homes including the means of delivering allowable solutions. Officials in my Department will continue to work with DCLG on these proposals and ensure that in turn effective proposals are brought forward for Northern Ireland.

### Coiste na nIarchimí: Funding

**Mr Nesbitt** asked the Minister of Finance and Personnel for his assessment of the award of funding to Coiste na nIarchimí during a period when that organisation filed no accounts; and the continuing award of funding to the organisation despite the lack of an investigation being undertaken into its previous failure to file accounts.

(AQW 23343/11-15)

**Mr Wilson:** Coiste na nIarchimí is a sub-partner in PEACE III projects led by the Community Foundation for Northern Ireland (CFNI). The Special EU Programmes Body's contract in respect of the award of funding is with CFNI.

In December 2011 the Special EU Programmes Body (SEUPB) was made aware that Coiste na nIarchimí had not properly filed its annual return and accounts to Companies House for 2008, 2009 and 2010 and had been struck from the Companies House register. SEUPB immediately brought this to the attention of CFNI, and suspended payments to CFNI in relation to Coiste na nIarchimí pending an explanation and resolution.

CFNI have advised that the failure of Coiste na nIarchimí to file accounts was due to an administrative oversight. When brought to the attention of Coiste na nIarchimí, accounts were promptly filed and on 16 December 2011 Companies House restored the organisation to the companies register stating that it was "deemed to have continued in existence as if it had not been dissolved or struck off the register". No further investigation is therefore required.

At the time, verifying the submission of annual accounts to Companies House did not form part of the contractual requirements between CFNI and Coiste na nIarchimí. CFNI now requires all project partners to confirm their organisational status on an annual basis, and to confirm that, if they are a limited company, they have met their obligations by submitting the required returns to Companies House.

## Coiste na nIarchimí: Funding

**Mr Nesbitt** asked the Minister of Finance and Personnel to detail the funding allocated to Coiste na nIarchimí in each year since 2007.

(AQW 23346/11-15)

**Mr Wilson:** Coiste na nIarchimí has been allocated funding under the PEACE III Programme as a sub-partner in the Conflict Transformation from the Bottom Up and Prison to Peace projects led by the Community Foundation for Northern Ireland. The table overleaf details the funding allocated to Coiste na nIarchimí in each year since 2007.

Both positive and negative values are shown. In the management of EU funded projects it is normal practice to make adjustments to Letters of Offer to reflect underspends or budget adjustments. All such adjustments have been reflected.

	Conflict Transformation from the Bottom Up (Phase I)	Prison to Peace (Phase I)	Conflict Transformation from the Bottom Up (Phase II)	Prison to Peace (Phase II)	Total
2007	-	-	-	-	-
2008	-	£183,370	-	-	£183,370
2009	£1,486,528	-	-	-	£1,486,528
2010	-	-£21,705 and -£11,070	-	-	-£32,775
2011	-£105,903	-£2,358 and £9,457	-	-	-£98,804
2012	£57,632 and -£17,523	-£34,704	£319,737	£23,705	£348,847
2013	-	-	£368,979	£69,056	£438,035
<b>Total</b>	<b>£1,420,734</b>	<b>£122,990</b>	<b>£688,716</b>	<b>£92,761</b>	<b>£2,325,201</b>

## Unemployment Benefit Claimant Count

**Mr Swann** asked the Minister of Finance and Personnel how the unemployment benefit claimant count in May 2013 compares with that of May 2007.

(AQW 23373/11-15)

**Mr Wilson:** Table 1 illustrates the latest seasonally adjusted claimant count estimates for Northern Ireland, which were published on 15th May 2013. It also has the equivalent estimate for April 2007 (published in May 2007) and the change over this period.

**Table 1: Seasonally Adjusted Northern Ireland Claimant Count**

April 2007		April 2013		Change	
Total	Working Age Rate	Total	Working Age Rate	Total	Percentage Change
24,900	2.9	64,300	7.1	+39,400	+158.2%

## Unoccupied Private Properties

**Mr P Ramsey** asked the Minister of Finance and Personnel to detail the number private properties, in each constituency, that have been unoccupied since October 2011.

(AQW 23449/11-15)

**Mr Wilson:** The number of private properties, in each constituency, that have been unoccupied since October 2011 is not available. The number of vacant domestic properties that were on the Valuation List at 31st March 2011 and which are still vacant domestic properties on the Valuation List as at 30th April 2013, is available for each district council area and is given in the table overleaf.

Since the introduction of the Rating of Empty Homes legislation on 1st October 2011 the rate liability for vacant domestic properties has been assessed at 100%. There is currently no requirement for ratepayers to inform Land & Property Services that their property is vacant nor is there any financial advantage to doing so. As such, current information on the number of empty domestic properties may not be complete.

Number of Vacant Domestic Properties in Each District Council Area as at 31st March 2011 that were also recorded as Vacant Domestic Properties as at 30th April 2013

District Council	Number of Vacant Domestic Properties
Antrim	358
Ards	823
Armagh	815
Ballymena	482
Ballymoney	298
Banbridge	596
Belfast	3,998
Carrickfergus	297
Castlereagh	413
Coleraine	1,081
Cookstown	569
Craigavon	973
Derry	754
Down	955
Dungannon & South Tyrone	1,290
Fermanagh	1,887
Larne	376
Limavady	467
Lisburn	1,063
Magherafelt	462
Moyle	376
Newry & Mourne	1,529
Newtownabbey	368
North Down	580
Omagh	1,030
Strabane	552
<b>Total</b>	<b>22,392</b>

### Public Sector Employees: Compensation

**Mr Mitchel McLaughlin** asked the Minister of Finance and Personnel to outline the compensation paid to public sector employees in each year since 2007, broken down by (i) sector; and (ii) grade.

**(AQW 23476/11-15)**

**Mr Wilson:** My department, through the central public expenditure database, captures departmental pay costs for the wider public sector at a very broad level. However, this is not broken down into specific sectors or grades. Such detailed information would most likely only be available through individual payroll systems operated by each public sector body.

Although not exactly the specific information requested, the table overleaf shows total Resource Departmental Expenditure Limit pay costs reported by departments in each financial year from 2007-08 to 2012-13. This includes both direct salary costs and indirect costs such as employers' pension contributions.

Department	£000s					
	2007-08 Final Outturn	2008-09 Final Outturn	2009-10 Final Outturn	2010-11 Final Outturn	2011-12 Final Outturn	2012-13 Final Plan
AOCC	181	185	1,149	1,321	1,358	1,238
DARD	107,869	117,932	97,083	107,785	124,871	130,097



Department	£000s					
	2007-08 Final Outturn	2008-09 Final Outturn	2009-10 Final Outturn	2010-11 Final Outturn	2011-12 Final Outturn	2012-13 Final Plan
DCAL	40,056	41,000	47,007	49,306	47,852	52,674
DE	1,281,995	1,293,896	1,348,082	1,399,874	1,401,229	1,455,776
DEL	44,574	47,615	53,988	72,633	69,485	229,419
DETI	44,538	52,259	55,495	58,819	55,631	62,249
DFP	90,172	95,786	107,279	127,231	110,923	114,767
DHSSPS	2,078,912	2,309,886	2,920,412	2,310,261	2,410,505	2,169,813
DOE	71,385	74,171	61,433	73,144	57,060	60,722
DOJ			772,683	780,925	814,101	780,124
DRD	76,557	143,473	127,931	130,133	121,306	121,020
DSD	201,862	221,617	204,095	255,582	199,638	213,142
FSA	1,356	1,291	1,588	1,620	1,525	1,634
NIA	17,772	19,320	22,776	25,583	23,970	23,705
NIAO	7,556	7,625	7,601	7,797	7,723	7,872
NIAUR	0	0	35	20	4,252	4,649
OFMDFM	18,716	25,870	29,967	29,315	28,830	34,023
PPS			17,288	18,333	21,735	21,030
<b>Total</b>	<b>4,083,501</b>	<b>4,451,926</b>	<b>5,875,892</b>	<b>5,449,682</b>	<b>5,501,994</b>	<b>5,483,954</b>

### Resource Departmental Expenditure Limits

**Mr Mitchel McLaughlin** asked the Minister of Finance and Personnel to outline the amount of resource departmental expenditure limit that was allocated to (i) direct salary costs; and (ii) indirectly fund employee costs, in each year since 2007. (AQW 23479/11-15)

**Mr Wilson:** The table below shows total DEL pay costs for Northern Ireland departmental and arm's-length body staff. These include indirect costs such as employer contributions and accrued employee benefits.

	£000s					
	2007-08 Final Outturn	2008-09 Final Outturn	2009-10 Final Outturn	2010-11 Final Outturn	2011-12 Final Outturn	2012-13 Final Plan
<b>Total</b>	<b>4,083,501</b>	<b>4,451,926</b>	<b>5,875,892</b>	<b>5,449,682</b>	<b>5,501,994</b>	<b>5,483,954</b>

My Department does not centrally hold disaggregated information on direct salary costs and indirect employee costs.

### Young People Not in Education, Employment or Training

**Mr Lyttle** asked the Minister of Finance and Personnel how many young people are not in education, employment or training. (AQW 23480/11-15)

**Mr Wilson:** Estimates of young people not in education, employment or training are sourced to the Labour Force Survey (LFS). During the period January - March 2013, the LFS estimated that there were 42,000 young people, aged 16-24, in Northern Ireland who were not in full-time education, employment, or Government supported training which equates to 19.1% of all those aged 16-24.

### Top 100 Companies: Headquarters in Belfast

**Mr Flanagan** asked the Minister of Finance and Personnel to detail the number and proportion of the top 100 companies, active locally, which have headquarters in Britain, for the most recent five years for which data are available. (AQW 23490/11-15)

**Mr Wilson:** Based on turnover information from the NI Annual Business Inquiry (NI ABI) 2011 and location information from the Inter-Departmental Business Register (IDBR), it is estimated that 17 per cent of the top 100 companies active locally in 2011 were headquartered in Great Britain.

Comparable information for previous years is not available as information from the IDBR on the location of companies' headquarters did not differentiate between GB and NI in this respect.

### Manufacturing Sector Employees

**Mr Flanagan** asked the Minister of Finance and Personnel to outline the proportion of those employed in the manufacturing sector in comparison with that for the rest of the island of Ireland, for the most recent five years for which data are available. (AQW 23508/11-15)

**Mr Wilson:** The following table presents the manufacturing sector's share of total employee jobs for Northern Ireland and the Republic of Ireland at Quarter 4 in each of the last 5 years.

Table 1

	Northern Ireland			Republic of Ireland		
	Manufacturing	Total Jobs	% share	Manufacturing	Total Jobs*	% share
Q4 2008	80,000	721,000	11%	198,900	1,713,100	12%
Q4 2009	73,000	711,000	10%	182,100	1,567,800	12%
Q4 2010	74,000	701,000	11%	181,200	1,528,700	12%
Q4 2011	75,000	692,000	11%	181,200	1,534,600	12%
Q4 2012	74,000	693,000	11%	175,300	1,525,100	11%

**Sources:** NI Quarterly Employment Survey. (NISRA)

Earnings, Hours and Employment Costs Survey (CSO)\*- NB this survey excludes Agriculture Forestry and Fishing. For comparative purposes the number of employee jobs in Agriculture, Forestry and Fishing at Q4 2012 in Northern Ireland was 13,000.

### Manufacturing Sector Employees

**Mr Flanagan** asked the Minister of Finance and Personnel to outline the proportion of those employed in the manufacturing sector in comparison with that for Britain, for the most recent five years for which data are available. (AQW 23509/11-15)

**Mr Wilson:** The following table presents the manufacturing sector's share of total employee jobs for Northern Ireland and Great Britain at Quarter 4 in each of the last 5 years.

Table 1

	Northern Ireland			Great Britain		
	Manufacturing	Total Jobs	% share	Manufacturing	Total Jobs	% share
Q4 2008	80,000	721,000	11%	2,415,000	27,308,000	9%
Q4 2009	73,000	711,000	10%	2,368,000	26,627,000	9%
Q4 2010	74,000	701,000	11%	2,310,000	26,509,000	9%
Q4 2011	75,000	692,000	11%	2,304,000	26,754,000	9%
Q4 2012	74,000	693,000	11%	2,366,000	27,081,000	9%

**Sources:** NI Quarterly Employment Survey. (NISRA)

Short term Employment Surveys, (ONS).

### Patton Group

**Mr Allister** asked the Minister of Finance and Personnel what review of procurement policy has resulted from the collapse of the Patton Group and the resulting losses of small and medium-sized subcontractors, which are prevented by current procurement policy from contracting directly with Government and related agencies.

(AQW 23515/11-15)

**Mr Wilson:** Following the collapse of the Patton Group on 6 November 2012, I agreed a range of measures with the Procurement Board to assist the construction industry and, in particular, its subcontractors. These measures, which I announced on 15 November 2012, ensure that:

- Government contracts are not awarded to contractors who:
  - are in administration;
  - habitually fail to pay their subcontractors and suppliers promptly; and
  - submit sub-economic tenders;
- all contractors are signed up to the Construction Industry Forum Northern Ireland (CIFNI) Fair Payment Charter;
- Project Managers check that subcontractors and suppliers are being paid promptly; and
- contractors are paid within 10 days.

In November 2012 I also announced the introduction of the Construction Contracts (Amendment) Act (Northern Ireland). This Act reinforces fair payment to parties subject to construction contracts, including subcontractors.

In January 2013 I announced the introduction of Project Bank Accounts (PBAs). These will be implemented in all construction works contracts let by my department which have a construction value in excess of £1million and which contain a significant subcontracting element. PBAs, as Trust Accounts, will facilitate prompt payment to subcontractors and protect subcontractor payments in the event of a main contractor becoming insolvent.

### Dignity at Work Cases

**Mr Spratt** asked the Minister of Finance and Personnel how many dignity at work cases have been lodged in his Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been successfully resolved.

**(AQW 23555/11-15)**

**Mr Wilson:** The information in respect of the Department of Finance and Personnel can be found in the table below:

TaxYear	Cases Raised in Year	Resolved (Closed)
2008/2009	9	9
2009/2010	11	11
2010/2011	15	14
2011/2012	16	15
2012/2013	6	4
2013/2014	1	
<b>Grand Total</b>	<b>58</b>	<b>53</b>

### People not in Education, Employment or Training

**Mr Swann** asked the Minister of Finance and Personnel to detail the number of people not in education, employment or training, broken down by gender, in each of the last four financial years.

**(AQW 23569/11-15)**

**Mr Wilson:** Estimates of people not in education, employment or training are sourced to the Labour Force Survey (LFS). Please note that the LFS is a sample survey whose estimates are subject to a degree of sampling error. The following table shows the number of persons of working age\* who are not in full-time education, employment, or Government supported training.

	Male		Female		Total	
April 2008 – March 2009	120,000	21.3%	182,000	31.8%	302,000	26.6%
April 2009 – March 2010	130,000	23.0%	185,000	32.0%	315,000	27.5%
April 2010 – March 2011	122,000	21.4%	180,000	31.1%	302,000	26.3%
April 2011 – March 2012	124,000	21.6%	170,000	29.1%	293,000	25.4%

**Source:** Labour Force Survey, January - March 2013

\*Working age refers to those aged 16-64.

## Renewable Energy Jobs

**Mr Dickson** asked the Minister of Finance and Personnel for an update on the number of renewable energy jobs created locally compared to other regions of the UK, since April 2011.

**(AQO 4195/11-15)**

**Mr Wilson:** It is not possible to provide a comprehensive estimate of the number of renewable energy jobs created in Northern Ireland relative to other regions of the UK. This is because renewable energy related activities are not separately identified within the UK Standard Industrial Classification system (SIC2007) used to classify business activity.

However, for information, the number of employee jobs in the electrical power generation, transmission and distribution sector, which includes some renewable energy activity, is provided in table below for the years 2009 and 2011 (the latest available).

### Number of Jobs in Electric Power Generation, Transmission and Distribution

Year	Number of Employee Jobs	Employee Job Change
2009	1043	
2011	949	-94

## Report on Apartments: Northern Ireland Law Commission

**Mr Givan** asked the Minister of Finance and Personnel to outline the steps that his Department will take to progress the recommendations contained in the Northern Ireland Law Commission's report on apartments.

**(AQW 23617/11-15)**

**Mr Wilson:** The Report contains a wide range of recommendations, some of which may require action at an administrative level and some of which may require legislative action. The next step now is to thoroughly assess the recommendations to determine whether they are viable. A number of the recommendations relate to matters within the remit of other Departments and those Departments will be asked to assist with the assessment process.

## Essential Users Fuel Rebate for Hauliers

**Mr McKay** asked the Minister of Finance and Personnel what consideration he has given to introducing an essential users fuel rebate for hauliers.

**(AQW 23630/11-15)**

**Mr Wilson:** Fuel duty is a Reserved Matter for Treasury to determine and the EU Energy Products Directive, which sets the legislative framework for taxation on fuels, also sets a precedent of one duty rate per EU Member State. Therefore we would not be able to change the duty rate or introduce a rebate in Northern Ireland in isolation from the rest of the UK.

My officials have already raised the forthcoming Irish rebate system with their counterparts in the Treasury to explore whether introducing such a system was something the Government was willing to consider in any way. The response from Treasury was that while this sort of system has also been raised with them, it goes against the Government's desire to simplify taxes and reduce burdens and costs on businesses where possible.

Treasury officials also commented that it would not be easy to identify all users of rebated fuel. Therefore administering an accurate register would require extra resource in HMRC which they felt could prove challenging. Also, they indicated that constant assurance activity would be required to monitor the scheme and to combat fraudulent claims which could also result in a loss of revenue. Therefore the Treasury position on this is one that is clearly opposed to introducing any such rebate scheme in the UK.

## HR Connect: Unreasonable Offers of Work

**Mr Weir** asked the Minister of Finance and Personnel what guidance exists to quantify the distance that a person must travel to work to constitute an unreasonable offer of work from HR Connect.

**(AQW 23636/11-15)**

**Mr Wilson:** The policy in relation to Mobility for civil servants is set out in the NICS HR Handbook Section 1.02. (Copy attached) There is no precise definition of the distance a person must travel to work to constitute an unreasonable offer of work, as individual circumstances would be considered against the criteria set out in paragraph 1.4 of the policy.

A copy of the NICS HR Handbook section has been placed in the Assembly Library.

## Civil Servants: Frequency of Job Applications to HR Connect

**Mr Weir** asked the Minister of Finance and Personnel whether there are different regulations or procedures governing the frequency of job applications that civil servants can make to HR Connect, and the frequency of applications from external applicants; and to outline the reasons for this position.

**(AQW 23638/11-15)**

**Mr Wilson:** There are no differences in procedures governing the frequency of job applications for either civil servants or external applicants. The only procedure governing the frequency of applications is that an individual can apply only once per competition.

Civil Servants can apply for any internal or externally advertised competitions for which they deem they meet the requirements.

External applicants can apply for any external competitions for which they deem they meet the requirements.

### **HR Connect: Employment Applications**

**Mr Weir** asked the Minister of Finance and Personnel what restrictions are in place regarding the number of employment applications a person can make to HR Connect for work.

**(AQW 23639/11-15)**

**Mr Wilson:** There are no restrictions to the number of applications an individual can make to HR Connect; individuals can apply for any Northern Ireland Civil Service posts for which they deem they meet the eligibility requirements.

However, an individual can only apply once per competition.

### **Utility Regulator: Chief Executive**

**Mr Copeland** asked the Minister of Finance and Personnel whether he was aware of the intention of the chief executive of the Utility Regulator to leave the organisation before it was publicly announced; and whether the chief executive's decision to leave was related to the recent references to the Competition Commission of local utility companies by the Utility Regulator.

**(AQW 23669/11-15)**

**Mr Wilson:** My Department, as sponsor body for the Utility Regulator, was advised that the Chief Executive intended to leave prior to the public announcement of his decision in this regard.

I have no information, aside from the statements provided in the Utility Regulator's press release, on the reasons for the Chief Executive's decision to leave the organisation.

### **Non-domestic Rates**

**Mr Easton** asked the Minister of Finance and Personnel what more his Department can do to help businesses with non-domestic rates.

**(AQW 23673/11-15)**

**Mr Wilson:** My Department has no plans to provide further relief, however, allow me to explain what has been done to help businesses through the rating system.

Since I took office as Finance Minister this Executive has introduced a Small Business Rate Relief Scheme which has been enlarged and extended on 2 occasions, in recognition of the particular difficulties faced by our smaller local businesses. Last year ratepayers in almost 25,000 non-domestic properties in Northern Ireland benefitted from at least a 20% discount through the Small Business Rate Relief Scheme.

This scheme along with Industrial Derating and other initiatives delivers rate support to over 50% of the business rate payers in Northern Ireland.

Furthermore, empty shops here pay 50% relief when the norm in the rest of the UK is 100%, empty factories pay no rates and 129 businesses have started up in long term empty shops, taking advantage of a 50% discount in the first year of trading.

In addition to these concessions the regional rate here in Northern Ireland has been frozen in real terms throughout the budget period.

Furthermore, work has begun a revaluation of all 72,500 non-domestic properties in Northern Ireland. Once the non domestic revaluation exercise has been completed the updated valuations will be applied to all non domestic properties. These will be known in late 2014, with bills based on these new valuations being issued from 1 April 2015.

The 2015 revaluation exercise will redistribute the rating burden amongst businesses and the impact on individual ratepayers will depend on how much their rental value has changed since then, not in the last couple of years.

As with every Revaluation exercise, there will be winners and losers and many will not find their bills changing much. The last time a general revaluation took place almost three quarters of business ratepayers' rates bill went up or down by less than 20%

I believe that the range of measures described above, combined with the 2015 Revaluation exercise present the right mix of policies that put business needs first, recognising that there are limits to the concessions we can make while still raising enough money to help pay for essential public services and investment in infrastructure.

## Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulation 2011

**Ms Lo** asked the Minister of Finance and Personnel whether a legislative consent motion was offered to his Department by Westminster, to extend the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulation 2011, which allows churches to conduct Civil Partnerships on their premises.

**(AQW 23725/11-15)**

**Mr Wilson:** The United Kingdom Government did not approach my Department in relation to a legislative consent motion concerning the Regulations.

## New Flagpoles

**Mr Dickson** asked the Minister of Finance and Personnel whether his Department owns the buildings on which he has approved the erection of new flagpoles.

**(AQW 23789/11-15)**

**Mr Wilson:** My Department owns 3 of the buildings on which I have approved the erection of new flag poles.

## Public Procurement Contracts: Social Clauses

**Ms Maeve McLaughlin** asked the Minister of Finance and Personnel what oversight processes are in place for the implementation of social clauses in public procurement contracts.

**(AQW 23806/11-15)**

**Mr Wilson:** The implementation of social clauses in public procurement contracts is a Programme for Government (PfG) Commitment. Progress on delivery of this commitment is reported quarterly to the Office of the First Minister and Deputy First Minister.

The Procurement Board monitors progress on the delivery of departmental targets for the implementation of social clauses on a twice yearly basis.

## G8 Summit: Funding Arrangements

**Mr Flanagan** asked the Minister of Finance and Personnel for an update on his meeting with the Chief Secretary to the British Treasury about funding arrangements for hosting the forthcoming G8 summit and ensuring that neither the Executive nor Fermanagh District Council is left with a substantial bill to cover the cost.

**(AQW 23956/11-15)**

**Mr Wilson:** The cost estimates for hosting the G8 summit are still evolving and negotiations continue on apportioning these costs.

At our recent meeting, the Chief Secretary to the Treasury confirmed that the vast majority of policing and security-related costs will be met by UK Government and not the Executive. As might be expected there will be some other costs associated with hosting the G8 event. I will update the Assembly on the G8 costs as part of my Statement on June Monitoring, once this has been endorsed by the Executive.

It is also important to recognise that this event will generate significant revenues for Northern Ireland and especially the Fermanagh region. This needs to be set against the net costs of hosting the conference.

## Department of Health, Social Services and Public Safety

### Independent Health Providers: Funding

**Mr Lunn** asked the Minister of Health, Social Services and Public Safety to outline the proportion of funding provided to independent health providers for the delivery of services in the (i) 2007-08; (ii) 2008-09; (iii) 2009-2010; and (iv) 2010-11 financial years.

**(AQW 21438/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I understand that this question relates to funding provided to independent health providers for the delivery of neurological services.

I am advised by the Health and Social Care Board that it does not hold definitive information at speciality level on spend in 2007/08 and 2008/09. Figures are available thereafter. The proportion of the total budget spent on neurology services which was used to fund neurological services from the independent sector was as follows:

- 2009/10 3.69%
- 2010/11 0.51%

I indicated previously in my response to AQO 3317/11-15, that in 2010/11, no independent sector support was used for neurology services. I wish to clarify that the spend indicated above for 2010/11 relates to neurology services commissioned

from the independent sector in 2009/10 that were delivered in 2010/11. In 2010/11, no new independent sector support was commissioned for neurology services.

### Specialist Beds: Delivery

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety how many patients in each Health and Social Care Trust are awaiting delivery of specialist beds to enable them to continue living at home.

**(AQW 22526/11-15)**

**Mr Poots:** The generic descriptor "specialist beds" can be used to describe any of the wide and complex range of non-standard beds used in delivering HSC services. These would include for example: hospital-type beds, hi-lo beds, tilting beds, beds with pressure relieving gel mattresses, and bariatric beds. Therefore, it is not possible to answer this question with the requisite degree of accuracy at this juncture.

However, I have asked that my officials work the Health and Social Care Board and Trusts to agree a definition of "specialist beds" for the purpose of undertaking a short exercise on this topic. I will write to the member at a later date.

### eHealth and External Collaboration of the Health and Social Care Board: Regional Director

**Mr Swann** asked the Minister of Health, Social Services and Public Safety who was the regional director of eHealth and external collaboration of the Health and Social Care Board prior to the current incumbent.

**(AQW 23185/11-15)**

**Mr Poots:** The post of Regional Director of eHealth and External Collaboration of the Health and Social Care Board is a new post which was developed to meet emerging needs under Transforming Your Care and to enhance strategic leadership in this high priority area. The current incumbent is consequently the first in this post.

### Cardiac Physiologists

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety what steps he is taking to establish a registered professional body for cardiac physiologists; and for his assessment of the impact on safety for both professionals and patients resulting from the absence of such a body.

**(AQW 23284/11-15)**

**Mr Poots:** The establishment of a professional body is a matter to be addressed by the relevant professional group.

The Professional Standards Authority for Health and Social Care (PSA) oversees statutory bodies that regulate health and social care in the UK. The Authority also sets standards for and accredits voluntary registers held by professional bodies for professional groups that are not covered by statutory regulation. This could include professional organisations holding a voluntary register of clinical physiologists.

The PSA has not as yet accredited a register of clinical physiologists as it has not received an application from a professional organisation holding a Voluntary Register for this group.

In relation to the safety of professionals and patients, the key impact on safety is the competence of the practitioner and the standard of service provided rather than the existence of a registered professional body. It is the responsibility of HSC employers to ensure that all staff whether regulated or not, only undertake tasks for which they are fully trained and deemed competent. The employer is accountable for the standard of care delivered to patients and service users, and is also responsible for ensuring that employees clearly understand and are working within their area of competence.

### Residential Care: Bed Numbers

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety what are his Department's estimated requirements for residential care bed numbers per 1000 of the population aged over 65 (i) currently; and (ii) when Transforming Your Care is implemented.

**(AQW 23300/11-15)**

**Mr Poots:** The number of residential care packages in effect for the Elderly Programme of Care (elderly mentally infirm and mainstream elderly clients) at 31 March 2013 was 2,827 or 10.6 packages per 1,000 of the population aged 65 and over. At 31 March 2013, there were 16.7 approved places for residential care per 1,000 of the population aged 65 and over in Northern Ireland. This figure is based on total RQIA-approved places for residential care in Northern Ireland for all Programmes of Care. A specific Elderly figure for approved places is not available. It is anticipated that demand will continue to decline for this type of care.

On 3 May 2013 I called a halt to Trusts' processes for closure of statutory residential homes for older people. The HSC Board will now lead a new process for consultation, engagement and implementing change. I want to ensure that older people receive the best care possible, within available resources, and in an environment that best meets their assessed care needs. The majority of people want to be supported so that they can stay at home for as long as possible. Planning for change is essential, if independent living is to be promoted and people are to be treated with the dignity and respect they deserve. There will always be some need for residential care homes. The HSC Board-led process will assist in our understanding of what is required for older people within the statutory sector. However, I should emphasise that in social care generally, a

mixed economy of care which involves the voluntary/community, independent and statutory sector organisations is likely to be the most sustainable model for the future, having regard to demographic pressures.

### Mental Health Issues: Funding

**Mr Spratt** asked the Minister of Health, Social Services and Public Safety to detail the funding allocated to tackling mental health issues in this mandate.

**(AQW 23307/11-15)**

**Mr Poots:** Planned recurrent expenditure in respect of the Mental Health Programme of Care is provided in the table below. Information for 2014/15 is not yet available.

Financial Year	Planned recurrent expenditure £m
2011/12(1)	238
2012/13(2)	237
2013/14	247

**Notes:**

- (1) Actual expenditure for 2011/12 amounted to £251.5m, which included spend by HSC trusts, HSCB, PHA and other providers
- (2) Actual expenditure for 2012/13 not yet available. However, £3m of additional funding was made available during 2012/13.

### Northern Health and Social Care Trust

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 21824/11-15, whether he was made aware of discussions at board level in the Northern Health and Social Care Trust on 28 March 2013 and 25 April 2013, where it is reported that the medical director stated there were issues, relating to the delivery of stroke lysis to patients, due to the abilities of the medical staff that were on site.

**(AQW 23309/11-15)**

**Mr Poots:** I can advise that my Department has not been advised of any issues with regards to the delivery of thrombolysis treatment to stroke patients in the Northern HSC Trust.

### Stroke Lysis Treatment

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the process for reviewing decisions not to administer stroke lysis treatment on medical grounds.

**(AQW 23310/11-15)**

**Mr Poots:** I have been advised that in all Trusts decisions to administer stroke lysis treatment, or not, are made by appropriately trained and experienced clinicians and are based on clinical expertise and guided by the regional thrombolysis protocol.

Those patients for whom a decision is made not to administer stroke lysis treatment are normally transferred to Stroke wards where the decision will be reviewed routinely by medical staff subsequently involved in their care (usually stroke unit staff). In addition, in the Western Trust, lysis review meetings are held after every fourth case is lysed.

All Trusts facilitate discussion of difficult thrombolysis decision cases at weekly / monthly meetings to allow for a review / audit of decision making in these situations.

### Antrim Area Hospital: Stroke Lysis Treatment

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail when, between 1 April 2012 to 31 March 2013, that the Antrim Area Hospital accident and emergency department had no staff on duty that were qualified to administer stroke lysis treatment.

**(AQW 23311/11-15)**

**Mr Poots:** The Northern Health and Social Care Trust is responsible for the provision of clinical interventions and care for patients at Antrim Area Hospital.

I have been advised by the Trust that Emergency Department Staff do not administer lysis therapy. The treatment is administered by medical staff at registrar level or above, who cover the hospital at all times of the day and night. This team is also covered by a Consultant on Call lysis rota covering 24 hours per day, 365 days per year.



## Neurological Services

**Mr Lunn** asked the Minister of Health, Social Services and Public Safety to detail the amount paid to private health care companies for the provision of neurological services, on behalf of each Health and Social Care Trust, in (i) 2009/10; and (ii) 2010/11.

**(AQW 23320/11-15)**

**Mr Poots:** I have been advised by the Health and Social Care Board that the amount paid to private health care companies for the provision of neurological services on behalf of each Health and Social Care Trust in 2009/10 and 2010/11 is as follows:

	2009/10	2010/11
Belfast HSC Trust	£371,025	Nil
Northern HSC Trust	£62,265	£2,013
South Eastern HSC Trust	£102,554	£29,413
Southern HSC Trust	Nil	Nil
Western HSC Trust	£223,841	£77,620
<b>Total</b>	<b>£759,685</b>	<b>£109,046</b>

The spend for 2010/11 relates to neurology services commissioned from the independent sector in 2009/10 and delivered in 2010/11.

## Parkinson's Disease: Diagnosis

**Mr Lunn** asked the Minister of Health, Social Services and Public Safety (i) what guidance his Department has given to Health and Social Care Trusts to ensure that diagnosis of Parkinson's disease is carried out by a neurologist or geriatrician, in line with the National Institute for Health and Care Excellence guidelines; and (ii) for his assessment of the implementation of this guidance by the trusts.

**(AQW 23385/11-15)**

**Mr Poots:** In June 2007, my Department issued Circular HSC (SQSD) (NICE) 23/07 endorsing NICE Clinical Guideline CG35 and the Department expects HSC Trusts to take account of such guidance when delivering its services to people diagnosed with Parkinson's disease.

While NICE's recommendations do not specify which expert specialists referral should be made to, in NI an initial diagnosis of Parkinson's disease is made by a neurologist in respect of younger patients and generally by a neurologist or a geriatrician in cases of older patients.

Furthermore, all five HSC Trusts have Parkinson's Disease Nurse Specialists in post who see patients from diagnosis through to palliative care, and provide a central point of contact for patients and their families.

## Parkinson's Disease/Other Neurological Conditions

**Mr Lunn** asked the Minister of Health, Social Services and Public Safety for his assessment of the time taken for people diagnosed with Parkinson's disease, and other neurological conditions, to be referred to a neurologist or geriatrician, in line with the National Institute for Health and Care Excellence guidelines.

**(AQW 23387/11-15)**

**Mr Poots:** If a diagnosis of Parkinson's disease is suspected by a patient's General Practitioner, a referral is made to local HSC services and patients should be seen within a maximum of 18 weeks in line with new referrals for other conditions. However, if a GP considers that a patient needs to be seen sooner than this, then an urgent referral can be made to local HSC services.

## Parkinson's Disease/Other Neurological Conditions

**Mr Lunn** asked the Minister of Health, Social Services and Public Safety for his assessment of the performance of Health and Social Care Trusts in ensuring that people with Parkinson's disease, and other neurological conditions, are seen by a neurologist or geriatrician with sufficient regularity, in line with the National Institute for Health and Care Excellence guidelines.

**(AQW 23388/11-15)**

**Mr Poots:** Parkinson's disease is a progressive long term condition and patients are reviewed by an appropriate clinician in line with clinical need. In between such visits, if the patient or their family have any concerns then they are encouraged to contact the Parkinson's Disease Nurse Specialist directly who can provide timely advice and guidance on a range of issues, including symptom management.

## Parkinson's Disease: Speech and Language Therapists

**Mr Lunn** asked the Minister of Health, Social Services and Public Safety for his assessment of the performance of the Health and Social Care Trusts in ensuring that appropriate referrals are being made to speech and language therapists for people diagnosed with Parkinson's disease, in line with the National Institute for Health and Care Excellence guidelines.

**(AQW 23390/11-15)**

**Mr Poots:** Referral to speech and language therapy services is based on the assessed clinical need of the patient. This applies to people diagnosed with Parkinson's Disease whereby such a referral is made if it is deemed clinically appropriate for the individual concerned.

Access to speech and language services is organised through community services or day hospitals depending on prevailing arrangements in the local health and social care trust. Performance against this availability is monitored monthly across the Trusts against the nine week access target.

## Parkinson's Disease: Diagnoses

**Mr Lunn** asked the Minister of Health, Social Services and Public Safety for his assessment of the treatment provided by Health and Social Care Trusts for people diagnosed with Parkinson's disease, particularly in terms of physiotherapy and occupational therapy, in line with the National Institute for Health and Care Excellence guidelines.

**(AQW 23392/11-15)**

**Mr Poots:** Referral to physiotherapy and occupational therapy services is based on the assessed clinical need of the patient concerned. This also applies to people diagnosed with Parkinson's disease and a referral is made if it is deemed clinically appropriate for the individual concerned. Access to these services is organised through community services or day hospitals depending on local HSC Trust arrangements.

Performance against this availability is monitored monthly across the Health and Social Care trusts against the nine week access target.

## Cancer Services: Ring-fenced Fund

**Mr Weir** asked the Minister of Health, Social Services and Public Safety for an update on the establishment of a ring-fenced fund for cancer services, and any other specialist ring-fenced funds.

**(AQW 23398/11-15)**

**Mr Poots:** I am continuing to consider means of increasing access to new drugs for cancer and other conditions.

## Tourette's Disorder

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety what support and signposting processes are in place for people living with Tourette's disorder.

**(AQW 23411/11-15)**

**Mr Poots:** In the event of a person with Tourette's Disorder being referred into services they will be assessed and signposted at Primary Mental Health Care level to the relevant existing services in general Psychiatry/Psychology.

## Royal Hospitals Site, Belfast: New Women's and Children's Hospital

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety for an update on the new women's and children's hospital at the Royal Hospitals site, Belfast; and what services will be available in the hospital.

**(AQW 23461/11-15)**

**Mr Poots:** The women and children's hospitals are now being progressed as two separate projects. The new Women's hospital will be located in the top 3 floors of the new Critical Care building, together with a new maternity building, linked to the Critical Care building.

The anticipated completion date for the new critical care block is now February 2014. Work on the new Maternity building has commenced with completion currently scheduled for 2016/17.

Services to be provided within the Maternity include post natal beds and outpatient services on the top three floors of the Critical Care building, with delivery theatres, birthing rooms, antenatal services and neonatology provided from the new build, which is to be linked to the main building by a bridge.

With regard to the Children's Hospital, a business case is currently being developed by the Belfast Health and Social Care Trust and is expected to be submitted to my Department in August 2013. The full range of services to be provided will be determined through the development of this business case.

I have raised the issue of funding for the Children's Hospital with Minister Wilson who had indicated his broad support for the project.

## Endometriosis

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to outline (i) his Department's; (ii) the Health and Social Care Trust's; and (iii) the Public Health Agency's policy on endometriosis.

**(AQW 23468/11-15)**

**Mr Poots:** Endometriosis is a gynaecological condition that is dealt with by GPs and consultant gynaecologists using their clinical judgement.

Within the 5 Health and Social Care Trusts patients with suspected endometriosis can be referred by their GP for diagnosis and treatment by a consultant gynaecologist. There are both medical and surgical options for treatment.

Patients with fertility issues associated with endometriosis are seen in dedicated fertility clinics. My Department is currently reviewing NICE Clinical Guidance CG 156 on fertility which contains recommendations on the treatment of endometriosis associated with infertility and is continuing to assess the financial impact of implementing this guidance in Northern Ireland.

The Public Health Agency does not have a specific policy on endometriosis.

## Endometriosis: Diagnoses

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety what services are available in each Health and Social Care Trust for people diagnosed with endometriosis.

**(AQW 23470/11-15)**

**Mr Poots:** Patients diagnosed with endometriosis in Northern Ireland are referred to a gynaecologist for appropriate treatment. Treatment options will depend on the woman's symptoms, and also if infertility is a concern.

Patients with fertility issues associated with endometriosis are seen in dedicated fertility clinics.

## Northern Ireland Ambulance Trust: Emergency Medical Technicians and Paramedics

**Mr Swann** asked the Minister of Health, Social Services and Public Safety (i) to outline the current status of the negotiations on the salary banding of emergency medical technicians and paramedics in the Northern Ireland Ambulance Trust; (ii) how long these negotiations have been ongoing; (iii) to outline the reasons for any delay; and (iv) when the new salary bands will be applied to staff grades.

**(AQW 23474/11-15)**

**Mr Poots:** I am advised that:

- (i) Similar to other Agenda for Change posts where the partners in the process were unable to agree a job match, the Emergency Medical Technicians and Paramedics posts are being subjected to full Job Evaluation;
- (ii) The Trust commenced the process to identify agreed job matching outcomes in order to assimilate Paramedics, RRV Paramedics and Emergency Medical Technicians from Whitley pay scales to Agenda for Change pay bands in December 2004;
- (iii) Despite following due regional and national processes and significant effort by the key partners involved, the Trust has been unable to conclude the process and produce agreed outcomes. The partners in this process agreed in February 2013 that the posts should be referred to the Regional Quality Assurance Job Evaluation Panel but this panel has been unable to meet because of the unavailability of one of its members; and
- (iv) Whether or not new salary bands apply will depend on the outcomes of the Job Evaluation Process. However Paramedics and Rapid Response Paramedics and Emergency Medical Technicians are being paid on account without prejudice on Agenda for Change pay bands. Paramedics and Rapid Response Paramedics are being paid a Band 5 salary and Emergency Medical Technicians are being paid a Band 4 salary.

## Physiotherapy: Self-referrals

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether self-referrals to physiotherapy will be implemented as part of Transforming Your Care; and to outline the projected savings achieved by a self-referral process.

**(AQW 23481/11-15)**

**Mr Poots:** A key element of Transforming Your Care is promoting the local availability of services. TYC: Vision to Action detailed the proposed move towards providing services closer to home with improved accessibility to locally delivered services and a patient-centred approach to care provision.

As part of the Transforming Your Care Programme a project is currently being scoped for direct referral to physiotherapy. A project initiation document is currently being developed for the project which will be established within the programme governance arrangements of the TYC programme. The first phase of the project will assess the potential impact and benefits associated with implementation of a direct referral service.

## Waiting List Initiative

**Mr Spratt** asked the Minister of Health, Social Services and Public Safety, in relation to the waiting list initiative, on surgery or medical interventions which were carried out outside Northern Ireland, excluding cardiac surgery or other procedures that cannot be performed here because of a lack of expertise or available specialist facility, to detail the total spend on (i) patient travel costs; and (ii) hotel accommodation and subsistence, including those for the person that accompanied the patient when they travelled, for each of the last three years.

**(AQW 23491/11-15)**

**Mr Poots:** I have been advised by the Southern, South Eastern and Western Health and Social Care Trusts that they incurred the following costs in 2012/13. The Trusts did not incur costs in 2010/11 and 2011/12.

<b>Southern Health and Social Care Trust</b>	<b>Patient travel costs £18,000. Hotel Accommodation Costs and subsistence (including those accompanying the patient) £43,000.</b>
South Eastern Health and Social Care Trust	Total cost of travel, accommodation and subsistence £2,200 - £1,650 patients' costs and £550 carers' costs.
Western Health and Social Care Trust	Total of all travel costs £2570, including accommodation for nine nights. There were no subsistence costs.

The Northern Health and Social Care Trust did not refer any patients outside Northern Ireland for treatment in this three year period.

The Belfast Health and Social Care Trust is unable to identify these costs separately, as invoices received included the cost of treatment, diagnosis, travel and subsistence. To separate out cost of travel and subsistence could only be done at disproportionate cost given the number of invoices involved.

## Genitourinary Medicine Clinic

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety to detail the rationale behind advertising in the 'Belfast Telegraph' for two consultants for the genitourinary medicine clinic; and whether the posts were advertised elsewhere.

**(AQW 23546/11-15)**

**Mr Poots:** Locum Consultant Physician in Genitourinary & HIV Medicine (2 posts) was advertised in the Belfast Telegraph and on the health and social care recruitment website 'HSCRecruit' on 14 May 2013 and the British Medical Journal (BMJ) on 18 May 2013 which is in line with the Trust's normal advertising process for medical posts.

## Sexual Health Promotion Strategy and Action Plan 2008-2013

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety what plans there are for extending the sexual health promotion strategy and action plan 2008-2013; and whether there will be a new consultation.

**(AQW 23548/11-15)**

**Mr Poots:** I have recently agreed to extend the Sexual Health Promotion Strategy and Action Plan 2008-2013 until the end of 2015. This will involve a review of progress over the period 2008 to 2013, and consideration of new evidence and research that has emerged since 2008. Where appropriate, this will then inform the development of a limited number of new actions.

Extension of the Strategy to 2015 does not entail the development of new policy and, therefore, will not be subject to public consultation. There will, however, be targeted consultation through engagement with the Sexual Health Promotion Network. New policy will be developed for 2016 onwards. This will be subject to public consultation.

## Dementia

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety what his Department is doing to assist people and families living with dementia.

**(AQW 23550/11-15)**

**Mr Poots:** As you will be aware I published a Dementia Strategy for Northern Ireland in November 2011. The HSC Board and Public Health Agency jointly lead a regional group, which includes people with dementia and their carers, to oversee implementation of the Dementia Strategy and its recommendations across NI. The group has drawn up an Action Plan which is used to report progress in the implementation of the strategy to the Department. The action plan contains 45 initiatives which are being progressed under various headings such as Reducing the Risk or Delaying the Onset of Dementia, Raising Awareness, Promoting Early Assessment and Diagnosis, Supporting People with Dementia and Supporting Carers.

The HSCB has allocated £1m recurrent funding to help with the implementation.

### First Respondents of Road Traffic Accidents: Portable Oxygen

**Ms McGahan** asked the Minister of Health, Social Services and Public Safety whether provision for portable oxygen will be made available to first respondents of road traffic accidents, such as the PSNI, particularly in rural areas where the travel distance, to and from hospitals, often exceeds 15 to 20 minutes.

**(AQW 23563/11-15)**

**Mr Poots:** Portable oxygen is carried on all Northern Ireland Ambulance Service (NIAS) and Northern Ireland Fire and Rescue Service emergency response vehicles. Some specialist Police Service of Northern Ireland vehicles carry portable oxygen although not routinely for several reasons, including the safety implications of the presence of live firearms.

However, NIAS has sole responsibility for transporting patients from accidents or other incidents to hospital, irrespective of journey time, and its vehicles are configured for administering oxygen when necessary during long-distance transfers.

### Mid Ulster Hospital Minor Injury Unit

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety, in light of past projections that stated that 70% of patients, who previously used the Mid Ulster accident and emergency department still use the minor injury unit, what extra measures or services he has identified as being required to ensure that these service users can continue to use the Mid Ulster Hospital minor injury unit and other services.

**(AQW 23564/11-15)**

**Mr Poots:** The provision of services at the Mid Ulster Hospital is a matter for the Northern Health and Social Care Trust.

The Trust has advised that the minor injuries unit in the Mid Ulster Hospital continues to provide a service 9am to 5pm, Monday to Friday excluding bank holidays. The Trust is currently reviewing the minor injuries model to ensure that the service's workforce plan will meet the needs of the population taking into account any increase in attendances to the minor injuries unit. Training plans are completed every year to ensure staff maintain and enhance their skills.

In addition to the minor injuries unit, the Trust has invested and improved other services in the Mid Ulster Hospital. The Rehabilitation Ward has transferred to an area within the hospital which has been refurbished to enable effective rehabilitation and improved patient and user experience with physiotherapy and occupational therapy areas adjacent to the inpatient ward.

### Antrim Area Hospital: Accident and Emergency Department

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety how the projected figure of 90,000 patients processed per year at the new accident and emergency department at Antrim Area Hospital was calculated.

**(AQW 23565/11-15)**

**Mr Poots:** The new emergency department at Antrim Area Hospital will cater for up to 90,000 attendances per annum. When developing the business case for the new emergency department, the Northern Health and Social Care Trust calculated that the projected annual number of attendances would be almost 84,000 by 2018. This calculation was based on a combination of the number of attendances at Antrim Area Hospital plus the anticipated number of attendances expected to transfer to Antrim Area Hospital from Mid Ulster and Whiteabbey Hospitals following reconfiguration of their emergency departments to minor injuries units, giving a projected number of attendances at Antrim Area Hospital of almost 78,000. Northern Ireland Statistics and Research Agency population projections were then applied to the total to reach a final figure.

Based on the projected number of almost 84,000 attendances by 2018 it was agreed the size of the new emergency department at Antrim Area Hospital would be based on Health Building Note 22 guidance for an emergency department seeing 90,000 attendances a year.

### Skeagh House: Residents

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many residents have been housed in Skeagh House, in each of the last five years.

**(AQW 23588/11-15)**

**Mr Poots:** The information requested is not collected centrally and was requested from the Southern Health and Social Care (HSC) Trust. Their response is provided below.

#### Number of Permanent Residents in Skeagh House at 31 March

Year	Permanent Residents
2013	11*
2012	17
2011	17
2010	17
2009	27

\*Position at 27 March 2013 due to temporary closure of Skeagh House on this date

### **North Down: Epilepsy Diagnoses**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many people in North Down are diagnosed with epilepsy.

**(AQW 23597/11-15)**

**Mr Poots:** Under the Quality & Outcomes Framework (QOF), GPs maintain a register of the number of patients aged 18 and over who are currently on drug treatment for epilepsy. As at 31 March 2013, there were 642 patients on the epilepsy registers of GPs located in North Down constituency.

This figure has been determined based on the constituency in which the GP practice is located; it should be noted that patients may not reside in the constituency in which their practice is located.

### **Community Care Workers: Fuel Allowance and Vehicle Wear and Tear**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22687/11-15, what are the new mileage rates.

**(AQW 23602/11-15)**

**Mr Poots:** The new mileage rates from 1 July 2013, for all HSC staff employed under Agenda for Change terms and conditions, will be 67 pence per mile for the first 3,500 miles and 24 pence per mile thereafter.

### **Belfast City Hospital: Windsor House**

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to outline the reasons for the delay in closing Windsor House in Belfast City Hospital; and how much the delay has cost to date.

**(AQW 23607/11-15)**

**Mr Poots:** There are still services based in Windsor House and it is anticipated that these services will remain in place until the end of August 2013. There is no delay in closing Windsor House. Demolition of the site is scheduled to begin in spring next year with the new build expected to be completed in late 2016.

### **Waringstown Branch Surgery: Temporary Closure**

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for an update on the temporary closure of the Waringstown Branch Surgery.

**(AQW 23631/11-15)**

**Mr Poots:** I understand that representatives from Donaghcloney Surgery and the Health and Social Care Board met with the Landlord's representative in September 2012 to discuss the temporary closure of the branch surgery in Waringstown. At that meeting the landlord's representative had indicated that the landlord would consider the potential for refurbishment of the current premises.

Following further discussions between Donaghcloney Surgery and the landlord, on whether refurbishment of the Waringstown premises would be a viable option to ensure the future provision of General Medical Services, I understand that the landlord is currently working towards providing the Practice with more detailed plans for the potential improvement of these premises.

### **Clinical Psychologists: Adult Autism-Specific Service Provision**

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22081/11-15, whether any of £500,000 additional investment to support adult autism-specific service provision will be used for clinical psychologists.

**(AQW 23647/11-15)**

**Mr Poots:** The Health and Social Care Board advise that there has been a small (1.3wte) additional investment in clinical psychology.

The additional investment is primarily to be directed towards developing service capacity which promotes independence, provides general social support, promotes individual capacity (e.g. mentoring, life skills coaching) and pro-actively secures the input of other agencies e.g. employment, training, housing and higher and further education.

Consensus from a series of workshops held in March 2013 has identified these areas as priority to focus the additional investment upon.

### **Hospital 'Never Events'**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 23038/11-15, for his assessment of the need to have this information readily available.

**(AQW 23661/11-15)**

**Mr Poots:** I am satisfied that whilst information on 'never events' is not readily available it could be obtained, if required, via the HSC Board's Serious Adverse Incident (SAI) Reporting System. This system does not require the formal reporting of 'Never Events'. However, incidents such as those defined by the National Patient Safety Agency (NPSA) as 'Never Events' do fall within the SAI reporting criteria and consequently are captured under that system.

### **Parole Commissioners: Marian Price**

**Mr Givan** asked the Minister of Health, Social Services and Public Safety what steps the South Eastern Health and Social Care Trust has taken to assure Parole Commissioners that appropriate medical care for Marian Price would allow her return to prison from hospital.

**(AQW 23709/11-15)**

**Mr Poots:** The South Eastern Health and Social Care Trust has had no conversations or engagement with the Parole Commissioners on this issue.

### **Health and Social Care Staff: Travel Allowances**

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety to detail the travel allowances available for Health and Social Care staff, broken down by the rate payable for each staff grade; and how much has been paid to each grade in each of the last three years.

**(AQW 23738/11-15)**

**Mr Poots:** The travel allowances paid to Health and Social Care staff is not dependent on the staff grade and consequently the information is not available in that format and could only be obtained at a disproportionate cost

### **Health and Social Care Staff: Travel Allowances**

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety how his Department informs Health and Social Care staff of the benefits of travel allowances in relation to their level of taxation.

**(AQW 23739/11-15)**

**Mr Poots:** Health and Social Care staff are reimbursed for business travel expenses by their employers; this may have an impact on their tax code but that is a matter for each individual and HMRC

### **Central Investigation Service**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety whether he has commissioned the Department of Agriculture and Rural Development's central investigation service to complete any work for his Department, in the last two years.

**(AQW 23778/11-15)**

**Mr Poots:** DHSSPS has commissioned the Department of Agriculture and Rural Development's Central Investigation Service on one occasion over the past two years. This was to review a number of issues in relation to overtime and travel/subsistence claims that were submitted by Northern Ireland Fire and Rescue Service staff participating in a Wholetime Recruitment programme. The purpose of the review was to assess whether these issues constituted actual, attempted or suspected fraud and whether they merited investigation.

The assessment was completed August 2012.

### **A5 Scheme: Funding**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety what response he has given to proposals to reallocate the funding for the A5.

**(AQW 23807/11-15)**

**Mr Poots:** With regard to funds surrendered in respect of the A5 road project, to date, DFP is focusing on managing the reallocation of funding via the normal in-year monitoring process. As such, in June Monitoring I will be submitting a range of capital bids.

### **Regional Psychosexual and Gender Identity Service**

**Ms Lo** asked the Minister of Health, Social Services and Public Safety when the regional psychosexual and gender identity service will resume its service provision and treatment for new patients.

**(AQW 23856/11-15)**

**Mr Poots:** The Health and Social Care Board has advised that following the provision of additional investment in the Gender Identity Service referrals to the service will resume on 10th June 2013.

## Department of Justice

### Northern Ireland Prison Service: Prisoner Attendance at Funerals

**Lord Morrow** asked the Minister of Justice to outline the findings of the Northern Ireland Prison Service review into the way applications for prisoner attendance at funerals of close family members are assessed.

(AQW 23068/11-15)

**Mr Ford (The Minister of Justice):** The Prison Service has examined the way in which applications for prisoner attendance at funerals of close family members are considered. There is no intention to change the methodology currently used to risk assess prisoners.

### Northern Ireland Prison Service: Hot or Cold Debriefs

**Lord Morrow** asked the Minister of Justice, in relation to no hot debrief occurring following the near death of Prisoner 'Mr C' and no follow up checks were made on the well-being of the member of staff, who found the prisoner, given that the Northern Ireland Prison Service responses at (27) and (18) respectively to issues of concern arising from the deaths in custody of Samuel Carson and Frances McKeown on 4 May 2011 at Hydebank, to detail (i) why no follow-up checks were carried out; and (ii) the reasons for no reference being made to hot or cold debriefs at (27) of the responses concerning Samuel Carson.

(AQW 23174/11-15)

**Mr Ford:** I can confirm that health and well-being checks occurred on a number of occasions in relation to the member of staff who found prisoner C. These were carried out by Maghaberry Personnel Governor as well as the NIPS welfare officer.

Due to an administrative oversight, reference to hot and cold de-briefs were omitted from NIPS' response at item 27 of the report. However, I can confirm that following the death of Samuel Carson a related hot de-brief was held on 4 May 2011 and a related cold de-brief was held on 17 May 2011.

### Northern Ireland Prison Service Staff: Training

Lord Morrow asked Minister of Justice, in relation to the Prisoner Ombudsman's report into the near death of Prisoner 'Mr C' at Maghaberry Prison in February 2012, whether he will now ensure that urgent steps are taken to address any outstanding training among Northern Ireland Prison Service staff so as there is no recurrence of this nature.

(AQW 23176/11-15)

**Mr Ford:** Priority training in Supporting Prisoners at Risk (SPAR) and Applied Suicide Intervention Skills (ASIST) is currently being delivered for each prison

### Prisoners: Compassionate Bail

**Lord Morrow** asked the Minister of Justice, how many prisoners have been granted compassionate bail, and of these how many (i) absconded; and (ii) breached the terms of release.

(AQW 23178/11-15)

**Mr Ford:** Compassionate bail is granted by the court on application from a prisoner remanded in custody. Once a prisoner is sentenced any application for compassionate release is considered by the prison Governor. Sentenced prisoners can apply for a judicial review of the Governor's decision.

The table below details the number of prisoners granted compassionate bail by the court during the last two calendar years and includes the number who absconded during this period. It is not possible to provide the number of prisoners who may have breached the terms of their release in other ways as the Northern Ireland Prison Service (NIPS) may not be informed of this.

	2011	2012P
Number of prisoners granted compassionate bail	143	149
Number of prisoners who absconded while on compassionate bail	17	10

**Source:** Northern Ireland Courts and Tribunals Service and NIPS

P Data is currently provisional

### PSNI: Front Line Services

**Mr Elliott** asked the Minister of Justice whether agency staff contracted by the PSNI who perform front line services are subject to the same complaints procedure as police officers and civilian support staff.

(AQW 23196/11-15)

**Mr Ford:** The terms and conditions, including the complaints procedure, of any agency staff contracted by PSNI are operational matters for the Chief Constable, who is accountable to the Northern Ireland Policing Board.



I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board and, as such, it would be inappropriate for me to comment upon employment matters including the complaints procedure for any police officers or staff contracted or employed by the PSNI.

### Prisoners: Illegal or Non-prescribed Drugs

**Lord Morrow** asked the Minister of Justice to detail how many prisoners caught with illegal or non-prescribed drugs whilst in custody were reported to the PSNI with a view to prosecution for possession or supplying drugs, broken down per prison, in each of the last three years.

(AQW 23221/11-15)

**Mr Ford:** Table A below lists the number of inmates, in the last three years, who were caught in possession of illegal or non-prescribed drugs whilst in custody, and who were subsequently referred to the PSNI for investigation.

TABLE A

YEAR	Maghabery	Magilligan	Hydebank	Total
2010	13	2	1	16
2011	7	0	6	13
2012	5	7	1	13
2013 *	6	3	4	13
<b>Total</b>	<b>31</b>	<b>12</b>	<b>12</b>	<b>55</b>

\* January to April 2013

### World Police and Fire Games 2013

**Mr Weir** asked the Minister of Justice what support his Department is providing to the PSNI for entering teams in the World Police and Fire Games 2013.

(AQW 23229/11-15)

**Mr Ford:** My Department has not provided any additional support to the PSNI in respect of this event.

The release of personnel is an operational matter for the Police Service of Northern Ireland and I am committed to respecting the operational independence of the police.

### Mental Health Prison Wing or Unit

**Lord Morrow** asked the Minister of Justice whether consideration has been given to allocating a prison wing or unit which would house only persons with a mental-health illness who have been remanded or sentenced, staffed by prison officers and medical teams, which operates as a combined secure facility and psychiatric unit.

(AQW 23262/11-15)

**Mr Ford:** At present, in Maghaberry, a landing located within Quoile House accommodates both remand and sentenced prisoners who are considered to be vulnerable or at risk of self injury. This landing is staffed by prison officers and supported by Healthcare staff employed by South Eastern Trust.

Prisoners with serious mental health illness would be assessed by the Mental Health Team and depending on the diagnosis those identified to have a mental illness could be placed in either the Healthcare Inpatient Unit or transferred to an external psychiatric facility.

### Prisoners/Staff Members: Assaults

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22432/11-15, whether a prisoner, staff member or other was assaulted, and whether injury was sustained.

(AQW 23265/11-15)

**Mr Ford:** I can confirm that three members of staff sustained injuries as a result of this incident.

### Lurgan: Sexual Offences

**Lord Morrow** asked the Minister of Justice whether he will order a serious case review into the circumstances of David Paige after he was charged with further sexual offences in Lurgan, specifically in relation to why he was residing in close proximity to several schools, and whether this was approved by the relevant monitoring agencies.

(AQW 23266/11-15)

**Mr Ford:** The agencies responsible for operating the public protection arrangements will be considering at their Strategic Management Board later this month if a serious case review is appropriate in this case in the light of new criminal charges.

### Defaulters: Collection of Fines

**Mr Weir** asked the Minister of Justice to outline the strategies his Department is pursuing to ensure the collection of fines from defaulters.

**(AQW 23283/11-15)**

**Mr Ford:** I have a strategy already under way, made up of both short and long term initiatives, to improve the collection of fines, to prevent default in the first instance, and to reduce the level of imprisonment for non-payment.

A Fine Collection Scheme has been successfully operating in the courts since 2009 to remind people of payment dates and to encourage payment and prevent default. This approach has resulted in 28% more defendants making payment with over £4.9 million collected without the need for any police enforcement.

Two Supervised Activity Order (SAO) pilots – an arrangement whereby individuals complete a form of community activity instead of going to prison for default – have been completed with encouraging results. Subject to the outcome of the evaluation of those pilots and along with the wider legislative reforms I am proposing I would envisage the roll out of SAO provisions across Northern Ireland

As to wider legislative reform I have plans for fundamental and strategic changes through the creation of a civilian enforcement system. A civilianised service, freeing up police to tackle more serious crime, will have a range of collection powers including the ability to secure fine payment through deductions from earnings or benefits.

This will allow individuals to clear fines by direct deduction thereby preventing default and avoiding imprisonment. I recognise the potential impact of deductions on those on low incomes and will be ensuring that key aspects of income will be protected.

If payment was still problematic - and in recognition of the Divisional Court finding that the long established practice for dealing with non-payment of fines failed to fully comply with the relevant legislative provisions - I will also bring forward laws to support a further court hearing at which the defendant can attend and make representations before any further orders are made.

While that legislation is being drawn up, my officials are liaising with the Magistrates' Courts Rules Committee in order to develop suitable interim arrangements to address the findings of the Court.

### Valid Firearms Certificates: Seizure of Weapons

**Mr Campbell** asked the Minister of Justice to outline the criteria where police can seize weapons from a person who has valid firearms certificates yet does not have any court cases pending or convictions.

**(AQW 23298/11-15)**

**Mr Ford:** The Firearms (Northern Ireland) Order 2004 sets out the circumstances in which firearms may be seized and detained by the police. These essentially relate to questions over fitness to continue to possess a firearm or a change of circumstances in relation to good reason.

### Compensation Agency: Claims Awarded

**Mr Spratt** asked the Minister of Justice to detail the cost of claims awarded by the Compensation Agency, in each of the last five years.

**(AQW 23303/11-15)**

**Mr Ford:**

Financial Year	Criminal Injuries 1988 Order	Tariff Scheme (Introduced 2002)	Criminal Damage Order 1977	Justice and Security Act 2007	TOTAL
2008/09	£7.7m	£13m	£12.3m	£0.2m	£33.2m
2009/10	£8.8m	£13.2m	£5.3m	£0.1m	£27.4m
2010/11	£8m	£12.3m	£4.4m	£0.09m	£24.79m
2011/12	£4.2m	£11.9m	£6m	£0.04m	£22.14m
2012/13	£2.8m	£11.1m	£3.4m	£0.04m	£17.34m

### Compensation Agency: Claims

**Mr Spratt** asked the Minister of Justice how many claims were made to the Compensation Agency in each of the last five years; and how many of these claims were awarded.

**(AQW 23304/11-15)**

**Mr Ford:**

YEAR	Claims Received	Claims Awarded
2008/09	6,090	2,541
2009/10	5,917	2,060
2010/11	6,298	2,166
2011/12	6,073	2,154
2012/13	5,116	2,313

Please note that claims for awards made each year may have been lodged in previous years.

**Compensation Agency: Claims**

**Mr Spratt** asked the Minister of Justice to outline the main reasons why claims to the Compensation Agency are not awarded. (AQW 23305/11-15)

**Mr Ford:** The main reasons why claims are not awarded are:

- Criminal Injuries Scheme – Injuries are not sufficiently serious to qualify for the minimum Tariff award of £1000 (paragraph 25 of the Criminal Injuries Scheme)
- Criminal Damage Scheme – No evidence of three or more persons unlawfully, riotously or tumultuously assembled together (Article 5 of the Criminal Damage Order)
- Justice and Security Act 2007 - General denial that claims lodged do not meet the criteria set out at Schedule 4 of the Act.

**Defendants: Legal Representation**

**Mr Givan** asked the Minister of Justice what obligation exists to ensure that defendants are provided legal representation. (AQW 23313/11-15)

**Mr Ford:** There is no obligation on the state to ensure that defendants appearing before the criminal courts are legally represented. However, where a defendant's means are insufficient for him to pay for his own defence and it is in the interests of justice that he should be legally represented, the court has power to grant criminal legal aid to the defendant.

**Young Offenders Institution**

**Mr Easton** asked the Minister of Justice to outline the privileges that young offenders are entitled to whilst in a young offenders institution. (AQW 23353/11-15)

**Mr Ford:** The table attached at Annex A outlines the privileges that young offenders are entitled to whilst at Hydebank Wood.

Wages are provided under the Progressive Regimes and Earned Privileges Scheme (PREPS). During the first 28 days in custody, all young offenders receive a payment of £4.00 per week. They are then able to progress through the PREPS scheme's regime levels. These are set out in the table below:-

Regime Level	Weekly Payment (£)
Basic	4
Standard	11
Enhanced	20

Depending on the level of regime attained young offenders can choose to spend their payments on the purchase of phone credits, in the prison tuck shop and the hire of in cell television.

Young offenders who are coming towards release will have a pre-release interview with a sentence manager approximately six weeks prior to discharge. This assists in the identification of any release needs such as applications for housing benefit, generating current ID cards and processing discharge grants.

Young offenders sentenced to a Criminal Justice Order (CJO) will be subject to a period of time on licence at the outset of their release. This licence will contain conditions by which the young offender must abide. This will include recommendations by the Court and Parole Commissioners, such as contact arrangements, approved housing address, curfew arrangements.

On discharge sentenced prisoners, excluding fine defaulters, civil prisoners and those awaiting deportation, who have served more than 14 days in custody, can apply for a Discharge Grant of £71.70. Higher rate grants of £144.74 can be paid

if the prisoner is homeless on discharge. The decision on whether the higher rate grant is applicable is taken by sentence managers and PBNI.

## Annex A

### Hydebank Wood Young Offenders' Centre Privileges for Male Young Offenders

Privilege	Basic	Standard	Enhanced
Visits	Remand – 2x60min visits (weekly) Sentenced – 1x60min visit (weekly)	Remand – 2x60min visits (weekly) Sentenced – 1x60min visit (weekly)	Remand – 2x60min visit (weekly) + 2 additional 60 minute visits per month (these may only be taken Tuesday, Wednesday & Thursday, no carry over of unused visits)  Sentenced – 1x60min visit (weekly) + 2 additional 60 minute visits per month (these may only be taken Tuesday, Wednesday & Thursday, no carry over of unused visits)
Pay Rates	Regime payment - £4.00	Regime Payment - £11.00	Regime Payment - £20.00
Association	No	Mon-Fri 17.00-19.30 Saturday 14.00-17.45 Sunday 14.00-17.45	Mon-Fri 17.00-19.30 Saturday 14.00-17.45 Sunday 14.00-17.45
In-Cell Association	No	No	No
Inter-wing Association	No	No	No
Landing Multi-gym	No	Yes	Yes
Tuck Shop Spend	Max £25.00 + Wages	Max £38.00 + Wages	Max £63.00 + Wages
Additional Tuck Shop	No	No	C5 only (within Tuck Shop spending limits)
Local Purchase Spend	No	Yes (within tuck shop spending limits)	Yes (within tuck shop spending limits)
Phone Spend	Max £25.00	Max £40.00	Max £65.00
Avon Spend (personal use only)	No	£25.00 per brochure	£40.00 per brochure
Volumetric Control*	Standard allowance as per volumetric control policy	Standard allowance as per volumetric control policy	Standard allowance as per volumetric control policy + additional box measuring 710mm x 440mm x 380mm

## Young Offenders Institution

**Mr Easton** asked the Minister of Justice what money is provided to offenders whilst in a young offenders institution and for what purpose.

**(AQW 23354/11-15)**

**Mr Ford:** The table attached at Annex A outlines the privileges that young offenders are entitled to whilst at Hydebank Wood.

Wages are provided under the Progressive Regimes and Earned Privileges Scheme (PREPS). During the first 28 days in custody, all young offenders receive a payment of £4.00 per week. They are then able to progress through the PREPS scheme's regime levels. These are set out in the table below:-

Regime Level	Weekly Payment (£)
Basic	4
Standard	11
Enhanced	20

Depending on the level of regime attained young offenders can choose to spend their payments on the purchase of phone credits, in the prison tuck shop and the hire of in cell television.

Young offenders who are coming towards release will have a pre-release interview with a sentence manager approximately six weeks prior to discharge. This assists in the identification of any release needs such as applications for housing benefit, generating current ID cards and processing discharge grants.

Young offenders sentenced to a Criminal Justice Order (CJO) will be subject to a period of time on licence at the outset of their release. This licence will contain conditions by which the young offender must abide. This will include recommendations by the Court and Parole Commissioners, such as contact arrangements, approved housing address, curfew arrangements.

On discharge sentenced prisoners, excluding fine defaulters, civil prisoners and those awaiting deportation, who have served more than 14 days in custody, can apply for a Discharge Grant of £71.70. Higher rate grants of £144.74 can be paid if the prisoner is homeless on discharge. The decision on whether the higher rate grant is applicable is taken by sentence managers and PBNI.

## Annex A

### Hydebank Wood Young Offenders' Centre Privileges for Male Young Offenders

Privilege	Basic	Standard	Enhanced
Visits	Remand – 2x60min visits (weekly)  Sentenced – 1x60min visit (weekly)	Remand – 2x60min visits (weekly)  Sentenced – 1x60min visit (weekly)	Remand – 2x60min visit (weekly) + 2 additional 60 minute visits per month (these may only be taken Tuesday, Wednesday & Thursday, no carry over of unused visits)  Sentenced – 1x60min visit (weekly) + 2 additional 60 minute visits per month (these may only be taken Tuesday, Wednesday & Thursday, no carry over of unused visits)
Pay Rates	Regime payment - £4.00	Regime Payment - £11.00	Regime Payment - £20.00
Association	No	Mon-Fri 17.00-19.30 Saturday 14.00-17.45 Sunday 14.00-17.45	Mon-Fri 17.00-19.30 Saturday 14.00-17.45 Sunday 14.00-17.45
In-Cell Association	No	No	No
Inter-wing Association	No	No	No
Landing Multi-gym	No	Yes	Yes
Tuck Shop Spend	Max £25.00 + Wages	Max £38.00 + Wages	Max £63.00 + Wages
Additional Tuck Shop	No	No	C5 only (within Tuck Shop spending limits)
Local Purchase Spend	No	Yes (within tuck shop spending limits)	Yes (within tuck shop spending limits)
Phone Spend	Max £25.00	Max £40.00	Max £65.00
Avon Spend (personal use only)	No	£25.00 per brochure	£40.00 per brochure
Volumetric Control*	Standard allowance as per volumetric control policy	Standard allowance as per volumetric control policy	Standard allowance as per volumetric control policy + additional box measuring 710mmx440mmx380mm

### Young Offenders: Release Processes

**Mr Easton** asked the Minister of Justice what processes are in place for young offenders who are due to be released. (AQW 23356/11-15)

**Mr Ford:** The table attached at Annex A outlines the privileges that young offenders are entitled to whilst at Hydebank Wood.

Wages are provided under the Progressive Regimes and Earned Privileges Scheme (PREPS). During the first 28 days in custody, all young offenders receive a payment of £4.00 per week. They are then able to progress through the PREPS scheme's regime levels. These are set out in the following table:-

Regime Level	Weekly Payment (£)
Basic	4
Standard	11
Enhanced	20

Depending on the level of regime attained young offenders can choose to spend their payments on the purchase of phone credits, in the prison tuck shop and the hire of in cell television.

Young offenders who are coming towards release will have a pre-release interview with a sentence manager approximately six weeks prior to discharge. This assists in the identification of any release needs such as applications for housing benefit, generating current ID cards and processing discharge grants.

Young offenders sentenced to a Criminal Justice Order (CJO) will be subject to a period of time on licence at the outset of their release. This licence will contain conditions by which the young offender must abide. This will include recommendations by the Court and Parole Commissioners, such as contact arrangements, approved housing address, curfew arrangements.

On discharge sentenced prisoners, excluding fine defaulters, civil prisoners and those awaiting deportation, who have served more than 14 days in custody, can apply for a Discharge Grant of £71.70. Higher rate grants of £144.74 can be paid if the prisoner is homeless on discharge. The decision on whether the higher rate grant is applicable is taken by sentence managers and PBNI.

## Annex A

### Hydebank Wood Young Offenders' Centre Privileges for Male Young Offenders

Privilege	Basic	Standard	Enhanced
Visits	Remand – 2x60min visits (weekly)  Sentenced – 1x60min visit (weekly)	Remand – 2x60min visits (weekly)  Sentenced – 1x60min visit (weekly)	Remand – 2x60min visit (weekly) + 2 additional 60 minute visits per month (these may only be taken Tuesday, Wednesday & Thursday, no carry over of unused visits)  Sentenced – 1x60min visit (weekly) + 2 additional 60 minute visits per month (these may only be taken Tuesday, Wednesday & Thursday, no carry over of unused visits)
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In-Cell Association	No	No	No
Inter-wing Association	No	No	No
Landing Multi-gym	No	Yes	Yes
Tuck Shop Spend	Max £25.00 + Wages	Max £38.00 + Wages	Max £63.00 + Wages
Additional Tuck Shop	No	No	C5 only (within Tuck Shop spending limits)
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Phone Spend	Max £25.00	Max £40.00	Max £65.00
Avon Spend (personal use only)	No	£25.00 per brochure	£40.00 per brochure
Volumetric Control*	Standard allowance as per volumetric control policy	Standard allowance as per volumetric control policy	Standard allowance as per volumetric control policy + additional box measuring 710mmx440mmx380mm

## Young Offenders: Release

**Mr Easton** asked the Minister of Justice what money is provided to offenders when they are released from a young offenders institution.

**(AQW 23357/11-15)**

**Mr Ford:** The table attached at Annex A outlines the privileges that young offenders are entitled to whilst at Hydebank Wood.

Wages are provided under the Progressive Regimes and Earned Privileges Scheme (PREPS). During the first 28 days in custody, all young offenders receive a payment of £4.00 per week. They are then able to progress through the PREPS scheme's regime levels. These are set out in the table below:-

Regime Level	Weekly Payment (£)
Basic	4
Standard	11
Enhanced	20

Depending on the level of regime attained young offenders can choose to spend their payments on the purchase of phone credits, in the prison tuck shop and the hire of in cell television.

Young offenders who are coming towards release will have a pre-release interview with a sentence manager approximately six weeks prior to discharge. This assists in the identification of any release needs such as applications for housing benefit, generating current ID cards and processing discharge grants.

Young offenders sentenced to a Criminal Justice Order (CJO) will be subject to a period of time on licence at the outset of their release. This licence will contain conditions by which the young offender must abide. This will include recommendations by the Court and Parole Commissioners, such as contact arrangements, approved housing address, curfew arrangements.

On discharge sentenced prisoners, excluding fine defaulters, civil prisoners and those awaiting deportation, who have served more than 14 days in custody, can apply for a Discharge Grant of £71.70. Higher rate grants of £144.74 can be paid if the prisoner is homeless on discharge. The decision on whether the higher rate grant is applicable is taken by sentence managers and PBNI.

### Annex A

#### Hydebank Wood Young Offenders' Centre Privileges for Male Young Offenders

Privilege	Basic	Standard	Enhanced
Visits	Remand – 2x60min visits (weekly) Sentenced – 1x60min visit (weekly)	Remand – 2x60min visits (weekly) Sentenced – 1x60min visit (weekly)	Remand – 2x60min visit (weekly) + 2 additional 60 minute visits per month (these may only be taken Tuesday, Wednesday & Thursday, no carry over of unused visits)  Sentenced – 1x60min visit (weekly) + 2 additional 60 minute visits per month (these may only be taken Tuesday, Wednesday & Thursday, no carry over of unused visits)
Pay Rates	Regime payment - £4.00	Regime Payment - £11.00	Regime Payment - £20.00
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In-Cell Association	No	No	No
Inter-wing Association	No	No	No
Landing Multi-gym	No	Yes	Yes
Tuck Shop Spend	Max £25.00 + Wages	Max £38.00 + Wages	Max £63.00 + Wages
Additional Tuck Shop	No	No	C5 only (within Tuck Shop spending limits)

Privilege	Basic	Standard	Enhanced
Local Purchase Spend	No	Yes (within tuck shop spending limits)	Yes (within tuck shop spending limits)
Phone Spend	Max £25.00	Max £40.00	Max £65.00
Avon Spend (personal use only)	No	£25.00 per brochure	£40.00 per brochure
Volumetric Control*	Standard allowance as per volumetric control policy	Standard allowance as per volumetric control policy	Standard allowance as per volumetric control policy + additional box measuring 710mmx440mmx380mm

### Sexual Offences Prevention Order

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22436/11-17, given the nature of the offence for which Mr McCabe was convicted, why he was not made subject to a sexual offences prevention order.

**(AQW 23384/11-15)**

**Mr Ford:** A sexual offences prevention order (SOPO) can be made by the court on conviction if it is satisfied that it is necessary for the purpose of protecting the public from serious sexual harm. The court did not make an order in this case.

A SOPO can also be made by the court at a later date if the police apply for an order on the basis that the person has, since the conviction, acted in such a way as to give reasonable cause to believe it is necessary for the order to be made, and the court is satisfied that it is necessary for the purpose of protecting the public. There was no evidence in this case to allow for such an application.

### Sexual Offences Prevention Orders: Breach

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22432/11-15, whether the assault was reported, documented and held on record by the Northern Ireland Prison Service at the time it occurred in Hydebank Wood.

**(AQW 23386/11-15)**

**Mr Ford:** The incident was independently reported to the PSNI by one of the officers involved in the incident as an alleged inmate assault.

The security department at Hydebank Wood hold a report in relation to the incident.

### Northern Ireland Legal Services Commission: Staff

**Mr Allister** asked the Minister of Justice, pursuant to AQW 22257/11-15, as the 2009/10 pay progression is outstanding and not included in the Northern Ireland Legal Services Commission Pay Strategy, whether there are any barriers to the commission submitting a pay claim for its staff.

**(AQW 23402/11-15)**

**Mr Ford:** The Department of Justice received the Northern Ireland Legal Services Commission (NILSC) Pay Strategy Business Case in January 2013. This business case attempts to address 3 outstanding Pay Remits, covering the periods 2010/11, 2011/12 and 2012/13 and uses the existing NILSC 2009/10 pay scales as the basis for its calculations.

Although formal agreement was not reached in the 2009/10 pay remit, a 2.6% pay award was issued to NILSC staff in July 2011.

The Pay Strategy Business Case submitted includes an element for pay progression in 2009/10.

### Permanent Staff: Contractual Right to Pay Progression

**Mr Allister** asked the Minister of Justice pursuant to AQW 22409/11-15, since the question did not seek information on the legal advice received, rather why a particular type of document was submitted, whether he will provide an answer which does not raise the issue of legal privilege.

**(AQW 23404/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission has sought legal advice on the contractual right of staff to pay progression. This advice has been shared with the Department of Justice and the NILSC is seeking to bring to a conclusion the ongoing pay discussions.

As information provided to the Commission's legal advisors and the subsequent responses from the legal advisor are covered by legal professional privilege, the Chief Executive is not in a position to comment on the specific point raised.

### Northern Ireland Legal Services Commission: Pay Strategy

**Mr Allister** asked the Minister of Justice, pursuant to AQW 22255/11-15 and AQW 22256/11-15, given the continued delay in the approval of the Northern Ireland Legal Services Commission pay strategy and relevant pay remit payments, and with



accumulating hardship arising from over a 3.5 year wait for increases, to detail his plans to intervene to speed the current process up.

**(AQW 23443/11-15)**

**Mr Ford:** The Department of Justice continues to work with the Northern Ireland Legal Services Commission to ensure satisfactory completion of the Pay Strategy Business Case. Some essential information has yet to be provided by NILSC. When completed, the Pay Strategy Business Case will then proceed to DFP for consideration and necessary approvals.

The Department of Justice is assisting where it can, but, so long as NILSC is a separate arm's length body, it is responsible for its own pay arrangements.

### Compassionate Temporary Release

**Lord Morrow** asked the Minister of Justice to detail (i) the circumstances in relation to the release of Joseph McManus who absconded after being granted compassionate temporary release to attend a funeral; (ii) the cost to Northern Ireland Prison Service in relation to the judicial review challenging the original decision to refuse compassionate temporary release; and (iii) whether he will order an investigation into the circumstances of the incident.

**(AQW 23464/11-15)**

**Mr Ford:** Joseph McManus applied for a period of compassionate temporary release to attend his brother's funeral. Following the completion of a comprehensive risk assessment, NIPS decided not to allow this application for temporary release under Prison Rule 27 on the grounds that Mr McManus was likely to commit a further offence and/or abscond. NIPS then considered a period of escorted removal under Section 18 of the Prison (NI) Act 1953. However, this was not granted following receipt of advice from the PSNI that the area where the funeral was to be held could be dangerous to prison staff providing such an escort.

Joseph McManus then applied for leave to judicially review that decision. At the judicial review hearing on 3 April 2013 the Judge overturned the NIPS decision and granted Mr McManus temporary release into the company of his solicitor to attend his brother's funeral the following day.

Counsel costs totalled £957 for the judicial review. To date no other costs are available.

The principle of judicial independence precludes me from becoming involved in, commenting on, or commissioning a review of judicial decisions.

### Compassionate Temporary Release

**Lord Morrow** asked the Minister of Justice, in relation to Joseph McManus who absconded whilst on compassionate temporary release, to detail how much was paid in legal aid for the judicial review of the decision issued by the Northern Ireland Prison Service initially refusing compassionate temporary release.

**(AQW 23465/11-15)**

**Mr Ford:** No application for legal aid has been submitted to the Northern Ireland Legal Services Commission in respect of the judicial review proceedings.

### Compassionate Temporary Release

**Lord Morrow** asked the Minister of Justice, in relation to Joseph McManus who absconded whilst on compassionate temporary release from jail, to detail whether a risk assessment had been completed; and if he had been granted similar release before, had the terms been breached.

**(AQW 23466/11-15)**

**Mr Ford:** A full risk assessment was completed by the Northern Ireland Prison Service. Mr McManus has not been granted any periods of Compassionate Temporary Release during his current period in custody.

### Probation Board for Northern Ireland

**Mr Easton** asked the Minister of Justice to outline the role of the Probation Board for Northern Ireland.

**(AQW 23475/11-15)**

**Mr Ford:** The Probation Board for Northern Ireland is a Non-Departmental Public Body sponsored by the Department of Justice. Its statutory responsibilities are set out in the Probation Board (Northern Ireland) Order 1982.

The mandatory functions of the Board are to secure the maintenance of an adequate and efficient probation service; make arrangements for persons to perform work under Community Service Orders; provide such probation officers and other staff as the Department of Justice considers necessary to perform social welfare duties in Prisons and Young Offender Centres; and undertake such other duties as may be prescribed.

The discretionary functions of the Board which it may enter into with the agreement of the Department of Justice are to provide and maintain probation hostels and other establishments for use in connection with the supervision and assistance of offenders; provide and maintain bail hostels; make and give effect to schemes for the supervision and assistance of offenders and the prevention of crime; make arrangements with voluntary organisations or any other persons (including Government

Departments and public bodies) to provide and maintain such hostels and other establishments as mentioned above; and give effect to schemes for the supervision and assistance of offenders and the prevention of crime.

More recent legislation outlining Board responsibilities include the Criminal Justice (Northern Ireland) Orders 1996, 2005 and 2008 and the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010. The requirements of PBNI as a designated organisation of Policing and Community Safety Partnerships are contained in the Justice Act (Northern Ireland) 2011.

### Probation Board for Northern Ireland: Prisoner Releases

**Mr Easton** asked the Minister of Justice to outline what the Probation Board for Northern Ireland takes into consideration when placing restrictions on people when bring released from prison.

**(AQW 23477/11-15)**

**Mr Ford:** Probation Board for Northern Ireland contributes to multi-disciplinary panel led by Northern Ireland Prison Service and Parole Commissioners for Northern Ireland oral hearings in determining what licence conditions are necessary when a prisoner is being released from custody. A range of factors, including previous convictions, assessment of risk, family circumstances and victim issues are taken into account.

### Probation Board for Northern Ireland: Prisoner Releases

**Mr Easton** asked the Minister of Justice whether the Probation Board for Northern consults with churches and community groups on restrictions when a prisoner is being released.

**(AQW 23478/11-15)**

**Mr Ford:** Probation Board for Northern Ireland (PBNI) contributes to a multi-agency panel led by Northern Ireland Prison Service (NIPS) in relation to the licensing process. PBNI may from time to time recommend to the panel, a licence requirement in respect of disclosure of social activities including church attendance or involvement with community groups.

Should such a disclosure subsequently be made by a person subject to a licence, PBNI may consult with the church or community group to risk assess the offender's participation in their activities and agree a proportionate risk management plan.

### South Antrim: Community Service

**Mr Clarke** asked the Minister of Justice to detail (i) how many hours of community service have been carried out in South Antrim in each of the last five years; and (ii) how is it monitored.

**(AQW 23488/11-15)**

**Mr Ford:**

- (i) The number of hours of community service carried out in South Antrim<sup>1</sup> in each of the last five years is detailed in Table 1 below.

**Table 1**

Year	Total Community Service Hours Sentenced <sup>2</sup>
2008/09	4,700
2009/10	4,200
2010/11	7,100
2011/12	8,100
2012/13	5,800

<sup>1</sup> Based on the address recorded at the time of the order starting.

<sup>2</sup> The data presented is drawn from the PBNI's case management system (PIMS). Although care is taken when processing and analysing the data, the data is subject to inaccuracies inherent in an administrative data recording system. While the figures have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number shown in the tables.

- (ii) The Community Service Scheme for South Antrim is managed by a Probation Board for Northern Ireland (PBNI) Specialist Team. All staff work to the PBNI Best Practice Framework, agreed with the Department of Justice (DOJ) and Sentencers, which sets standards and procedures through which each order is managed and monitored.

## Ethnic Minorities: Racist Attacks

**Mr Kinahan** asked the Minister of Justice what his Department is doing to monitor racist attacks against ethnic minorities; and what systems are in place to encourage victims of racist attacks to report incidents to the PSNI.

**(AQW 23510/11-15)**

**Mr Ford:** The Police Service of Northern Ireland monitors racist attacks against ethnic minorities by capturing all incidents and crimes, and publishes statistics on racist hate incidents and hate crimes on a quarterly basis on its website [www.psnri.police.uk](http://www.psnri.police.uk).

The Community Safety Strategy 2012-2017 recognises the need to encourage greater reporting of hate crime and my Department works closely with the PSNI and other justice agencies to raise awareness of hate crime and how to report it.

The PSNI has an online hate crime reporting system via its website, which is linked to many external sites such as those of Belfast City Council, Northern Ireland Council for Ethnic Minorities and Victim Support NI.

The hate crime advocacy scheme supports victims of racist hate crime, and advocates have objectives to increase the reporting of racist hate crime to police.

The Community Safety Strategy includes a commitment to consider how third party reporting systems can support reporting. My Department is currently developing proposals in partnership with other criminal justice agencies in this regard.

## Prisoner: Temporary Release

**Lord Morrow** asked the Minister of Justice what were the terms of Joseph McManus' temporary release.

**(AQW 23528/11-15)**

**Mr Ford:** Following a judicial review the conditions placed on Mr McManus' temporary release were -

- he must be collected by, remain in the company of, and be returned to Maghaberry Prison by his solicitor;
- he must attend his brother's funeral service at 13.00 hrs at Holy Trinity Church, Turf Lodge, Belfast, then to the interment in Milltown Cemetery, Belfast. After the funeral he may spend some time with his family at his mother's home, before returning to Maghaberry Prison at 17.00 hrs;
- he must not consume alcohol or non-prescription drugs;
- he must not enter licensed premises; and
- he must not use a mobile phone.

## Dignity at Work Cases

**Mr Spratt** asked the Minister of Justice how many dignity at work cases have been lodged in his Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been successfully resolved.

**(AQW 23557/11-15)**

**Mr Ford:** The Department of Justice came into existence on the 12 April 2010 and information can only be provided from this date.

Since the creation of the Department of Justice on 12 April 2010 there have been 17 Dignity at Work cases in total between the Core Department (excluding Agencies) and its Non Departmental Public Bodies. Of these, 4 were in the Core Department and 13 were in the Non Departmental Public Bodies.

The tables below detail the breakdown:

### Core Department

Year Lodged	Resolved	Outstanding
2010/11	1	0
2011/12	1	0
2012/13	1	1
2013/14	0	0

### Non Departmental Public Body

Year Lodged	Resolved	Outstanding
2010/11	3	0
2011/12	5	1
2012/13	3	1

Year Lodged	Resolved	Outstanding
2013/14	0	0

### Firearms (Northern Ireland) Order 2004 Article 27 Section 4

**Lord Morrow** asked the Minister of Justice, in relation to the Firearms (NI) Order 2004 article 27(4) which empowers him to 'give directions as to the conditions to be imposed, varied or revoked for the Chief Constable to comply with any such direction', whether he will encourage or direct staff from the PSNI firearms and explosives branch to engage with the all-party group on county sports.

**(AQW 23571/11-15)**

**Mr Ford:** Article 27(4) gives the Minister the power to direct the Chief Constable in respect of conditions that may be imposed, varied or revoked in relation to Firearms Certificates. It is not a general authority for the Minister of Justice to direct the Chief Constable. It is a decision for the Chief Constable, whether he or his staff accept an invitation from the All Party Group on County Sports.

### Firearms Certificate

**Lord Morrow** asked the Minister of Justice to detail how many refusals to grant a firearms certificate were challenged in court, broken down by those which were (i) successful; and (ii) unsuccessful, in each of the last three years.

**(AQW 23603/11-15)**

**Mr Ford:** No appeals that I have considered against a refusal of an application for the grant of a firearm certificate under Article 74 of the Firearms (Northern Ireland) Order 2004 were challenged in court in the past three years.

### Union Flag: Flying

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22584/11-15, why he has not made representations to, or held discussions with, G4S in relation to disciplinary action against staff over issues related to the flying of the Union flag at courthouses, particularly as G4S is carrying out work contracted by his Department and therefore expected to maintain similar procedures and standards.

**(AQW 23605/11-15)**

**Mr Ford:** The Department addressed these issues as soon as they were identified via email and telephone. This issue was then placed on the agenda for contract management meetings. To ensure that the supplier continues to provide the service required an additional key performance indicator in relation to raising the Union flag was introduced.

The discipline of G4S staff is solely a decision for G4S and is not part of the contractual arrangement. Therefore the Department has not asked for disciplinary action to be taken against any member of staff from G4S.

### Printing 3D: Firearms

**Mr Agnew** asked the Minister of Justice, in light of the advent of 3D printing, what plans he has to control the spread of firearms.

**(AQW 23613/11-15)**

**Mr Ford:** The Department is keeping the possible use of 3D printers to facilitate the construction of firearms under review. It has no plans to alter the legislation as the Firearms (Northern Ireland) Order 2004 already provides that possession of a firearm (or a component part thereof) is an offence in the absence of a firearm certificate (FAC) issued by the Chief Constable. Possession of a 3D printer enabled firearm without an FAC, therefore, would be an offence.

### Police Museum

**Mr Allister** asked the Minister of Justice when the police museum is due to open at the Knock site and what work has been completed to date.

**(AQW 23649/11-15)**

**Mr Ford:** I am advised by the Chairman of the Royal Ulster Constabulary George Cross Foundation, as Senior Responsible Owner of the Police Museum Project that the museum should open in 2016.

Since approval of the Outline Business Case (OBC) on 19 July 2012 the Foundation has been taking forward preliminary work to meet the OBC conditions of approval and preparing the project documentation to allow them to proceed to procurement of a services contract to develop a design for planning application purposes and thereafter a works contract to build and fit out the museum.

## Queen's Diamond Jubilee Medal

**Mr Allister** asked the Minister of Justice where the Queen's Diamond Jubilee medal awarded to the RUC George Cross Foundation will be displayed.

**(AQW 23650/11-15)**

**Mr Ford:** The RUC GC Foundation was not eligible to receive the Queen's Diamond Jubilee Medal.

As with the Golden Jubilee Medal, the Diamond Jubilee Medal was a gift from the Sovereign to those serving in the front line of the emergency services who had completed five years service and were serving on 6 February 2012.

Living holders of the Victoria and George Crosses were also entitled to receive the Diamond Jubilee Medal, as they were with previous Jubilees.

The George Cross was awarded to the RUC in 1999 but where an organisation or body was awarded the George Cross then individual members are not eligible to receive the Diamond Jubilee medal.

## G8 Summit: Cost of Policing

**Mr Givan** asked the Minister of Justice how much his Department will pay towards the cost of policing the G8 summit 2013.

**(AQW 23663/11-15)**

**Mr Ford:** The PSNI and my officials have been working on developing the forecast of the costs to my Department associated with the G8 policing and security operation. This work continues and we are working closely with DFP and NIO who are leading negotiations with HM Treasury and the Home Office on establishing the sources of funding for the policing and security costs.

The Government is committed to publishing the full costs of the policing and security operation after the Summit, once the figures have been fully checked and audited.

## Northern Ireland Prison Service: Prisoners at Risk

**Lord Morrow** asked the Minister of Justice, given that the Northern Ireland Prison Service has now accepted that supporting prisoner at risk training is deficient and staff are being retrained, whether (i) he will ensure that supporting prisoner at risk cases and their procedures are the subject of a review (ii) he will consider the viability of placing all vulnerable prisoners on the programme; (iii) he will introduce a system to grade risk; (iv) cases will only be closed when the risk significantly reduced, but with continued support; and (v) vulnerability and supporting prisoner at risk cases will be recorded on all Northern Ireland Prison Service records and with the prisoner's GP.

**(AQW 23989/11-15)**

**Mr Ford:** The Northern Ireland Prison Service does not accept that Supporting Prisoners at Risk (SPAR) training is deficient and staff are being re-trained. The Prison Service confirms that SPAR training is available, and Governors will prioritise those staff who require to attend training in both SPAR and Applied Suicide Intervention Skills (ASIST).

- (i) I would refer the Member to the reply I gave the Member to AQW/22901 on 23 May 2013.
- (ii) and (iii) I would refer the Member to the reply I gave the Member to AQW/20096 on 7 March 2013.
- (iv) There is currently no intention to review the Supporting Prisoner at Risk (SPAR) procedures to have them remain open on all prisoners who have attempted suicide or been deemed vulnerable.

If the multi-disciplinary case conference agree that the risks initially displayed have been sufficiently reduced or mitigated to a level that enables the individual to cope, they will decide to close the SPAR.

- (v) SPAR data is captured on the Prison Record Information System (PRISM). The delivery of healthcare in prisons and therefore any notification to a prisoner's GP is the responsibility of the South Eastern Health and Social Care Trust.

## Department for Regional Development

### Door-2-Door Transport Scheme

**Mr Weir** asked the Minister for Regional Development whether the changes to the pricing structure for the interim replacement of Door-2-Door transport apply to areas other than the northern part of County Down and the eastern part of County Antrim.

**(AQW 21367/11-15)**

**Mr Kennedy (The Minister for Regional Development):** The Disability Action Transport Scheme which commenced on 1 April 2013 is operated by Disability Action and it has responsibility for the setting of fares. It understands that some concerns have been raised around potential charges for journeys over 3 miles. In the original contact for the provision of Door-2-Door services the following areas were linked together to form larger operational areas and journeys between these areas were charged at £1.50 per single trip. These were Bangor/ Holywood, Coleraine/Ballymoney, Lisburn/Dunmurry, Newtownabbey/

Carrickfergus/Newtownards, and Comber/Dundonald. No other towns in Northern Ireland which were part of the scheme at that time were linked together in this way to extend the operational area. Disability Action was not aware of this arrangement.

It is Disability Action's view that each of the 27 towns are unique operating areas and intended to charge £1.50 per single trip within those areas with an additional cost of 50p per mile for any member who wished to travel outside of their town/city. However in light of representations from users it has decided to revert to the previous definitions of operational areas in the interim. During this period it plans to establish a user forum to consult on all aspects of the service and it will review the relevant prices including the equity of arrangements put in place.

### **A21 Newtownards to Comber Dual Carriageway**

**Mr Hamilton** asked the Minister for Regional Development to detail (i) the nature of the improvements being carried out at the A21 Newtownards to Comber dual carriageway; (ii) the cost of this work; and (iii) when this work is anticipated to be completed.

**(AQW 21721/11-15)**

**Mr Kennedy:** The improvement scheme, presently being taken forward by my Department's Roads Service on the A21 Newtownards to Comber dual carriageway, involves resurfacing of the carriageway and hard shoulder, reconstruction of the footway and associated drainage and fencing works, on a portion of the Newtownards bound side of the carriageway from the Comber Bypass tie in to beyond the Moate Road junction.

It is anticipated this scheme, which will cost in the region of £335,000, will be completed by the middle of May 2013.

### **Fixed Penalty Notices: Revenue**

**Mr Weir** asked the Minister for Regional Development, pursuant to AQW 20286/11-15, how much revenue has been raised from fixed penalty notices issued at each of the three car parks during the period in question.

**(AQW 21967/11-15)**

**Mr Kennedy:** My Department's Roads Service does not maintain details of revenue raised from Penalty Charge Notices (PCNs) issued on an individual car park, town or constituency basis. However, AQW 20286/11-15 provides the number of PCNs.

### **Private Companies: Disabled Car Parking Spaces**

**Mr Agnew** asked the Minister for Regional Development to detail the action his Department takes to ensure that (i) private companies provide sufficient disabled car parking spaces; and (ii) the disabled car parking spaces provided by private companies are adequately policed and available for disabled people.

**(AQW 22552/11-15)**

**Mr Kennedy:** My Department is not responsible for the provision or assessment of private parking or disabled parking spaces. Responsibility for the provision of such a facility rests with the service provider, governed by planning requirements stipulated by the Department of the Environment and by the terms of the Disability Discrimination Act (DDA) 1995.

Furthermore, my Department has no responsibility for the enforcement and control of disabled parking spaces in privately owned car parks, which is the responsibility of the service provider.

### **Blue Badge Scheme**

**Mr Weir** asked the Minister for Regional Development to detail the proposed increases in charges for applications for the blue badge scheme; and the timescale for any proposed changes.

**(AQW 22909/11-15)**

**Mr Kennedy:** The current legislation for Blue Badges in Northern Ireland sets the fee at £2.00 for the badge and this has been in place since the early 1980's. It is difficult to put a monetary value on a Blue Badge as the main purpose of the badge is to make a valuable contribution to the lives of the many people with a disability who have a mobility problem.

However, my Department is taking the opportunity of the current Blue Badge consultation to seek views on the cost of a Blue Badge, by comparison with cost in GB and ROI.

The potential for improvements to customer service and for a reduction in fraud and misuse of the Blue Badge scheme, as a result of the proposed changes to the administration of the Blue Badge Scheme that form part of the current consultation, could be seen as offering improved value for money for Blue Badge holders, should an increase in the fee be introduced.

Any proposal to amend the fee will be developed in line with the findings of the consultation, with decisions on the way forward likely to be made December 2013.

### **G8 Summit**

**Mr McNarry** asked the Minister for Regional Development what plans he has to compensate contractors who were issued with a notice to stop work for an 11-day period during and after the G8 summit.

**(AQW 23080/11-15)**

**Mr Kennedy:** I would remind the member it was the PSNI that requested a moratorium be placed on road works in advance of and during the G8 Summit.

During this period, no work is being cancelled. I have put in place measures to re-programme schemes to either before or after the moratorium period. Road upgrades on the A2 and A8 are unaffected by the moratorium. Small scale and emergency works are also unaffected.

In conjunction with the PSNI, I have put in place measures to allow for specific exemptions for certain schemes during the moratorium. To date, the PSNI has allowed 11 such exemptions.

Due to the measures outlined above, I anticipate the re-programming of schemes, as a result of the moratorium, will have minimal cost implications for contractors. However, any claims received from contractors will be dealt with under the terms of the specific contract.

### **Newcastle: Park-and-ride Facility**

**Mr Rogers** asked the Minister for Regional Development whether he would consider introducing a park-and-ride-facility from the outskirts of Newcastle to the town centre at weekends during the summer season.

**(AQW 23203/11-15)**

**Mr Kennedy:** My Department is currently finalising the Park and Ride Strategic Delivery Programme for 2012-13. The programme has been developed in line with the Department's Park and Ride Strategy and is targeted at the delivery of sites that operate all year round to service commuters and those travelling on the Strategic Road Network. The type of temporary arrangement that you have referred to is not covered by the Programme.

I understand that during recent special events such as the Festival of Flight, the local Council has promoted temporary Park and Ride locations on both the Dundrum Road and Castlewellan Road in the town for the day. These have helped provide some additional parking for such events, which can attract up to 100,000 visitors. However, you will appreciate it would not be financially viable for my Department to extend such a service and facility to cover weekend periods during the summer season. Any suitable sites are privately owned, and costs to convert them into Park and Ride facilities, even on a temporary basis, would be prohibitive. In addition, Translink has advised that there would be a requirement for significant bus priority measures in order to make any park and ride proposition attractive and sustainable.

I am aware that during the summer months, parking can be at a premium throughout the town. Although the provision of tourist parking is primarily a matter for the Council to consider, my officials have previously met with Down District Council staff and the local Chamber of Trade to explore potential car parking sites in Newcastle. While no suitable parking sites have been identified within the confines of the town officials will continue to liaise with Council and the Chamber of Trade.

### **North Down: Grass Cutting**

**Mr Weir** asked the Minister for Regional Development to detail the budget allocated for grass cutting for North Down in 2013. **(AQW 23228/11-15)**

**Mr Kennedy:** My Department has allocated £37,000 for grass cutting operations in the North Down Council area during the 2013/14 financial year.

### **Roadside Parking Bays**

**Ms Maeve McLaughlin** asked the Minister for Regional Development to outline the criteria for designating roadside parking bays for people with disabilities.

**(AQW 23254/11-15)**

**Mr Kennedy:** My Department has a formal assessment process to determine if an applicant has a genuine need for the provision of a disabled roadside parking bay.

Applicants must be a Blue Badge holder and currently, if under 65, be able to confirm that they are in receipt of the higher rate of the mobility component of Disability Living Allowance. Anyone over 65 only needs to be a Blue Badge Holder.

Accessible bays are normally only provided for drivers with a Blue Badge. However, exceptions can be made for a Blue Badge holding passenger who cannot be left alone, for example, a child under 16 who lives at the same address as the proposed driver. When the passenger is over 16, evidence of the need for constant attendance, in the form of a letter from a Consultant Doctor, is required.

In addition, a bay will only be provided where there are significant parking difficulties outside the applicant's house. Surveys of parking levels are carried out as part of the assessment process and the timing of these surveys is based on information provided by the applicant.

A bay will not normally be provided where the applicant has access to a driveway or a garage or other off-street parking.

The following link to the NIDirect web site provides further detail on the process which may be of interest to you: <http://www.nidirect.gov.uk/accessible-parking-bays>

## North West 200

**Mr G Robinson** asked the Minister for Regional Development, in light of the problems that affected the NW 200 2013, for his assessment of changing legislation to facilitate flexible road closure orders.

**(AQW 23260/11-15)**

**Mr Kennedy:** In principle, I am supportive of proposals to achieve greater flexibility. My officials have been seeking advice on how that can be secured. Indications are that it cannot be achieved within the current legislation and that a Road Races (Amendment) Bill may be required to amend the 1986 Order. Consequently, further discussions are ongoing to see how we might progress a Bill as quickly as possible.

## South Tyrone: Safer Routes to School Project

**Ms McGahan** asked the Minister for Regional Development to detail the schools that are on the list for the safer routes to school project in South Tyrone.

**(AQW 23282/11-15)**

**Mr Kennedy:** There are two schools in the Dungannon and South Tyrone Borough Council area that have been included under the safer routes to school initiative for the current two year Local Transport and Safety Measures programme (2013/15). These are:

- St Mary's Primary School, White Bridge Road, Ballygawley; and
- St Patricks Academy, Killymeal Road, Dungannon.

The schools listed also have access to all Travelwise NI Schools resources, to help embed sustainable transport into all aspects of school life.

## Parking Fines: Payment Defaults

**Mr Weir** asked the Minister for Regional Development what additional actions his Department is taking to decrease the number of people who default on the payment of parking fines.

**(AQW 23285/11-15)**

**Mr Kennedy:** The percentage of payment rates for Penalty Charge Notices, since the introduction of decriminalised parking in 2006, is detailed in the table below:

### Rates of Payment of Penalty Charge Notices

Financial Year	Percentage Paid
2006/07	74.2%
2007/08	78.8%
2008/09	78.6%
2009/10	78.0%
2010/11	83.6%
2011/12	83.1%

The percentage for 2012/13 has not yet been finalised.

Since 2006, there has been a general decrease in the rate of non-payment of Penalty Charge Notices (PCN's) issued. This is especially true following the sharing of data with the Republic of Ireland, which has allowed my Departmental officials to chase debt in the Republic of Ireland, since 2010.

The biggest deterrent against non-payment is the threat of clamping and removal, however, existing regulations only allow clamping to take place in instances where more than three PCNs have issued. Unfortunately, this means that PCNs may remain unpaid for a period of time, with the only debt recovery action possible being referral to the Enforcement of Judgements Office.

A recent report by the British Parking Association stated that the collection rate for PCNs issued in England is 70%, with the rate in London being lower than the rest of England (64% in London and 72% in rest of England). In comparison, the rate of payment of PCNs in Northern Ireland is higher than in England.

My Department will continue to monitor the rate of payments of PCNs and review its policy on debt recovery, as required.

## Derry to Coleraine Bus Service

**Mr Durkan** asked the Minister for Regional Development whether Translink has considered operating an hourly bus service from Derry to Coleraine to include early morning and evening commuters.

**(AQW 23332/11-15)**



**Mr Kennedy:** My officials have liaised with Translink who operate both bus and rail services between Londonderry and Coleraine. Rail services operate a two hourly train service and bus services operate Goldline Service 234 on a two hourly frequency. Bus and rail services combined from Londonderry therefore operate an hourly service to Coleraine. These services provide commuters with varied opportunities of travel from Londonderry to Coleraine as train services commence at 06:05 and bus services commence at 07:30, with return journeys from Coleraine at 16:30, 17:30 and 17:50 on Goldline and 18:43 and 20:43 by train.

Ulsterbus also operate service 144/134 which provides six return journeys per day from Londonderry to Limavady and Coleraine via Seacoast Road, serving rural communities such as Bellarena and Castlerock.

Consideration has been given to increase bus service level between Londonderry and Coleraine, however this would duplicate other Translink services between these two locations.

### **East Antrim: Park-and-ride/Park-and-share Facilities**

**Mr Beggs** asked the Minister for Regional Development what assessment has been made of the impact of introducing park-and-ride; and park-and-share facilities in the East Antrim constituency.

**(AQW 23359/11-15)**

**Mr Kennedy:** In August 2011 I endorsed my Department's 'Strategic Review of Park & Ride' report and approved the proposed way forward. The report presented recommendations for the delivery and prioritisation of Park & Ride facilities.

My Department has established a Park & Ride Programme Board with responsibility for co-ordinating and prioritising the implementation of Park & Ride projects in line with the Departmental Strategy. The Programme Board has produced a 'Park & Ride Strategic Delivery Programme 2013-15' which is a schedule of Park & Ride projects, with clearly defined responsibilities for funding, implementation, maintenance and operation, to be taken forward by my Department's Transport Projects Division, Transport NI and Translink.

In relation to East Antrim and the adjacent constituencies, the Park & Ride Strategic Delivery Programme 2013-15 includes proposals for provision of the following additional Park & Ride facilities:

- Coleraine Bus and Train Centre – provision of 45 additional spaces.
- Ballymartin Road, Templepatrick – a new facility providing 420 spaces for bus based Park & Ride.
- Ballymena Train Station – provision of 50 additional spaces.

In addition, potential projects at Cullybackey Train Halt, Whiteabbey Train Halt and Paradise Walk Roundabout, Templepatrick are under consideration.

My Department's Roads Service has one Park and Ride car park in the Larne Council area, at Millbrook, on the A8 Belfast to Larne Dual Carriageway. This was completed early in 2012 and can accommodate 84 vehicles. Prior to its opening some 10-15 vehicles parked on the road adjacent to the bus stop. Since opening the car park at Millbrook, the number of vehicles parking has gradually increased and now there are approximately 50 vehicles per day using the car park. While some of these vehicles were displaced from parking on the road and others may have migrated to Millbrook from other parking places, it is considered that the provision of a highly visible and convenient car park will influence drivers to park their vehicle and continue their journey by public transport.

I am aware that there is significant demand for Park & Ride facilities, with many existing sites operating near capacity levels. This demand highlights the success brought about by my Department's investment in the railway network in recent years and it is something that I would like to continue to build upon.

I can advise you that Translink have confirmed that annual utilisation surveys of all its Park & Ride sites are conducted in October of each year and time-series analysis of trends in demand and supply produced. This information is used to monitor usage of all new/extended Park and Ride and Park and Share facilities and has been shared with the Programme Board set up in the Department.

### **East Antrim: Park-and-ride Facilities**

**Mr Beggs** asked the Minister for Regional Development which Park and Ride facilities in the East Antrim area are operating at full capacity; and what plans there are to extend park-and-ride facilities in East Antrim or the adjacent constituencies which would facilitate the greater use of public transport and car sharing.

**(AQW 23360/11-15)**

**Mr Kennedy:** I can advise you that Translink completed an utilisation survey of all Park and Ride sites in October 2012. The results showed that Whitehead and Larne Park and Ride sites are operating at full capacity and the demand is close to capacity at other locations in East Antrim. Translink continues to investigate opportunities to expand the provision at existing sites as well as creating new facilities, e.g. Ballymartin, by collaborating with my Department to deliver the schemes contained in the Park and Ride Strategic Delivery Programme 2013-2014.

In relation to East Antrim and the adjacent constituencies the Park and Ride Strategic Delivery Programme 2013-15 includes proposals for the delivery of the following additional facilities:

- Coleraine Bus and Train Centre – provision of 45 additional spaces.

- Ballymartin Road, Templepatrick – a new facility providing 420 spaces for bus based Park & Ride.
- Ballymena Train Station – provision of 50 additional spaces.

In addition, potential projects at Cullybackey Train Halt, Whiteabbey Train Halt and Paradise Walk Roundabout, Templepatrick are under consideration although no substantive plans exist at present.

Transport NI (Roads Service section) has one Park and Ride car park in the Larne Council area at Millbrook on the A8 Belfast to Larne Dual Carriageway. This was completed early in 2012 and is currently operating at about 60 per cent capacity.

### Northern Ireland Transport Holding Company

**Mr McNarry** asked the Minister for Regional Development to detail the properties identified to the Committee for Regional Development comprising assets of up to £6,943,072 in land and buildings purchased in the last five years by the Northern Ireland Transport Holding Company; and the cost of each property.

**(AQW 23379/11-15)**

**Mr Kennedy:** The assets of up to £6,943,072 identified to the Committee for Regional Development in land and buildings purchased in the last five years by the Northern Ireland Transport Holding Company are as follows:

Newry Rail Station (Land)	4,580,649
Whiteabbey Park & Ride	242,085
Building services and office works	542,779
Duncrue Street Warehouse extension	270,102
Ballymartin Park & Ride land	516,570
Carrickfergus Park & Ride	100,000
Fortwilliam cleaning sheds - additions	131,800
Retail units at Magherafelt bus station	253,505
Sundry	305,581
	£6,943,072*

\*Figures may not add up due to rounding

### Translink

**Mr McNarry** asked the Minister for Regional Development in relation to the requirement that Translink must break even annually, whether Translink is trading as an insolvent company, reliant on cash injections from its reserves and from public funding.

**(AQW 23380/11-15)**

**Mr Kennedy:** I can advise you that Translink is not trading insolvently. I would refer you to the latest set of audited accounts that have been laid in the assembly library and are made available to the public for the financial year ended 25 March 2012. The NITHC Directors Report on Page 61 and 62 provides assurance on the going concern of the group. While the 2012/13 Annual Accounts are not yet finalised, it is anticipated that similar assurance will be given for the financial year 2012/13.

### Translink: Fare Increases

**Mr McNarry** asked the Minister for Regional Development to outline how he intervened to prevent the recent fare increases introduced by Translink.

**(AQW 23381/11-15)**

**Mr Kennedy:** I can confirm that on an annual basis, Translink seek approval from my Department for the main elements of their Corporate Plan. The corporate plan sets out the broad financial plans and key performance measures for a three year period, setting the context for key decisions, such as Translink fares. Due to the budgeting constraints from the last Comprehensive Spending Review, particularly for concessionary fares, the major programme of investment in rail which has increased services, an average fares increase of 3% on Metro and Ulsterbus and 5% on NI Railways has been necessary. In considering the overall plans, I insisted that Translink hold the average rail fare increase up to January 2015. Over the period May 2013 to January 2015 this should be less than projected inflation. I also insisted the average bus fare increases are below or at inflation.

I will be continuing to keep pressure on both Translink, in terms of producing efficiency measures, and Departmental Officials and Executive colleagues in terms of securing additional funding to help protect our public transport system and minimise any adverse impacts on consumers.

## Roadside Monuments

**Mr Weir** asked the Minister for Regional Development to detail the number of illegal paramilitary or terrorist roadside monuments, broken down by constituency.

**(AQW 23391/11-15)**

**Mr Kennedy:** Details of the number of illegal paramilitary or terrorist roadside monuments, broken down by constituency, are set out in the table below:

Constituency	Number of illegal paramilitary or terrorist roadside monuments
Fermanagh & South Tyrone	9
Mid Ulster	2
West Tyrone	1
Foyle	1
Lagan Valley	1
Newry & Armagh	5
<b>Total</b>	<b>19</b>

## City of Culture 2013

**Mr Ó hOisín** asked the Minister for Regional Development to outline the measures that Translink has in place to accommodate the increase in the number of visitors to the City of Culture 2013 during the Fleadh Cheoil na hÉireann.

**(AQW 23406/11-15)**

**Mr Kennedy:** I can advise you that Translink has provided the following overview of its operations for the event:-

**City Services:** A special timetable will be put in place to facilitate Fleadh visitors and the people of the city. To facilitate camp sites around the city, it is envisaged that City Services will operate past the camp sites and a marketing campaign will be in place to inform visitors of ticket options, including day, weekly and family tickets.

**Cross-Border Services:** As from 2 June 2013, Translink is implementing its new Goldline cross-border service between Londonderry and Dublin via Dungiven, Maghera Park and Ride, Cookstown, Dungannon and Armagh. The service will operate 3 return journeys per day and will complement the existing 274 service to Dublin via Omagh. Passengers will be able to avail of either service and both will travel via Dublin Airport.

**Goldline Services:** Other major Goldline services, such as 212, will operate as normal with high capacity Goldline vehicles, as well as additional vehicles added to journeys from Belfast, Castledawson Park and Ride and Maghera Park and Ride.

**City of Derry Airport:** Is currently served by 13 return journeys per day; this will be maintained with high capacity vehicles to meet the demand of flights coming into City of Derry Airport.

Translink representatives have had discussions with colleagues in Bus Eireann to ensure that they are aware of the demand from the Fleadh and to ask them to ensure that there is sufficient capacity on their routes departing Foyle Street to Bundoran and Letterkenny.

Rail services will operate as per the current timetable.

Local Translink representatives will continue to work with Comhaltas, Derry City Council, Roads Service and PSNI to ensure a safe traffic management plan is in place during the event, as has been the case during all City of Culture events to date.

## Fairhill Road, Cusdendall: Water Mains

**Mr McMullan** asked the Minister for Regional Development to detail the number of times the water mains on the Fairhill Road, Cusdendall, have been repaired and the cost, in last four years.

**(AQW 23413/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the water main on the Fairhill Road, Cusdendall have been repaired on fourteen occasions within the last four years with an approximate total repair cost of £8,540. NIW plans to replace this water main and a project has been included in its Capital Works Programme for delivery during the period April 2013 to March 2015.

In the interim, NIW will closely monitor the situation to ensure that the existing water main is operating as effectively as possible.

## Asbestos Water Pipes

**Mr McMullan** asked the Minister for Regional Development to detail (i) the roads in Larne Borough and Moyle District Council areas which are served by asbestos water pipes; and (ii) whether Northern Ireland Water will prioritise replacement works. (AQW 23415/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that

- (i) the roads in Larne Borough and Moyle District council areas which are served or partially served by asbestos cement water mains are as detailed in the table below.

Larne Borough Council		Moyle District Council	
Name	Town	Name	Town
Bellahill Road	Ballycarry	Ballykenver Road	Armoyle
Brackenber Road	Ballycarry	Deane Park	Armoyle
Bridgend Road	Ballycarry	Mazes Road	Armoyle
Churchlands	Ballycarry	Stroan Road	Armoyle
Duntreagh	Ballycarry	The Park	Armoyle
Island Road	Ballycarry	Ballinlea Road	Ballycastle
Island Road Lower	Ballycarry	Carnduff Park	Ballycastle
Larne Road	Ballycarry	Clare Road	Ballycastle
Lough Road	Ballycarry	Islandarragh Road	Ballycastle
Manse Road	Ballycarry	Islandboy Road	Ballycastle
Mill Lane	Ballycarry	Kenmara Park	Ballycastle
West Street	Ballycarry	Kilmahamogue Road	Ballycastle
Lower Ballyboley Road	Ballynure	Lagavara Road	Ballycastle
Atlantic Avenue	Carnlough	Moyarget Road	Ballycastle
Bay Road	Carnlough	Moyle Road	Ballycastle
Marine Road	Carnlough	North Street	Ballycastle
Whitehill Road	Carnlough	Rathlin Road	Ballycastle
Ballylumford Road	Larne	Bay Road	Ballymena
Ballytober Road	Larne	Chapel Road	Ballymena
Ballywillin Road	Larne	Dalriada Gardens	Ballymena
Beltoy Road	Larne	Fair Hill	Ballymena
Browns Bay Road	Larne	Gaults Road	Ballymena
Church Road	Larne	Glendun Road	Ballymena
Crosshill Road	Larne	High Street	Ballymena
Gransha Brae	Larne	Torr Road	Ballymena
Hollow Road	Larne	Carrowreagh Road	Ballymoney
Lough Drive	Larne	Moycraig Road	Ballymoney
Low Road	Larne	Bridge Street	Bushmills
Millbay Road	Larne	Carnbore Road	Bushmills
Miss Mary's Loanen	Larne	Carnelis Road	Bushmills
Raloo Village	Larne	Castlenagree Road	Bushmills
Tureagh Road	Larne	Cozies Road	Bushmills
Upper Carneal Road	Larne	Criagalappan Road	Bushmills
Wellington Green	Larne	Distillery Road	Bushmills

<b>Larne Borough Council</b>		<b>Moyle District Council</b>	
<b>Name</b>	<b>Town</b>	<b>Name</b>	<b>Town</b>
Main Bentra Road	Whitehead	Drumnagee Road	Bushmills
		Esdale Park	Bushmills
		Haw Road	Bushmills
		Hazeldene Drive	Bushmills
		Islandranny Road	Bushmills
		Isle Road	Bushmills
		Main Street	Bushmills
		Primrose Hill	Bushmills
		Red Road	Bushmills
		Straid Road	Bushmills
		Toberkeagh Road	Bushmills
		Whitepark Road	Bushmills
		Woodvale Park	Bushmills
		Ardmoyle Park	Cushendall
		Ballyemon Road	Cushendall
		Bellisk Drive	Cushendall
		Bellisk Park	Cushendall
		Coast Road	Cushendall
		Dalriada Avenue	Cushendall
		Dalriada Park	Cushendall
		Glenann Road	Cushendall
		Gortaclee Road	Cushendall
		Kilnadore Park	Cushendall
		Kilnadore Road	Cushendall
		Middlepark Avenue	Cushendall
		Middlepark Crescent	Cushendall
		Middlepark Road	Cushendall
		Tavnaghan Lane	Cushendall
		Tromra Road	Cushendall
		Ballybrack Road	Cushendun
		Clady Road	Cushendun
		Cushleake Road	Cushendun
		Glenview Park	Cushendun
		Knocknacarry Avenue	Cushendun

Larne Borough Council		Moyle District Council	
Name	Town	Name	Town
		Knocknacarry Court	Cushendun
		Knocknacarry Gardens	Cushendun
		Knocknacarry Road	Cushendun
		Layde Road	Cushendun

- (ii) The use of asbestos cement water pipes for the supply of drinking water is not a health concern. There is not a specific programme to replace asbestos cement mains and they will be replaced over time as part of NIW's normal water mains rehabilitation programme.

### Culcavy Road, Hillsborough

**Mrs Hale** asked the Minister for Regional Development to detail how much has been spent on maintenance of the Culcavy Road, Hillsborough, during (i) 2011-2012; and (ii) 2012-2013.

**(AQW 23416/11-15)**

**Mr Kennedy:** A detailed breakdown of the cost of maintaining specific sections of the road network is not readily available.

However, my Department has invested £4.08 million in 2011/12 and £3.8 million in 2012/13 on structural maintenance in the Lisburn Borough Council area.

### Motorway Network Maintenance

**Mr McNarry** asked the Minister for Regional Development to detail the expenditure by design, build, finance and operate companies which maintain the majority of the motorway, and some of the trunk road, network.

**(AQW 23417/11-15)**

**Mr Kennedy:** The latest filed audited accounts provided by Design Build Finance Operate (DBFO) Companies show total operating costs, before interest and taxation, as per the Profit and Loss Accounts for DBFO Package 1 and DBFO Package 2, of some £34 million.

### Goldline Services: Passenger Numbers

**Mr P Ramsey** asked the Minister for Regional Development to detail the average annual number of (i) inbound; and (ii) outbound passengers on each of the 212 Goldline services.

**(AQW 23418/11-15)**

**Mr Kennedy:** The question cannot be answered in the format required as Translink record the number of passenger journeys rather than the number of passengers, as it would not be possible for it to identify each passenger who used its services. The tables below show the number of passenger journeys in each of the years. Some were 'assist' services to accommodate extra passengers on particularly busy scheduled services.

Boarding	2010/11	Passenger Journeys	No. of services
Londonderry		200,416	9,486
Belfast		250,735	10,057

Boarding	2011/2012	Passenger Journeys	No. of services
Londonderry		195,599	9,698
Belfast		267,539	10,906

Boarding	2012/2013	Passenger Journeys	No. of services
Londonderry		220,369	9,958
Belfast		299,732	10,426

## Penalty Charge Notices

**Mr Girvan** asked the Minister for Regional Development how many penalty charge notices were issued in (i) Antrim; (ii) Ballyclare; (iii) Toome; (iv) Crumlin; (v) Templepatrick; (vi) Randalstown; and (vii) Doagh during the financial year 2012-13. (AQW 23459/11-15)

**Mr Kennedy:** Details of the number of Penalty Charge Notices (PCNs) issued in the various towns during financial year 2012/13, are provided in the table below:

Town	2012/13	
	PCNs Issued	% of Total PCNs Issued in Northern Ireland
Antrim	1,140	1.05%
Ballyclare	235	0.22%
Toome	0	0%
Crumlin	76	0.07%
Templepatrick	0	0%
Randalstown	116	0.11%
Doagh	0	0%

## Street Lighting: Costs and Maintenance

**Mr Clarke** asked the Minister for Regional Development how much has been spent to provide and maintain street lighting, in each of the last five years.

(AQW 23486/11-15)

**Mr Kennedy:** Details of my Department's expenditure on street lighting provision and maintenance in each of the last five financial years are provided in the table below:

Activity	2008/09	2009/10	2010/11	2011/12	2012/13
	£k	£k	£k	£k	£k
Street Lighting Provision (Capital)	5,466	5,413	1,753	6,472	4,483
Street Lighting Maintenance	10,147	10,854	11,914	10,310	10,378
<b>Total</b>	<b>15,613</b>	<b>16,267</b>	<b>13,667</b>	<b>16,782</b>	<b>14,861</b>

## Street Lighting: Cost of Electricity

**Mr Clarke** asked the Minister for Regional Development how much has been spent on electricity for street lighting, in each of the last five years.

(AQW 23487/11-15)

**Mr Kennedy:** Details of my Department's expenditure on electricity for street lighting, in each of the last five financial years are provided in the table below:

Street Lighting Electricity Expenditure	2008/09	2009/10	2010/11	2011/12	2012/13
	£k	£k	£k	£k	£k
	11,106	8,083	9,543	10,227	10,321

## North Down: Grass Cutting and Weed Spraying

**Mr Dunne** asked the Minister for Regional Development when the first cycle of grass cutting and weed spraying will be complete in the North Down area.

(AQW 23614/11-15)

**Mr Kennedy:** Within North Down area, the first grass cut of the season is programmed to be completed by the 7 June 2013 and the first weed control treatment is due to be completed by 21 June 2013. However, as this work is dependent upon favourable weather conditions, the completion dates stated may be subject to change.

## Park-and-ride Facilities

**Mr Agnew** asked the Minister for Regional Development to outline the research his Department has undertaken on finding a solution to the use of park-and-ride facilities by people not availing of the public transport services, particularly in town centre areas; and whether any innovative solutions are being explored.

**(AQW 23651/11-15)**

**Mr Kennedy:** It can be difficult to determine whether or not people using park and ride sites in town centres are public transport users. In Bangor the park and ride site adjacent to the bus and rail station in Abbey Street is in the town centre. This makes it susceptible to use by non-public transport users. In order to alleviate this, Translink regularly deploys a member of staff to engage with drivers who do not appear to be public transport users. I have recently authorised Translink to undertake a feasibility study into a replacement ticketing system. As part of this study, the viability of using the new ticketing smart card to control access to park and ride sites will be explored.

## Department for Social Development

### National Insurance: Numbers, Schooling and Basic Health Support

**Mr Kinahan** asked the Minister for Social Development what advice his Department can give to workers arriving from Romania, Bulgaria and Hungary on the attainment of National Insurance numbers, schooling and basic health support.

**(AQW 22972/11-15)**

**Mr McCausland (The Minister for Social Development):** The Social Security Agency, through its network of local Social Security and Jobs and Benefits offices can provide advice and assistance to workers arriving from Romania, Bulgaria and Hungary on attaining a National Insurance Number. Persons from these countries wishing to apply for a National Insurance Number should contact their local Social Security or Jobs and Benefits office.

The Department of Education does not provide advice specifically to newcomer workers, however, it does support the education of newcomer pupils through direct funding to schools and the Inclusion and Diversity Service. This enables schools to support pupils whose language is not English to access the curriculum.

The Northern Ireland New Entrant Service, a regional service which has been established by the Public Health Agency and the Health and Social Care Board, provides particular support for all new immigrants including European Economic Area nationals, amongst other migrant groups, in meeting their health and social wellbeing needs.

The service complements existing services by offering holistic health and social wellbeing assessments, screening for communicable diseases, health promotion and immunisation through a combination of drop in clinics and appointments. Confidential help and advice on aftercare and potential onward referral is also provided, including an introduction to and explanation of Northern Ireland's health care system. Where appropriate, support with registering with a GP and dentist is also provided.

### Social Security Benefit Appeal Hearings

**Mr Hamilton** asked the Minister for Social Development how many social security benefit appeal hearings have been adjourned in each of the last three years because medical records were not available.

**(AQW 23113/11-15)**

**Mr McCausland:** The table below outlines the number of appeals adjourned in each of the last three years where the record noted that it was because medical records were not available. These figures include medical records from General Practitioners, hospitals and consultants.

Year	Number of Appeals adjourned for absence of Medical Records
2010/11	817
2011/12	802
2012/13	992

### Royston House, Belfast: Medical Assessments

**Mr Beggs** asked the Minister for Social Development, over the last 12 months, how many medical assessments could not be carried out at Royston House, Belfast due to the limited disability access of the building; and what was the cost of transporting these applicants to an alternative venue.

**(AQW 23127/11-15)**

**Mr McCausland:** The medical examination rooms at Royston House, the Belfast Medical Examination Centre, are located on the 4th floor. The building complies with both health and safety and disability discrimination legislation and is provided with lifts, enabling appropriate access for disabled people to all floors in the building. The issue with access is a result of the internal policies of the medical support provider and the Department is currently working with the provider to resolve this.



During the period 1 May 2012 to 30 April 2013 a total of 14,979 medical examinations were scheduled at Royston House Medical Examination Centre. The number of medical examinations rescheduled to an alternative Medical Examination Centre during this period was 1,676.

The cost of transporting these claimants during the period 1 May 2012 to 30 April 2013 to alternative medical examination centres by taxi was £35,000.

### Public and Private Housing Stock: Single-skin Properties

**Mr Buchanan** asked the Minister for Social Development to detail the number of single-skin properties in (i) public; and (ii) private housing stock, broken down by constituency.

**(AQW 23130/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not specifically record this data, nor does it routinely collate information by Parliamentary Constituency.

However, in relation to (i), Table 1 below details Housing Executive properties such as Orlits, Easiform and No Fines, which have solid wall construction, as well as Rural Cottages and pre-1940s terraced housing which are likely to be single wall construction. Table 2 below details single skinned properties in Housing Association ownership.

**Table 1: Housing Executive properties**

District Name	No Fines	Orlit	Easiform	Rural Cottages	Pre 1940s terraced housing
East Belfast	55	10			417
North Belfast	668				718
Shankill	404	49	348		357
South Belfast	222				989
West Belfast	292	193		1	428
Antrim	540	27		9	
Ballycastle				69	1
Ballymena	52	156		4	60
Ballymoney				121	5
Carrickfergus	83		267		5
Coleraine	188			104	36
Larne	70			2	
Newtownabbey 1	249				1
Newtownabbey 2				2	4
Armagh		7		14	21
Banbridge	3	3		42	27
Dungannon	60	13		27	67
Fermanagh	71	20		17	19
Lurgan Brownlow	397			16	31
Newry	17			7	61
Portadown	190	9		3	12
Bangor	336			30	5
Castlereagh	47			11	
Downpatrick		7		21	14
Lisburn Antrim Street	406	141		47	32
Lisburn Dairy Farm	279				
Newtownards	200			141	28

District Name	No Fines	Orlit	Easiform	Rural Cottages	Pre 1940s terraced housing
Collon Terrace	305			5	
Cookstown				11	4
Limavady				27	5
Magherafelt		17		28	
Omagh	19	68		17	39
Strabane	21	20		8	25
Waterloo Place	104				28
Waterside	18			17	5
<b>Totals</b>	<b>5296</b>	<b>740</b>	<b>615</b>	<b>801</b>	<b>3444</b>

**Table 2 – Single Skinned properties in Housing Association ownership**

Constituency	No. of Properties
Belfast East	827
Belfast North	445
Belfast South	386
Belfast West	113
East Antrim	71
East Londonderry	5
Fermanagh & South Tyrone	1
Foyle	109
Lagan Valley	9
Mid Ulster	13
Newry & Armagh	23
North Antrim	NIL
North Down	9
South Antrim	2
South Down	22
Strangford	5
Upper Bann	424
West Tyrone	6

In relation to (ii), the Housing Executive advised that there are approximately 114,300 properties in the private sector that have single skin construction.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Social Security Agency

**Mrs Dobson** asked the Minister for Social Development whether he is able to intervene once a decision maker in the Social Security Agency has made a decision on claims and applications from a customer and has he or any of his predecessors ever done so.

**(AQW 23219/11-15)**

**Mr McCausland:** Decisions on claims and applications are made by the Department. In practice the Department does not make decisions personally. Instead, under the Carltona principle officials act on the Department's behalf, provided that it is satisfied that they are suitably trained and experienced to do so. These officials are called decision makers.

The decision maker takes all necessary action on behalf of the Department, including gathering information, making decisions on claims and applications, dealing with administrative matters such as suspension of payment. The decision maker must make the decision under the relevant law and case law which applies.

As Minister, and head of the Department, I can initiate a revision when a decision maker in the Social Security Agency has made a decision on claims and applications from a customer. However, any revised decision must also comply with the legislation.

I have not instigated any revisions of decisions made by decision makers in my Department and to the best of my knowledge neither have any of my predecessors.

## Housing Reform

**Mr Allister** asked the Minister for Social Development why, within housing reform, it is anticipated that his Department will have the policy setting function and the regulatory role; and why previous thinking in favour of independent regulation has been abandoned.

**(AQW 23227/11-15)**

**Mr McCausland:** Following receipt of the PWC reports detailing the outcomes of the Review of the Northern Ireland Housing Executive (June 2011) and the Mature Conversation with key Stakeholders (December 2011), I considered the continuum of potential solutions that had been developed.

On policy, all parties agreed that it was the proper role for the Minister and the Department to define the required outcomes from the housing sector and set the policy agenda to achieve these outcomes (supported as required by legislation). Under my proposals, the Department will have responsibility for overall housing strategy, policy, legislation and funding. This model recognises the key role of the Minister, the Executive and Assembly in establishing the overall housing strategy and priorities for Northern Ireland.

On Regulation, I am firmly of the view that an enhanced Regulation and Inspection Unit within my department but distinct from policy development and independent of those organisations it regulates would allow the necessary focus on governance and accountability. I believe this will provide the necessary assurances that social housing providers operate effectively. In December 2012, this approach was endorsed by Executive colleagues for further exploration and development of proposals and this process is currently ongoing.

## 'No Ball Games' Signs

**Ms P Bradley** asked the Minister for Social Development whether 'No Ball Games' signs that are erected on Northern Ireland Housing Executive property or land are legally enforceable.

**(AQW 23252/11-15)**

**Mr McCausland:** "No Ball Games" signs can be erected within residential areas in an effort to encourage youths to use park/open field playing areas. However, the Housing Executive has advised that in general the playing of ball games is not against the law and "No Ball Games" signs are not enforceable unless a Council regulation in relation to that specific area had been imposed. The Housing Executive does not have any statutory power to make or enforce bylaws.

## Randalstown: Regeneration

**Mr Kinahan** asked the Minister for Social Development to detail (i) how much money has been allocated for the regeneration of Randalstown; (ii) the areas where it will be spent; and (iii) whether any finance will be spent on alternatives to the previous refurbishment plan.

**(AQW 23256/11-15)**

**Mr McCausland:** My Department included provision for up to £300,000 for the regeneration of Randalstown in 2013/14 for an Environmental Improvement scheme in the town centre. However as I stated in my response to AQW 22691/11-15 this scheme is now unlikely to commence until spring next year. Further discussions will be arranged with interested stakeholders, including Randalstown Chamber of Trade, on the options for the scheme and the scope for a Revitalisation scheme in the interim.

## Welfare Reform Bill

**Mr Lunn** asked the Minister for Social Development to detail the dates, between 14 April 2013 and 13 May 2013, on which he, or his departmental officials, held meetings with representatives of other parties represented in the Executive, concerning the Welfare Reform Bill.

**(AQW 23322/11-15)**

**Mr McCausland:** Discussions on the Welfare Reform Bill for Northern Ireland between Executive Colleagues and the Government are ongoing.

## Benefit Claimants: Other Countries

**Mr Kinahan** asked the Minister for Social Development to outline his plans to streamline the procedures for benefit claimants from other countries.

**(AQW 23366/11-15)**

**Mr McCausland:** The Social Security Agency, through its network of local Social Security and Jobs and Benefits offices and Benefit Centres, currently provides advice and assistance to anyone wishing to claim benefit. A claimant who is a foreign national is given the same assistance and is required to meet the same criteria, subject to fulfilling the requirements of the Habitual Residence Test, as any permanent Northern Ireland resident, when making a claim to benefit.

On 25 March 2013, the Prime Minister announced proposals aimed at ensuring that support is available to genuine workers and jobseekers but not allowing people from other countries to claim benefits indefinitely without doing all they can to find work.

Jobseekers from EEA countries, including those who have become involuntarily unemployed, have a right to reside in the United Kingdom and may be entitled to income-related benefits. The Prime Minister proposes a statutory presumption that an EEA national will cease to be treated as a jobseeker after six months and, as a consequence, will be unable to continue to claim benefits unless they demonstrate that they are actively seeking work and have a genuine chance of being engaged. It is anticipated that this will be effected through changes to immigration law.

However contributory benefits, such as contribution based jobseeker's allowance, are payable to anyone who satisfies the contribution and other conditions of entitlement, even if they do not have the right to work in the United Kingdom. The Prime Minister confirmed the intention that such contributory benefits will be available only to those with a legal right to work at the point of claim. Proposals were also made to strengthen the Habitual Residence Test.

## Welfare Reform Bill

**Mr Kinahan** asked the Minister for Social Development how the Welfare Reform Bill will impact on people from EU countries who live here; and what he is doing to mitigate the impact.

**(AQW 23368/11-15)**

**Mr McCausland:** The proposals within the Welfare Reform Bill include the introduction of a new income related benefit called Universal Credit. This will replace Income Support; income based Jobseeker's Allowance; income related Employment and Support Allowance; Housing Benefit; Child Tax Credits and Working Tax Credits.

In line with current national and international obligations, Universal Credit will be payable to all claimants, including EU nationals, who satisfy the basic and financial conditions. However, EU nationals must also satisfy the requirements of the Habitual Residence Test.

EU nationals asserting their right to reside in Northern Ireland can claim Universal Credit providing they are workers, self-employed or jobseekers. Students and people who are not seeking work have a legal right to reside but have to be self sufficient and are not entitled to claim Universal Credit.

As part of the conditions for receipt of Universal Credit, the Bill provides that all EU jobseekers will be subject to full conditionality i.e. all work-related requirements. They will not benefit from the exemptions from conditionality in the Bill as this would prevent the Department for Social Development from verifying that they continue to have a right to reside on the basis of seeking work. It is not intended that EU self-employed will be subject to this check.

It is envisaged that the regulation making powers in the Bill will be used in a way that is similar to the existing legislation for income-related benefits. As Universal Credit is classified as social assistance, it is considered a proportionate aim to protect the economic stability of the member state to subject jobseekers from outside the UK to full conditionality. Therefore, no mitigation is necessary.

## Employment and Support Allowance: ESA 50 Form

**Mr McGlone** asked the Minister for Social Development, in each of the last three years, how many recipients of employment and support allowance have had to complete an ESA 50 form within (i) three; (ii) six; (iii) nine; and (iv) 12 months of previously completing the form.

**(AQW 23372/11-15)**

**Mr McCausland:** The Department is unable to provide the information in the format requested.

All new Employment and Support Allowance claimants are required to complete a medical questionnaire (form ESA 50) to enable the Department to determine their correct benefit entitlement and support.

Once entitled, all existing claimants are subject to periodic reviews which also include the completion of a medical questionnaire (form ESA 50). The period of review is based on recommendations from a healthcare professional considering the claimants illness, medical report and any additional medical evidence provided.

These reviews also ensure that all claimants continue to receive their correct benefit entitlement and support.

## Benefit Applicants

**Lord Morrow** asked the Minister for Social Development whether an advocate can attend an (i) Atos work capability; and (ii) other assessment with the benefit applicant, in order to make notes and to ensure parity should the outcome, decision, answers or procedures of the assessment be disputed by the claimant and require review or appeal.

**(AQW 23393/11-15)**

**Mr McCausland:** All benefit claimants are encouraged to bring a friend or companion with them to a (i) work capability; and/or (ii) other medical assessment. A claimant's companion is entitled to take notes for their own use and benefit. However, these notes are not accepted by my Department as an official record of the assessment.

## Welfare Reform Bill

**Mr Durkan** asked the Minister for Social Development what cost will be incurred by the failure to pass the Welfare Reform Bill in accordance with his Department's original timetable.

**(AQW 23419/11-15)**

**Mr McCausland:** In accordance with the parity arrangements governing the passage of social security legislation, it is normal practice that the Northern Ireland Assembly legislate on social security matters as soon as possible after the equivalent legislation has received Royal Assent in Great Britain.

I have previously informed the Assembly that United Kingdom Ministers have expressed concern with regard to the delay in the passage of the Welfare Reform Bill (NI) 2012. They have indicated that they will delay reviewing the position on adjustments to the Northern Ireland Block to take account of any additional costs being incurred by HM Treasury until after the Bill has completed its legislative passage. Decisions on any adjustments to the Northern Ireland Block must be made in accordance with the terms of the Statement of Funding Policy.

The costs of administrating, calculating and paying social security benefits are met from the Northern Ireland Block. Any additional costs of administrative work arising from the existing social security systems no longer being aligned or the need to pay additional costs to access information technology systems will have to be funded by the Executive. My officials are continuing to ascertain the costs and potential impacts.

## Foyle: Northern Ireland Housing Executive Properties

**Mr Durkan** asked the Minister for Social Development to detail the number of Northern Ireland Housing Executive properties in the Foyle constituency that have cavity wall insulation.

**(AQW 23421/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not routinely collate information by Parliamentary constituency. However, the Housing Executive advise that there are approximately 1,247 non cavity wall properties across the three District offices in the Foyle constituency and there are 5,793 properties with cavity walls. Detailed information is not available on the incidence of cavity wall insulation in these dwellings as many installation schemes were carried out prior to the introduction of their computerised recording system and records are therefore incomplete. Given the combination of the Housing Executive's major programme to install cavity wall insulation in the 1980s, multi-element improvement schemes and their previous new build programme from the mid 1980s, they are confident that other than a small number of dwellings where tenants may have refused the works, all of those dwellings where cavity wall insulation can be installed has been installed.

## Work Capability Assessment

**Mr Durkan** asked the Minister for Social Development, pursuant to AQW 22862/11-15, whether the statistically valid sample used in the Department's audit of the work capability assessment included every constituency area.

**(AQW 23422/11-15)**

**Mr McCausland:** The statistically valid sample used in the Department's audit of work capability assessment outcomes is representative of the total assessment outcomes received from Atos Healthcare for all Northern Ireland Employment and Support Allowance and Incapacity Benefit Reassessment claimants.

The sample is not broken down or categorised by location or constituency area.

## South Antrim: One- and Two-bedroom Social Housing Units

**Mr Girvan** asked the Minister for Social Development how many new build (i) one-; and (ii) two-bedroom social housing units will be provided in the South Antrim constituency, in each of the next three years.

**(AQW 23451/11-15)**

**Mr McCausland:** The table below details the number of one and two bed units, included in the Social Housing Development Programme (2013 – 2016) that will be provided within the South Antrim Parliamentary constituency: -

Year	1 Bed	2 Bed
2013/14	8	45
2014/15	0	15
2015/16	2	23

### **'The Socio-economic Impact of the Traditional Protestant Parading Sector in Northern Ireland'**

**Mr Copeland** asked the Minister for Social Development to outline the positive points which came from the departmental funded report 'The Socio-economic Impact of the Traditional Protestant Parading Sector in Northern Ireland'; and how his Department will use the findings in this report.

**(AQW 23496/11-15)**

**Mr McCausland:** The Protestant Parading Sector is recognised as a significant element within Northern Ireland society and this report outlines, for the first time, the economic footprint and social capital output of the organisations to wider society. We now have extensive, robust and independently collected data on the social and economic impact the sector delivers to our society. Some of the positive points highlighted by the report include:

- The economic and social benefits generated by the Loyal Orders and marching bands community amounts to £54.04 million per year, £39 million through the provision of facilities, community and volunteer work and fundraising for numerous charities and direct economic input of approximately £15 million.
- The provision of 750 community facilities located throughout Northern Ireland which are used, not only by the Loyal Orders and bands, but also a range of other groups. Up to 6,000 groups meet on a regular basis in these facilities. As well as providing a social lifeline to many otherwise isolated rural communities, the provision of such amenities is also of significant financial benefit to local councils, users and other providers.

As Minister with responsibility for the voluntary and community sector I am particularly impressed with the amount of charitable and voluntary work undertaken by the Loyal Orders and marching bands highlighted in the report.

DSD's aim in commissioning this independent research was to assess measure and document the social, economic and cultural impact of the Protestant parading tradition to Northern Ireland. The findings will now be disseminated across Government to inform future policy making.

### **Employment and Support Allowance: Assessments**

**Mr McGlone** asked the Minister for Social Development, in relation to employment and support allowance assessments, what guidance is given on, and what weight is attached to, conditions prone to flare ups, such as lupus, that cause debility and longer-term deteriorating disability.

**(AQW 23522/11-15)**

**Mr McCausland:** Healthcare Professionals carrying out Work Capability Assessments receive comprehensive training and guidance on variable and fluctuating conditions.

A yearly training needs analysis is undertaken by Atos Healthcare who are contracted to undertake the Work Capability Assessment, and this is approved by the Social Security Agency's Health Assessment Adviser. This informs the development of a professional development programme, which includes ongoing training for variable and fluctuating conditions. Within the last 12 months, all healthcare professionals, as part of their Continuing Medical Education, completed a specific learning module on variable conditions.

Healthcare Professionals also have access to evidence based information, including the description, diagnosis and the main disabling effect of many variable and fluctuating conditions including among other Lupus and Rheumatoid Arthritis.

In addition to observations at the medical assessment, the healthcare professional will also consider the history and clinical evidence of the claimant's condition to determine the pattern of variability and give an assessment of the overall level of disability for the majority of the time – not just on the day of the assessment.

### **Cumann Lúthchleas Gael**

**Mr McGlone** asked the Minister for Social Development what assessment has been made by his Department of the social and economic impact of An Cumann Lúthchleas Gael (GAA).

**(AQW 23523/11-15)**

**Mr McCausland:** DSD has not been asked to carry out a specific assessment of the social and economic impact of an Cumann Lúthchleas Gael (GAA).

However my department recognises the significant impact of this important organisation by providing funding support for through its Modernisation Fund Capital Programme and Neighbourhood Renewal schemes.

DSD supports the GAA through the Sport in the Community project providing funding to help support innovative community development and volunteering activity. This flagship project is a joint partnership between the Ulster GAA, the Irish Football Association and Ulster Branch Irish Rugby Football Union.

### Benefit Applicant: Medical Assessments

**Mr Weir** asked the Minister for Social Development what percentage of medical assessments for benefit applicants were held at (i) Royston House; (ii) the home of the applicant; and (iii) other locations, in each of the last three years.

**(AQW 23536/11-15)**

**Mr McCausland:** This information is captured from June 2011, when the provision of medical assessments for benefit applicants was taken over by the current service provider. Prior to this date the Social Security Agency managed the medical support services and did not collect the information requested.

The information detailed below, by financial year, covers the period 20 June 2011 to 31 March 2013.

- (i) percentage of medical assessments held at Royston House:
  - 20 June 2011 to 31 March 2012 – 43%
  - 1 April 2012 to 31 March 2013 – 32.88%
  - 1 April 2013 to 28 May 2013 – 31.48%
- (ii) percentage of medical assessments held in the applicant's home:
  - 20 June 2011 to 31 March 2012 – 13.92%
  - 1 April 2012 to 31 March 2013 – 16.83%
  - 1 April 2013 to 28 May 2013 – 12.02%
- (iii) percentage of medical assessments held in other medical examination centres:
  - 20 June 2011 to 31 March 2012 – 43.08%
  - 1 April 2012 to 31 March 2013 – 50.29%
  - 1 April 2013 to 28 May 2013 – 56.50%

### Employment and Support Allowance

**Mrs Dobson** asked the Minister for Social Development why the Social Security Agency is using 2010/11 tax year figures to assess the current applications for employment and support allowance.

**(AQW 23545/11-15)**

**Mr McCausland:** It is the claimant's National Insurance Contributions, paid in the last two complete tax years immediately prior to the benefit year in which their claim is made, that are taken into account for the purposes of determining entitlement to contribution based Employment and Support Allowance.

For Employment and Support Allowance claims made in 2013, the benefit year runs from 6 January 2013 to 28 December 2013. Therefore, the last two complete tax years used to determine entitlement to contribution based Employment and Support Allowance are 2010/11 and 2011/12.

### North Down: New Social Housing Builds

**Mr Weir** asked the Minister for Social Development to outline any plans for social housing new builds in North Down.

**(AQW 23594/11-15)**

**Mr McCausland:** The Housing Executive has provided the table below which lists the current proposed schemes in the Social Housing Development Programme for North Down over the period 2013 – 2016:

Year	Scheme	Units
2013/14	North Down Older People, Ravara, Bangor	24
	16 Cronston Court, Bangor	10
	117A Donaghadee Road/7 Summerhill Park, Bangor	10
	South Circular Road, Extension, Bangor	4
	34-36 Bangor Road, Holywood	8
	Rathgill Greenfield, Phase 1	100
	Clifton Special Care School, Old Belfast Road	106
	North Down Young People Leaving Care	12

Year	Scheme	Units
2013/14	PSNI Site, 5 Millisle Road, Donaghadee	10
	78 Rathgael Road, Bangor	8
	Carmen Lane, Bangor	4
	<b>Total</b>	<b>296</b>
2014/15	Corner of Faulkner Road/Clandeboyne Road, Bangor	54
	Rathgill, Phase 2, Bangor	50
	West Church, Bangor	18
	<b>Total</b>	<b>122</b>
2015/16	Killoughey Road, Donaghadee	24
	Moss Road, Millisle, Phase 2	3
	122-124 High Street, Holywood	18
	High Bangor Road, Donaghadee	12
	Rathgael Road/Clandeboyne Road, Bangor	30
	Kilclief Gardens, Bangor	13
	<b>Total</b>	<b>100</b>

### Portadown: Carleton Over-50s Association

**Mrs Dobson** asked the Minister for Social Development what assistance his Department can provide to the Carleton over-50s association, Portadown, as they seek to meet the needs of the local community.

(AQW 23611/11-15)

**Mr McCausland:** Through the Community Support Programme, a joint programme between my Department and local councils, Carleton Over 50's Association was recently awarded £500.00, by Craigavon Borough Council, to support their work. My Department also provides funding to a consortium led by the Northern Ireland Council for Voluntary Action (NICVA), which is tasked with supporting the voluntary and community sector across all of Northern Ireland. NICVA operate a dedicated funding database that covers all grant-making sectors and funds available to not-for-profit groups and charities in Northern Ireland. This can be accessed through the link below, and is an important and useful resource for organisations seeking to access funding.

[www.grant-tracker.org](http://www.grant-tracker.org)

### King Street, Bangor: Felling of Trees

**Mr Agnew** asked the Minister for Social Development (i) why his Department commissioned the felling of trees at King Street, Bangor; (ii) what survey was undertaken to ascertain whether birds were nesting in the trees; (iii) what qualifications the people who conducted the survey hold; and (iv) why this work could not have been postponed until after the nesting season.

(AQW 23667/11-15)

**Mr McCausland:** My Department recently purchased land and properties at Queens Parade, Bangor. As owner of the Queen's Parade development site the Department has a legal responsibility to ensure that the site is secured and the Health and Safety risk to the public is minimised. The properties including the gardens to the rear of King Street have been derelict for a number of years and are in a state of considerable disrepair and the target of antisocial behaviour. The contractor engaged to secure the site advised the Department that the only way to effectively secure the site was to remove three trees from the rear gardens and erect a new boundary fence along the boundary line of the gardens. The area was surveyed on a number of occasions the Contractor and R&M Greenkeepers in advance of the works and they confirmed that there were no birds nesting in the area.

### Social Security Agency

**Mr Agnew** asked the Minister for Social Development to detail the budget for the Social Security Agency for each of the (i) last three years; and (ii) next three years.

(AQW 23668/11-15)

**Mr McCausland:** The Social Security Agency's spending is made up of Departmental Expenditure Limit funded items and Annually Managed Expenditure funded items.



Departmental Expenditure Limit budgets are allocated by the NI Executive for a spending review period and meet the costs of administering social security benefits and include capital, resource and non cash. Annually Managed Expenditure is met directly from HM Treasury outside of the funding controlled and managed by the NI Executive and meet the costs of actual social security benefits. Annually Managed Expenditure budgets are set on an annual basis.

The Social Security Agency's budget for the last 3 years (2010/11 to 2012/13) for Departmental Expenditure Limit funding and Annually Managed Expenditure is shown below.

£'m	2010/11	2011/12	2012/13
Departmental Expenditure Limit	217	177	180

The Departmental Expenditure Limit figures exclude any funding for the Belfast Benefit Centre which is met by the Department for Work and Pensions.

£'m	2010/11	2011/12	2012/13
Annually Expenditure Expenditure	4,404	4,524	4,718

The Departmental Expenditure Limit budget for 2013/14 and 2014/15, the remaining years of the current spending review settlement is shown below. The 2015/16 year will be the subject of a future spending review and Northern Ireland Budget process.

£'m	2013/14	2014/15
Departmental Expenditure Limit	235	250

The 2013-14 and 2014-15 figures include from the 1st April 2013 the transfer from Annually Managed Expenditure to Departmental Expenditure Limit for the discretionary elements of Social Fund.

As Annually Managed Expenditure is managed through an annual process there are no budgets for the future three years. The budget for 2013-14 will be set through the main estimate in June 2013 and is expected to be in the region of £4,743m.

### Vital Venue at Ebrington, Derry: Permanent Arena

**Ms Maeve McLaughlin** asked the Minister for Social Development what actions are being taken to ensure that the Vital Venue at Ebrington, Derry is secured as a permanent venue as a legacy project of the City of Culture 2013.  
(AQW 23795/11-15)

**Mr McCausland:** While my Department funded the Venue 2013 on the basis of the contribution it would make to the United Kingdom City of Culture year's regenerative impact, funding for permanent cultural venues is the responsibility of the Department of Culture, Arts and Leisure. In addition, the availability of the Ebrington site as a location for a permanent venue is a matter for the Office of the First Minister and Deputy First Minister. This is, therefore, a matter for those Departments.

### Venue in Derry's Ebrington Square: Permanent Arena

**Mr Durkan** asked the Minister for Social Development what action his Department has taken to ensure that the Venue in Derry's Ebrington Square is secured as a permanent arena beyond the 2013 City of Culture year.  
(AQW 23862/11-15)

**Mr McCausland:** While my Department funded the Venue 2013 on the basis of the contribution it would make to the United Kingdom City of Culture year's regenerative impact, funding for permanent cultural venues is the responsibility of the Department of Culture, Arts and Leisure. In addition, the availability of the Ebrington site as a location for a permanent venue is a matter for the Office of the First Minister and Deputy First Minister. This is, therefore, a matter for those Departments.

## Northern Ireland Assembly Commission

### Insurance Excess for 2012-13

**Mr Lunn** asked the Assembly Commission, pursuant to AQW 22320/11-15, to detail the insurance excess that applies for 2012-13 and who is responsible for payment.  
(AQW 23333/11-15)

**Mr Weir (The Representative of the Assembly Commission):** Further to AQW 22320/11-15 the excess that was applied in respect of the Libel, Slander and Defamation element of the Combined Employer's and Public Liability Insurance policy for 2012/13 was £5,000. The payment of an excess is the responsibility of the insured. The insured for the purposes of this policy are the Northern Ireland Assembly (comprised of the 108 Members of the Assembly) and the Northern Ireland Assembly Commission.



# Revised Written Answers

This section contains the revised written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Revised Written Answers

## Department of Culture, Arts and Leisure

*In Bound Volume 55, page WA 49, please replace AQW 40/11 with:*

### Loughmacrory Lough

**Mr B McElduff** asked the Minister of Culture, Arts and Leisure to outline his Department's efforts to re-stock Loughmacrory Lough; and to detail any other measures taken by his Department to support and assist the local community, including anglers, to increase access to, and maximise the amenity of, Loughmacrory Lough.

**(AQW 140/11)**

**Mr N McCausland (Minister of Culture, Arts and Leisure):** Details of expenditure by my Department (DE) and the Education and Library Boards (ELBs) on external consultancy from 2005-06 to 2008-09 are provided in the tables below. Expenditure in relation to PriceWaterhouseCoopers (PWC), Deloitte and Ernst & Young are separately identified.

#### DE

Year	Total £'000	PWC £'000	Deloitte £'000	Ernst & Young £'000
2005-06	532	164	-	-
2006-07	906	68	-	-
2007-08	1,388	88	146	-
2008-09	843	99	28	-

#### ELBs

Year	Total £'000	PWC £'000	Deloitte £'000	Ernst & Young £'000
2005-06	1,442	980	20	64
2006-07	1,965	1,664	-	-
2007-08	1,895	1,552	-	-
2008-09	613	460	-	-

## Department of Education

*In Bound Volume 29, page WA 32, please replace AQW 4785/08 with:*

### Consultancy Firms

**Mrs I Robinson** asked the Minister of Education to detail (i) the number of occasions on which her department has employed the services of consultancy firms; (ii) the work completed on each occasion; and (iii) the costs incurred by her department, in the financial year 2007-08.

**(AQW 4785/08)**

**Ms C Ruane (The Minister of Education):** My Department employed the services of consultancy firms on 26 assignments in the financial year 2007-08 in relation to external consultancy, as classified in accordance with the guidance set out by the Department of Finance and Personnel (DFP).

The table below sets out the work completed and the total costs incurred on external consultancy. Clearly, such firms may also be engaged on other areas of work, which are not classified as external consultancy in accordance with DFP guidelines. Spend in relation to such activities is not readily available and could only be obtained at disproportionate cost.

Name of Project	£'000
Additional HR Support	26

Name of Project	£'000
Audit of the Youth Estate	35
Chartermark Re-Assessment	1
Communications Support	9
DE Catering Advisor	9
Development of ETI Communication Styles	6
Development of RPA Outline Business Case	40
Education and Skills Authority	26
Financial Management Scoping Study	24
Frameworks Project	975
Governor Handbook	15
ICT Audit	32
IIP re-accreditation	1
Independent Evaluation of the Inspection Process	30
Independent Strategic Review of Education	21
Independent Validation of the Operational requirement for the Teachers' Pensions Replacement System	9
Network Health Check	3
Post-primary Facilitation Exercise	1
Preparation and production of a revised Literacy and Numeracy Strategy	12
Preparation of Outline Business Cases for 2004 Announced Schools Sector PPP Projects	21
Review of Irish Medium Education	15
Revision of DE Circular 99/10: Pastoral Care in Schools - Child Protection	7
Specialist School Assessment Panel	19
Support to assist with the implementation of RPA	10
To facilitate the Department of Education with Public Consultation Meetings on, English as an Additional Language (EAL) - Draft Policy	17
Workforce Planning	24
<b>Total</b>	<b>1,388</b>

*In Bound Volume 29, page WA 40, please replace AQW 5121/08 with:*

### Review of Public Administration

**Mr Storey** asked the Minister of Education to detail the amount she has spent on consultants relating to the Review of Public Administration.

**(AQW 5121/08)**

**Ms C Ruane (The Minister of Education):** The amount spent by the Department of Education on external consultants relating to the Review of Public Administration for the 2006-07 and 2007-08 financial years are set out in the tables below.

#### 2006/07

Name of Project	Consultant	£'000
EQIA Training	Key Consulting	1
Preparing RPA Workshop materials	Mentoring Connection	3
Printing RPA Newsletter	Commercial Graphics	1

Name of Project	Consultant	£'000
Programme Management Support	PA Consulting	235
Recruitment of ESA CE Designate	Capita Resourcing	24
Review of Research, Monitoring & Advice	PA Consulting	60
RPA Element of a larger commissions iro DE Communications Audit	Weber Shandwick	2
RPA Newsletter Design	Lesley Stannage Design	1
<b>Total</b>		<b>327</b>

**2007/08**

Name of Project	Consultant	£'000
Communications Support	PA Consulting	9
ESA 2nd Tier Structure & Location Strategy	Deloitte	20
HR Support	Deloitte	26
ICT Audit	PWC	32
Joint consultancy with NILA – Finance Systems Development Work	PWC	6
Outline Business Case	Deloitte	40
Programme Management Support (continuation of Item 1)	PA Consulting	10
<b>Total</b>		<b>143</b>

*In Bound Volume 41, page WA 98, please replace AQW 7835/09 with:*

**Departmental Spend on Consultants**

**Mr Craig** asked the Minister of Education how much her Department has spent on internal and external consultants, in each of the last three years.

**(AQW 7835/09)**

**Ms C Ruane (The Minister of Education):** Expenditure by my Department on external consultancy between 2005/06 and 2008-09 is set out in the table below. Spend in relation to internal consultancy is not readily available and could only be obtained at disproportionate cost.

Year	£'000
2005-06	532
2006-07	906
2007-08	1,388
2008-09	843

*In Bound Volume 43, page WA 21, please replace AQW 70/1 with:*

**Private Consultancy Firms and Events Companies: Cost to DE**

**Mr McGlone** asked the Minister of Education how much has been spent by her Department in each of the last five years on (i) private consultancy firms; and (ii) events companies.

**(AQW 70/10)**

**Ms C Ruane (The Minister of Education):** The amounts spend by my Department on external consultants and events companies in each of the financial years from 2004-05 to 2008-09 are set out in the table below.

Private consultancy firms may also be engaged on other areas of work, which are not classified as external consultancy in accordance with guidance issued by the Department of Finance and Personnel (DFP). Spend in relation to such activities is no readily available and could only be obtained at disproportionate cost.

Year	Amount spent on external consultants £'000	Amount spent on events £'000 Companies companies
2004-05	766	-
2005-06	532	4
2006-07	906	1
2007-08	1,388	5
2008-09	843	4

*In Bound Volume 52, page WA 228, please replace AQW 7269/10 with:*

### Education and Skills Authority: Implementation Team

**Mr D O'Loan** asked the Minister of Education how much the Education and Skills Authority implementation team has spent on consultancy in each of the last three years.

**(AQW 7269/10)**

**Ms C Ruane (The Minister of Education):** The Education and Skills Authority Implementation Team has spent the following on external consultancy in the 2007-08 to 2009-10 financial years:

Year	£'000
2007-08	143
2008-09	162
2009-10	218

*In Bound Volume 52, page WA 230, please replace AQW 7313/10 with:*

### Review of Public Administration

**Mr D O'Loan** asked the Minister of Education how much the departmental Review of Public Administration implementation bodies have spent on consultancy in each of the last three years

**(AQW 7313/10)**

**Ms C Ruane (The Minister of Education):** The departmental Review of Public Administration implementation bodies has spent the following on external consultancy in the 2007-08 to 2009-10 financial years:

Year	£'000
2007-08	143
2008-09	162
2009-10	218

*In Bound Volume 52, page WA 233, please replace AQW 7356/10 with:*

### Consultancy

**Mr D O'Loan** asked the Minister of Education how much her Department has spent on consultancy in each of the last three years.

**(AQW 7356/10)**

**Ms C Ruane (The Minister of Education):** Expenditure on external consultancy by the Department between 2007-08 and 2009-10 is as follows:



Year	£'000
2007-08	1,388
2008-09	843
2009-10	260

*In Bound Volume 54, page WA 157, please replace AQW 8017/10 with:*

### Consultancy Fees

**Mr B Armstrong** asked the Minister of Education how much her Department has spent on consultancy fees in each of the last ten years, broken down by Education and Library Board area.

**(AQW 8017/10)**

**Ms C Ruane (The Minister of Education):** Expenditure by the Department on consultants is not recorded on an Education and Library Board area basis but rather is recorded on the basis of the nature of the consultancy expenditure in line with relevant guidance. The Department does not hold details of expenditure on consultancy prior to 2001-02. Details of expenditure incurred by the Department on external consultancy from 2001-02 to 2009-10 are provided in the table below.

Year	£'000
2001-02	141
2002-03	217
2003-04	510
2004-05	766
2005-06	532
2006-07	906
2007-08	1,388
2008-09	843
2009-10	260

*In Bound Volume 64, page WA 28, please replace AQW 163/11-15 with:*

### External Consultants

**Mr Allister** asked the Minister of Education to detail the cost to his Department of engaging external consultants in each financial year since May 2007.

**(AQW 163/11-15)**

**Mr O'Dowd (The Minister of Education):** Details of expenditure by the Department on external consultants in each financial year from 2007-08 to 2010-11 are provided in the table below.

Although costs were requested from May 2007, the total expenditure for 2007-08 includes April 2007 expenditure as departmental records are in financial years.

Year	£'000
2007-08	1,388
2008-09	843
2009-10	260
2010-11	84

In Bound Volume 64, page WA 175, please replace AQW 699/11-15 with:

## External Consultants

**Mr Allister** asked the Minister of Education, pursuant to AQW 163/11-15, to detail (i) the subject matters on which the consultants were engaged; (ii) the consultants engaged; and (iii) the costs incurred on each project.  
**(AQW 699/11-15)**

**Mr O'Dowd (The Minister of Education):** Details of the project title, the consultants engaged and the costs incurred in each financial year from 2007-08 to 2010-11 are provided in the tables below.

Although costs were requested from May 2007, the total expenditure for 2007-08 includes April 2007 expenditure as departmental records are held in financial years.

### 2007-2008

Name of Project	Consultant	£
Additional HR Support	Deloitte	26,000
Audit of the Youth Estate	Grant Thornton	34,827
Chartermark Re-Assessment	East Midlands Quality Centre	825
Communications Support	PA Consulting	9,350
DE Catering Advisor	Mrs P McCusker	9,374
Development of ETI Communication Styles	Mind Associates Ltd	5,871
Development of RPA Outline Business Case	Deloitte	39,761
ESA	PWC	5,500
ESA	Deloitte	20,000
Financial Management Scoping Study	Deloitte	24,210
Frameworks Project	EC Harris LLP	252,588
Frameworks Project	Addleshaw Goddard LLP	102,923
Frameworks Project - Court Proceedings	Addleshaw Goddard/Chandler KBS	619,969
Governor Handbook	B Burnison A Rainey S McCall J Beattie	15,372
ICT Audit	PWC	32,250
IIP re-accreditation	Kenny Consultancy	860
Independent Evaluation of the Inspection Process	PWC	29,928
Independent Strategic Review of Education	Bain Review Team	20,820
Independent Validation of the Operational requirement for the Teachers' Pensions Replacement System	Software Quality Systems Ltd	8,750
Network Health Check	Echelon Consulting Ltd	2,590
Post-primary Facilitation Exercise	Mr A McVeigh	1,368
Preparation and production of a revised Literacy and Numeracy Strategy	Dan McCall	12,294
Preparation of Outline Business Cases for 2004 Announced Schools Sector PPP Projects	PWC	20,634
Review of Irish Medium Education	Deloitte MCS Ltd	11,663
Review of Irish Medium Education	Thomas J Shaw	3,150
Revision of DE Circular 99/10: Pastoral Care in Schools - Child Protection	Betty Robinson	7,035

<b>Name of Project</b>	<b>Consultant</b>	<b>£</b>
Specialist School Assessment Panel	M Murray B Salisbury G McCafferty R Fitzpatrick G Tigchelaar D Thompson R Downey S McElwee M Cowan	19,454
Support to assist with implementation of RPA	PA Consulting	10,090
To facilitate Department of Education with Public Consultation Meetings on English as an Additional Language	Flex Language Services, University of Ulster	16,673
Workforce Planning	Deloitte	23,990
	<b>Total</b>	<b>1,388,119</b>

**2008-09**

<b>Name of Project</b>	<b>Consultant</b>	<b>£</b>
Audit of ESAIT accommodation	Deloitte	3,618
Audit of Teacher Training for CR Review	Bearing Point	8,716
Balmoral High School - options for future use	KPMG and A&L Goodbody	50,138
Charter Mark Assessment	East Midlands Quality Centre Ltd	750
Children and Young People Consultation: Literacy & Numeracy Strategy	Barnardo's	10,000
Community Relations Review	FGS McClure Watters	33,107
Consultation with children, parents and staff in early years settings	NIPPA - the early years organisation	700
Consultation with Parents on draft Education (Pupil Records and Reporting) Regulations	Parenting Forum/Parents' Advice Centre	7,400
Consultation with Parents: Literacy & Numeracy Strategy	Parent Advice Centre	7,400
DE School Meals Adviser	Patricia McCusker	9,197
Developing Policy Codes for use by the proposed Educational and Skills Authority	Jackie Simpson	1,969
Effective Use of Data	PWC	43,400
ESA	Parity Solutions	70,000
ESA	Deloitte	14,000
ESA	PWC	200
Fees	Professor Bernard Cullen	1,000
Full Service School Evaluation	FGS McClure Watters (formally Bearing Point)	47,475
Independent Advisor to Consider Discretionary Cases relating to the Unsuitable person's (to work with children) List	Richard Black	9,748
Independent Evaluation of the Inspection Process	PWC	35,000
Independent Evaluation of the Inspection Process	PWC	19,952
Legal assistance for Frameworks	Addleshaw Goddard	48,191

<b>Name of Project</b>	<b>Consultant</b>	<b>£</b>
Legal assistance for legal challenge	Addleshaw Goddard	27,534
Legal assistance for legislation	Addleshaw Goddard	2,541
Lisanelly	MURRAY, M H	960
NASA Visit	Int Space School Education Trust	6,000
Organisational Design	PA Consulting	60,698
Procurement assistance Modernising Schools Programme	EC Harris	215,639
Provision of HR expertise for the RPA Programme in Education	Vivienne Walker	11,496
Review of North South Co-operation on Educational Exchanges and Supporting Mechanisms	Matt Murray & Pauline Gildea	17,906
Revision of DE Circular 99/10: Pastoral Care in Schools - Child Protection	Betty Robinson	1,971
Scoping Study of Financial Management process in DE	Deloitte	6,052
Speaker - ETI	The Sir B Lovell School	847
Specialist Schools Pilot	MURRAY, M H	2,181
Specialist Schools Pilot	R Downey	2,048
Specialist Schools Pilot	D J Thompson OBE, MA, Dip Ed	1,927
Specialist Schools Pilot	Mr P H McCann	916
Specialist Schools Pilot	Mr R Fitzpatrick	1,321
Specialist Schools Pilot	Mrs Grainne McCafferty	1,258
Specialist Schools Pilot	Mrs N Campbell	1,168
Specialist Schools Pilot	Sean McElwee	1,160
Specialist Schools Pilot	Mrs M Cowan	2,441
Technical assistance for legal challenge	EC Harris	28,673
Technical assistance for legal challenge	Rowsell Wright	22,638
To Undertake the examination of the Review of Irish Medium Education	Deloitte MCS Ltd	3,997
	<b>Total</b>	<b>843,333</b>

**2009-10**

<b>Name of Project</b>	<b>Consultant</b>	<b>£</b>
Chartermark Re-assessment	EMQC	801
Child Protection Training	Marcella Leonard	672
Consultation on Transfer	Parents' Advice Centre	2,300
Consultation with Children and Young People on draft Education (Pupil Records and Reporting) Regulations	Barnardos	6,000
Determination of terms & conditions of ESA directors	Hays Group	12,315
Discretionary cases relating to working with children	Richard Black	5,646

Name of Project	Consultant	£
Diversity training needs in early years sector, schools and youth	FSG McClure Watters	3,678
ESA	Parity Solutions	65,745
ESA Corporate identity & education brand	Frank	3,750
ESA Corporate identity & education brand	Hamill Bosket	2,750
ESA Corporate identity & education brand	McCadden	3,960
ESA Corporate identity & education brand	Tandem Design	3,755
ESAIT delivery models and location options	Deloitte	44,926
Implementation of RPA Programme	QBM	7,400
Parenting Forum	Parents Advice Centre	1,250
PEHAW Homework diary inserts	Papermouse Design Work	2,275
Provision of an assessment centre ESA	Price Waterhouse Coopers	60,855
Readiness Change	Milward Brown	2,015
Schools Administration Branch	The Connectives	3,413
Schools Modernisation Programme	Addleshaw Goddard	8,698
Security validation of new systems	Class Consultancy	4,163
Speakers Fee Autism Conference	Goteborg University	1,930
Speakers Fee Autism Conference	Kings College	974
Speakers Fee Autism Conference	Prof Fiona McNicholas	225
Speakers Fee Autism Conference	Donal Rogan	100
Speakers Fee Autism Conference	Robert Savage	193
Speakers Fee Autism Conference	Patricia Daly	221
Strategic HR/Workforce Issues	Vivienne Walker	10,113
	<b>Total</b>	<b>260,123</b>

<b>2010-2011</b>		
Name of Project	Consultant	£
Homework diary inserts	Papermouse Design & Advertising	1,860
Appointment of Independent Procurement Expert to SEELB	Martin Sykes	4,450
CLAS	Goldblatt McGuigan	2,813
Controlled Schools Sectoral Body Working Group	Chambre of Public Affairs	2,807
CRED Public Consultation	Participation Network	6,705
Customer Service Excellence Model	EMQC Ltd	2,014
Governance & Accountability Training Seminars	Brian Whalley	11,742
Lisanelly	KPMG	24,287
Lisanelly	Arthur Cox	7,027
Needs assessment and Feasibility Study	FGS McClure Watters	16,500
Programme Manager (Scullion)	Parity Solutions Limited	275
Turbary	Jacqui Simpson	3,500
	<b>Total</b>	<b>83,980</b>

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## Department of Finance and Personnel

*In this Bound Volume, page WA 147, please replace AQW 22982/11-15 with:*

### **Civil Servants' Salaries**

**Mr McNarry** asked the Minister of Finance and Personnel how many civil servants are paid over (i) £50,000; (ii) £75,000; (iii) £100,000; (iv) £125,000; and (v) £150,000 per annum.

**(AQW 22982/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** I replied on 20 May 2013 to your AQW 22982/11-15 in respect of the number of civil servants earning over £50,000, £75,000, £100,000, £125,000, and £150,000 per annum.

My response provided information based on figures provided by NISRA as at 1 April 2012. However, since my reply to you it has been discovered that the figures provided were incorrect and there are no Northern Ireland Civil Servants earning more than £150,000 per annum. The correct figures are set out below –

- (i) 838 Northern Ireland Civil Servants are paid over £50,000 per annum of which;
- (ii) 78 are paid over £75,000 per annum;
- (iii) 15 are paid over £100,000 per annum;
- (iv) 2 are paid over £125,000 per annum; and
- (v) 0 are paid over £150,000 per annum.

This was inadvertent and I apologise for the error and any confusion it may have caused. I have copied this letter to the Speaker and all MLAs. A copy has also been placed in the Assembly library.

Official Report  
(Hansard)  
Indexes





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# Members' Index

## Agnew, Mr Steven

### Executive Committee Business

Marine Bill: Further Consideration Stage, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 17

### Ministerial Statements

Together: Building a United Community, 63

### Private Members' Business

Child Poverty Targets, 39, 40

Civil Service (Special Advisers) Bill: Final Stage, 334, 335

### Written Answers

#### Agriculture and Rural Development

Dog-grooming Establishments: Inspections, WA115

Dog-grooming Establishments: Regulations, WA115

East Belfast: Flooding, WA211

Pet First Aid Training Courses, WA204

#### Education

Capital Money, WA132

Modular Examinations: Removal, WA13

New School Builds, WA131

New School Builds: Planning Permission, WA331

Preschool Allocation, WA352

Preschool Children: Equality of Provision, WA352

Preschools: Minimum Security Standards, WA353

Primary Schools: Prioritising Children, WA124

#### Employment and Learning

Allstate: Jobs, WA138

Queen's University Students' Union: G4S, WA136

Queen's University Students' Union: Stewarding Service, WA136

Third-level Education, WA137

#### Enterprise, Trade and Investment

Fermanagh: Shale Gas, WA138

Home Energy Efficiency Measures, WA37

Hydraulic Fracturing Licence, WA140

Hydrocarbon Producers, WA265

Moyle Interconnector, WA266

Petroleum Licences and Petroleum Exploration, WA364

Single Wind Turbines, WA36

Tamboran Resources, WA141

Tamboran Resources Hydrocarbon Reserve Claims, WA141

#### Environment

Community Benefits: Removal of References, WA41

Councils: Minutes of Proceedings, WA41

Planning Service: Tree Officers, WA367

Trains and Buses: Audio-visual Information, WA269

#### Finance and Personnel

Premature Deaths: Air Pollution, WA145

Zero-carbon Homes: Construction, WA370

#### Health, Social Services and Public Safety

Belfast City Hospital: Windsor House, WA386

Dentists: Commitment Payment and Practice Allowance, WA286

Water Fluoridation Pilot Study, WA287

#### Justice

Bangor Courthouse, WA179

Printing 3D: Firearms, WA400

Probation Board: Administrative Personnel, WA73

Taxing Masters, WA69

#### Office of the First Minister and deputy First Minister

Disability Strategy, WA2

Planning Appeals Commission: Temporary Staff, WA203

#### Regional Development

A5 Road Scheme, WA294, WA295

Bangor Line: Victoria Park Railway Station, WA91

Bangor: Park-and-ride Scheme, WA186

Craigantlet Crossroads, WA191

Disabled Car Parking Spaces: Private Companies, WA90

Flood Prevention, WA300

Park-and-ride Facilities, WA412

Private Companies: Disabled Car Parking Spaces, WA402

Private Disabled Parking Spaces, WA90

#### Social Development

Ballyree Drive, Bangor: Bungalows, WA310

Houses in Multiple Occupation: Legislation, WA304, WA305

Houses in Multiple Occupation: Scheme, WA304

King Street, Bangor: Felling of Trees, WA420

Newcastle, County Down: Town Centre Public Realms Work and Urban Regeneration, WA196

Queen's Parade, Bangor, WA197

Social Security Agency, WA420

Zero Carbon Social Housing, WA309

## Allister, Mr Jim

### Assembly Business, 1

### Executive Committee Business

Marine Bill: Further Consideration Stage, 11

### Matter of the Day

Murder of Drummer Lee Rigby, 223

### Ministerial Statements

Employment, Learning and Skills: Gender Issues, 343

North/South Ministerial Council: Special EU Programmes, 258

Primary Schools: Computer-based Assessments, 173

Teacher Education Infrastructure, 168

Together: Building a United Community, 63

### Oral Answers

#### Culture, Arts and Leisure

Boxing Strategy, 246

#### Education

Programme for International Student Assessment: Rasch Model, 253

#### Employment and Learning

Step Ahead 50+, 357

#### Environment

A5: Environmental Aspects, 359

#### Finance and Personnel

Marriage (Same Sex Couples) Bill, 78

#### Justice

Prisoners: Pre-release Assessment, 183

### Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 284, 288, 290, 307, 308, 322, 335

- Civil Service (Special Advisers) Bill: Further Consideration Stage, 104, 105, 106, 107, 108, 109, 110, 111, 112, 118, 119, 129, 133, 142, 143, 144, 145, 146
- Energy Costs, 49, 50, 51
- Farm Incomes, 212
- Shared Future, 198, 199
- Vehicle Fuel Duty, 85
- Revised Written Answers
- Education
- External Consultants, RWA5, RWA6
- Written Answers
- Agriculture and Rural Development
- Fishing Industry: Light Dues, WA204
- Assembly Commission
- Defamation Proceedings, WA202
- Culture, Arts and Leisure
- Athletics: UK Teams, WA219
- Ballyclare: War Years Remembered Museum, WA329
- Commercial Pike Fishing, WA217
- DCAL Information Service, WA216
- DCAL: Hospitality Expenses, WA326
- Effective Employer's Pension Contribution to Staff, WA325
- Fundraising Committee of Tyrone Gaelic Athletic Association: Chairman, WA323
- UK City of Culture 2013, WA215
- Woodford Fly Fishery: Fishing Competition, WA328
- World Police and Fire Games 2013, WA324
- Education
- Gallagher and Smith Main Report, WA250
- Organisation for Economic Co-operation and Development: Programme for International Student Assessment, WA247
- Programme for International Student Assessment, WA250, WA338
- Employment and Learning
- Further Education Colleges, WA135, WA255
- People not in Education, Employment or Training, WA255
- Programme for Government: Commitment 25, WA135
- Programme for Government: Commitment 36, WA134
- Stranmillis University College: Chair of the Board of Governors, WA137
- 'The Effects of the Selective System of Secondary Education in Northern Ireland', WA356
- Enterprise, Trade and Investment
- Belfast Welcome Centre and the Belfast Visitor and Convention Bureau: Funding, WA362
- Electricity from Renewable Sources, WA264
- Electricity Generated from Renewable Sources, WA363
- Invest NI, WA362
- Presbyterian Mutual Society, WA264
- Presbyterian Mutual Society Directors, WA264
- Finance and Personnel
- Civil Service Buildings: Loop System, WA148
- Defamation Bill, WA145
- North/South Bodies: Pensions Scheme, WA276
- Patton Group, WA374
- Travel and Hotel Expenses: Payment from Public Funds, WA146
- Health, Social Services and Public Safety
- A5 Scheme: Funding, WA387
- Communication Devices, WA54
- Communication Disabilities, WA50
- Hospital 'Never Events', WA164, WA386
- Northern Health and Social Care Trust: Chief Executive, WA63
- Residential Care Homes, WA62, WA153
- Residential Care Homes: Closure, WA151, WA279
- Residential Care Homes: Respite Beds and Intermediate Care Beds, WA152
- Residential Homes: Closure, WA62
- Residential Homes: Private Sector, WA63
- Residential Homes: Statutory, WA62
- Skeagh House: Closure, WA52
- Skeagh House: Residents, WA385
- Skeagh House: Staff, WA53
- Statutory Care Homes: Staff, WA156
- Justice
- Criminal Justice System for Offenders and Witnesses: Speech and Language Support, WA69
- Incentives and Earned Privileges Schemes, WA176
- Northern Ireland Civil Service and the Northern Ireland Legal Services Commission, WA174
- Northern Ireland Legal Services Commission, WA68, WA70, WA74
- Northern Ireland Legal Services Commission and Human Resources Department Staff, WA174
- Northern Ireland Legal Services Commission Staff, WA176
- Northern Ireland Legal Services Commission: Accountancy Allowance, WA174
- Northern Ireland Legal Services Commission: Pay Strategy, WA396
- Northern Ireland Legal Services Commission: Staff, WA72, WA396
- Permanent Staff, WA71
- Permanent Staff: Contractual Right to Pay Progression, WA396
- Police Museum, WA400
- Queen's Diamond Jubilee Medal, WA401
- Office of the First Minister and deputy First Minister
- China Trade Mission: November 2012, WA103
- Grievance Cases and Whistle blowing Complaints, WA108
- Maze Conflict Transformation Centre, WA103
- Peace-building and Conflict Resolution Centre: Consultation Process, WA106
- Peace-building and Conflict Resolution Centre: Section 75 Obligations, WA107
- Strategic Investment Board: Consultants, WA108
- Victims Groups: Alleged Irregularities, WA103
- Regional Development
- A5 Road Scheme, WA299
- Balmoral Show: Traffic, WA296
- Public Inquiry System, WA84
- Social Development
- Dignity at Work Policy, WA302
- Housing Policy and Structures, WA307
- Housing Reform, WA415
- Anderson, Mr Sydney**
- Ministerial Statements
- North/South Ministerial Council: Environment, 69
- Oral Answers
- Justice
- Historical Enquiries Team, 182
- Office of the First Minister and deputy First Minister
- Peace Monitoring Report, 123

Private Members' Business

Equal Pay Settlement: PSNI and NIO Staff, 374  
Rural Schools, 96

Written Answers

Health, Social Services and Public Safety  
Southern Health and Social Care Trust: Psychiatric  
Intensive Care, WA170

**Attwood, Mr Alex**

Adjournment

Whitemountain Quarries Hazardous Waste Transfer Site,  
West Belfast, 217, 218, 219

Executive Committee Business

Carrier Bags Bill: First Stage, 284  
Marine Bill: Final Stage, 174, 176, 177, 178  
Marine Bill: Further Consideration Stage, 11, 14  
Pollution Prevention and Control (Industrial Emissions)  
Regulations (Northern Ireland) 2013, 344, 345

Matter of the Day

Graeme McDowell: World Match Play Golf Success, 103  
Murder of Drummer Lee Rigby, 222

Ministerial Statements

North/South Ministerial Council: Environment, 65, 66, 67,  
68, 69

Oral Answers

Environment

A5: Environmental Aspects, 359  
DOE: Decentralisation, 73, 74  
Environmental Crime, 360  
Fuel Laundering, 74, 75  
George Best Belfast City Airport, 362  
Marine Atlas, 75  
Planning: Uncompleted Developments, 71, 72  
Road Safety: North/South Co-operation, 72, 73  
Vehicle Testing: Heavy Goods Vehicles, 362, 363  
Wind Energy: Heritage Sites, 361

Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 323, 331,  
332, 334  
Civil Service (Special Advisers) Bill: Further Consideration  
Stage, 106, 107, 108, 109, 111, 112, 135, 137, 138, 139,  
142, 145

Written Answers

Environment

Areas of Special Scientific Interest, WA42  
Ballymena Borough Council: Adults with Special  
Needs, WA39  
'Building on Tradition', WA269  
Clauses 2 and 6 of the Planning Bill, WA366  
Clauses 2 and 6 of the Planning Bill: Economic  
Considerations, WA366  
Community Benefits: Removal of References, WA41  
Council Staff, WA273  
Council Staff Pay, WA272  
Council Staff: Full-time and Part-time, WA40  
Councillor Severance Scheme, WA364, WA365  
Councils: Minutes of Proceedings, WA41  
Derry: Gasification Plant, WA144  
Driver and Vehicle Agency, WA43  
Driver and Vehicle Agency, Coleraine, WA38  
Driving Licence Revocations: Drink-driving Offences,  
WA274  
Driving Licences: Full, WA39

Dungannon District Council Area: Land Available,  
WA270

Economic Considerations in Planning Conditions,  
WA365

Hydroelectric Turbine, WA270

Invoices Paid and Unpaid, WA39

Levy: Single-use Carrier Bag, WA41, WA42

Levy: Single-use Plastic Bag, WA42

Lisburn and Castlereagh Councils: Merger, WA42

Litter Dropping: Fixed Penalties, WA275

Local Government Employees, WA40

Moir to Lisburn Road: Incinerator, WA270

North Antrim: Natural Heritage Grants Scheme, WA275

North Down Borough Council: Planning Applications,  
WA145

Northern Ireland Red Squirrel Forum: Funding, WA39

People with Learning Disabilities: Work Placements or  
Employment, WA270

People with Special Needs: Posts in Councils, WA272

Physical Disabilities: Council Staff, WA276

Planning Applications: Approved, WA38

Planning Permission, WA38

Planning Service: Tree Officers, WA367

Post-excavation Storage and Archiving, WA37

Private Residential Care and Nursing Homes, WA271

River Courses: Invasive Alien Species, WA367

Rural Dwellers: Non-farming, WA43

Shadow Councils, WA43

Single-tier Taxi Licensing System, WA367

Single-tier Taxi System, WA367

Trains and Buses: Audio-visual Information, WA269

Transition Committees, WA365

TV and Radio Advertising: Influence of Drink or Drugs,  
WA274

**Beggs, Mr Roy**

Ministerial Statements

North/South Ministerial Council: Special EU Programmes,  
257

Oral Answers

Culture, Arts and Leisure

Commonwealth Games 2014, 249

Employment and Learning

Recruitment Agencies, 19

Stranmillis University College, 358, 359

Enterprise, Trade and Investment

Carrickfergus Castle, 301

Electricity: Security of Supply, 23

Finance and Personnel

Inflation, 76

Justice

G8 Summit: Security, 181

Regional Development

Narrow Water Bridge, 184

Private Members' Business

Epilepsy Services, 227

'Transforming Your Care' Review, 260, 261

Vehicle Fuel Duty, 83, 84

Written Answers

Employment and Learning

Collaboration and Innovation Fund, WA261

Finance and Personnel

Young People, WA147

Health, Social Services and Public Safety  
 Northern Health and Social Care Trust: Multi-agency Support Teams for Schools, WA57, WA58  
 Residential Care Beds, WA284  
 Residential Care: Bed Numbers, WA379  
 Smoking Cessation Courses, WA167  
 Regional Development  
 East Antrim: Park-and-ride Facilities, WA405  
 East Antrim: Park-and-ride/Park-and-share Facilities, WA405  
 Social Development  
 Disability Discrimination Act, WA306  
 Royston House, Belfast: Medical Assessments, WA306, WA412

### **Beggs, Mr Roy (as Deputy Speaker)**

Adjournment  
 Knockbreda High School and Newtownbreda High School, South Belfast, 375, 377, 378, 379  
 Assembly Business  
 Extension of Sitting, 43  
 Executive Committee Business  
 Marine Bill: Final Stage, 178  
 Oral Answers  
 Health, Social Services and Public Safety  
 FM/DFM: Meeting with Tánaiste and Secretary of State, 124  
 Paediatric Congenital Cardiac Services, 126, 127  
 Office of the First Minister and deputy First Minister, 120  
 Child and Working-age Poverty: Institute for Fiscal Studies Report, 120  
 Private Members' Business  
 Child Poverty Targets, 33, 34, 37, 38, 39, 40, 43  
 Civil Service (Special Advisers) Bill: Final Stage, 323, 324, 325, 329, 332, 334  
 Energy Costs, 44, 45, 46, 49, 50, 52  
 Equal Pay Settlement: PSNI and NIO Staff, 371, 374, 375

### **Bell, Mr Jonathan**

Oral Answers  
 Office of the First Minister and deputy First Minister  
 Disability Strategy: Children, 120, 121  
 Minority Ethnic Development Fund, 122  
 Private Members' Business  
 Child Poverty Targets, 40, 41

### **Boylan, Mr Cathal**

Committee Stages  
 Planning Bill, CS1, CS2  
 Executive Committee Business  
 Marine Bill: Final Stage, 176  
 Marine Bill: Further Consideration Stage, 8, 9  
 Oral Answers  
 Finance and Personnel  
 Inflation, 76  
 Private Members' Business  
 Epilepsy Services, 231

### **Boyle, Ms Michaela**

Ministerial Statements  
 Primary Schools: Computer-based Assessments, 173

Oral Answers  
 Culture, Arts and Leisure  
 Libraries NI: Disadvantaged Areas, 248  
 Education  
 Single Education System, 249  
 Enterprise, Trade and Investment  
 Inward Investment, 302  
 Health, Social Services and Public Safety  
 Paediatric Congenital Cardiac Services, 127  
 Private Members' Business  
 Epilepsy Services, 229  
 Written Answers  
 Education  
 Governors: Individual School, WA20  
 Joint Faith Schools, WA20

### **Bradley, Mr Dominic**

Ministerial Statements  
 North/South Ministerial Council: Special EU Programmes, 255  
 Oral Answers  
 Education  
 Post-primary Schools: Area Planning, 250, 251  
 Employment and Learning  
 Student Finance: Private Institutions, 356  
 Environment  
 Planning: Uncompleted Developments, 71  
 Finance and Personnel  
 Inflation, 75, 76  
 Private Members' Business  
 Civil Service (Special Advisers) Bill: Final Stage, 310  
 Civil Service (Special Advisers) Bill: Further Consideration Stage, 110, 114, 118, 119, 129, 130, 133, 137, 145  
 Equal Pay Settlement: PSNI and NIO Staff, 375  
 Rural Schools, 91, 92, 93, 97, 99  
 Vehicle Fuel Duty, 80  
 Written Answers  
 Culture, Arts and Leisure  
 Foras na Gaeilge: Legal Advice, WA323  
 Education  
 Redundancy Payments: Principals and Vice-Principals, WA132  
 Finance and Personnel  
 Strategic Investment Board: Asset Management Unit, WA44  
 Health, Social Services and Public Safety  
 Emergency Departments: Belfast, WA169

### **Bradley, Ms Paula**

Oral Answers  
 Culture, Arts and Leisure  
 Commonwealth Games 2014, 248  
 Finance and Personnel  
 Single-use Carrier Bag Levy, 78  
 Health, Social Services and Public Safety  
 Nurses and Nursing Assistants, 124  
 Justice  
 DOJ: Arm's-length Bodies, 179  
 Office of the First Minister and deputy First Minister  
 Delivering Social Change: Signature Programme, 297  
 Social Development  
 Benefits Guidelines: Mental Health, 240

Private Members' Business  
 Epilepsy Services, 233  
 'Transforming Your Care' Review, 269

Written Answers

Education  
 Preschool Places: Newtownabbey, WA254  
 Social Development  
 'No Ball Games' Signs, WA415

**Brady, Mr Mickey**

Oral Answers

Enterprise, Trade and Investment  
 US/Northern Ireland Investment Conference 2008, 23  
 Environment  
 Road Safety: North/South Co-operation, 72  
 Finance and Personnel  
 Rates: Welfare Reform, 77  
 Office of the First Minister and deputy First Minister  
 FM/DFM: Visit to China, 296, 297  
 Regional Development  
 Narrow Water Bridge, 183  
 Social Development  
 Social Housing: Special Needs and Assisted Living, 237

Private Members' Business

'Transforming Your Care' Review, 264, 265

**Brown, Ms Pam**

Oral Answers

Employment and Learning  
 Success Through Skills, 355  
 Health, Social Services and Public Safety  
 Ulster Hospital: Mental Health Services, 126

**Buchanan, Mr Thomas**

Ministerial Statements

Employment, Learning and Skills: Gender Issues, 340  
 Teacher Education Infrastructure, 164

Oral Answers

Environment  
 Planning: Uncompleted Developments, 71  
 Justice  
 G8 Summit: Security, 180, 181

Private Members' Business

Farm Incomes, 211, 212  
 Hill Farming, 155

Written Answers

Agriculture and Rural Development  
 Single Farm Payment: Claims, WA208  
 Employment and Learning  
 People Moved from Welfare into Employment, WA25  
 Qualifications: 2010-11 and 2011-12, WA134  
 Training for Success: Programme-led Apprenticeships, WA361  
 Health, Social Services and Public Safety  
 Dementia: Diagnosis, WA166  
 Western Health and Social Care Trust: Cancelled Hospital Appointments, WA164  
 Regional Development  
 A5 Road Scheme, WA293  
 A5 Western Transport Corridor, WA186, WA187

Social Development  
 Public and Private Housing Stock: Single-skin Properties, WA413

**Byrne, Mr Joe**

Ministerial Statements

Employment, Learning and Skills: Gender Issues, 343  
 North/South Ministerial Council: Environment, 67  
 Primary Schools: Computer-based Assessments, 173  
 Teacher Education Infrastructure, 168  
 Together: Building a United Community, 62

Oral Answers

Agriculture and Rural Development  
 Single Farm Payments: Map Errors, 241  
 Employment and Learning  
 Employment, 22  
 Office of the First Minister and deputy First Minister  
 Maze/Long Kesh: Balmoral Show, 299  
 Regional Development  
 A5: EU Habitats Directive, 186

Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 305  
 Farm Incomes, 205, 210  
 Hill Farming, 151, 158  
 Rural Schools, 97, 98, 100, 102  
 'Transforming Your Care' Review, 266, 267, 270

Written Answers

Agriculture and Rural Development  
 Ballygawley Flood Relief Scheme, WA209  
 Three Rivers Project, Strabane, WA116  
 Wind Turbines: Livestock Abortions, WA322  
 Finance and Personnel  
 Treasury Discussions, WA50  
 Social Development  
 Carrickmore: Derelict and Vacant Sites, WA92

**Campbell, Mr Gregory**

Matter of the Day

Graeme McDowell: World Match Play Golf Success, 103  
 Murder of Drummer Lee Rigby, 221

Ministerial Statements

First Minister and deputy First Minister: Visit to China, 281  
 Together: Building a United Community, 63

Oral Answers

Agriculture and Rural Development  
 Rivers Agency: Flooding Risk, 243  
 Culture, Arts and Leisure  
 Libraries NI: Disadvantaged Areas, 247, 248  
 Education  
 Post-primary Schools: Area Planning, 250  
 Employment and Learning  
 Economic Inactivity, 20  
 Enterprise, Trade and Investment  
 Inward Investment, 302  
 Unemployment: All-Ireland Strategy, 25  
 Office of the First Minister and deputy First Minister  
 Disability Strategy: Children, 121  
 Peace Monitoring Report: Residential Segregation, 299  
 Social Development  
 Child Poverty, 236  
 Private Members' Business  
 Civil Service (Special Advisers) Bill: Final Stage, 305

Written Answers

- Agriculture and Rural Development
  - DARD Hotline, WA114
  - Single Farm Payment: Applications in 2010 and 2012, WA204
- Education
  - Newly Qualified Teachers, WA246
  - Retired Teachers, WA119
- Employment and Learning
  - Youth Employment Scheme, WA24
  - Youth Employment Service Scheme, WA354
- Enterprise, Trade and Investment
  - Causeway Coast: International Sales Representatives, WA141
  - Credit Union: Portadown, WA36
  - 'Game of Thrones': Jobs Created, WA143
- Finance and Personnel
  - Dundonald House: Refurbishment, WA147
- Health, Social Services and Public Safety
  - Clinical Psychologists: Adult Autism-Specific Service Provision, WA386
  - Statutory Residential Homes: Closure, WA154
  - Thackeray Day Centre, Limavady, WA151
  - Trachea, Bronchus and Lung Cancer Deaths, WA64
- Justice
  - Enforcement of Judgements Office, WA70
  - Imprisonment for Failure to Pay Fines, WA75
  - Magilligan Prison, WA71
  - Television Licence Fee, WA74
  - Valid Firearms Certificates: Seizure of Weapons, WA390
- Office of the First Minister and deputy First Minister
  - Ballykelly: Former Army Base, WA104
  - North/South Ministerial Council: Education for Protestant Children, WA103
  - Unanswered Question: AQW 19647/11-15, WA107
- Regional Development
  - A26: Dualling, WA181, WA184
  - Dunhill Road, Coleraine, WA85
  - East Londonderry: Park-and-ride Car Parks, WA188
  - G8 Summit: Restrictions to Road Works, WA294
  - G8 Summit: Temporary Cessation of Roadworks, WA294
  - Local Speed Limits, WA296
  - Translink: Try the Train Advertising, WA185
  - Unadopted Roads, WA181
- Social Development
  - Boiler Replacement Scheme, WA98
  - Help-to-Buy Scheme, WA309
  - Social Security Agency Staff, WA302

**Clarke, Mr Trevor**

- Oral Answers
  - Social Development
    - Social Housing: Special Needs and Assisted Living, 236, 237
- Private Members' Business
  - Farm Incomes, 209, 210
- Written Answers
  - Agriculture and Rural Development
    - Severe Weather: Farming, WA116
  - Education
    - Free School Meals, WA249
    - Postgraduate Certificate in Education, WA348

- South Antrim: Pupils, WA250
- Employment and Learning
  - Postgraduate Certificate in Education, WA358
- Health, Social Services and Public Safety
  - Health Service Fertility Treatment, WA280
- Justice
  - South Antrim: Community Service, WA398
- Regional Development
  - Disability Action Transport Scheme, WA189
  - Street Lighting: Cost of Electricity, WA411
  - Street Lighting: Costs and Maintenance, WA411

**Cochrane, Mrs Judith**

- Adjournment
  - Post-primary Education: East Belfast, 274
- Oral Answers
  - Education
    - Preschool Places, 252, 253
  - Employment and Learning
    - Youth Employment, 356
  - Enterprise, Trade and Investment
    - Belfast International Airport, 24
- Private Members' Business
  - Civil Service (Special Advisers) Bill: Final Stage, 314
  - Civil Service (Special Advisers) Bill: Further Consideration Stage, 131
  - Shared Future, 202, 203
  - Vehicle Fuel Duty, 82
- Written Answers
  - Agriculture and Rural Development
    - Paid and Unpaid Invoices, WA112
  - Education
    - Paid and Unpaid Invoices, WA12
    - Primary Schools, WA247
    - School Pupils: Free Public Transport, WA133
  - Employment and Learning
    - Paid and Unpaid Invoices, WA135
  - Enterprise, Trade and Investment
    - Paid and Unpaid Invoices, WA142
  - Environment
    - Invoices Paid and Unpaid, WA39
  - Finance and Personnel
    - Northern Ireland Civil Service: Equal Pay Entitlement Claims, WA46
    - Paid and Unpaid Invoices, WA146
  - Health, Social Services and Public Safety
    - Foot and Ankle Surgery, WA61, WA63
    - Foot and Ankle Surgery Services, WA151
    - Orthopaedic Patients, WA61
    - Orthopaedic Posts, WA61
    - Paid and Unpaid Invoices, WA59
    - Surgical Podiatry, WA61
  - Justice
    - Paid and Unpaid Invoices, WA175
  - Office of the First Minister and deputy First Minister
    - Paid and Unpaid Invoices, WA104
  - Regional Development
    - Paid and Unpaid Invoices, WA90
    - School Pupils: Free Public Transport, WA301
  - Social Development
    - Mesothelioma Support Scheme, WA101
    - Paid and Unpaid Invoices, WA97

**Copeland, Mr Michael**

Adjournment

Post-primary Education: East Belfast, 274

Executive Committee Business

Social Security Benefits Up-rating Order (Northern Ireland) 2013, 28

Oral Answers

Education

Single Education System, 249

Finance and Personnel

Marriage (Same Sex Couples) Bill, 78

Social Development

Child Poverty, 236

Written Answers

Culture, Arts and Leisure

National Museums Northern Ireland, WA116, WA117  
Northern Ireland Civil Service Pay Awards, WA119  
Unanswered Questions: AQW 21176/11-15; AQW 21177/11-15; AQW 21178/11-18; AQW 21179/11-15; and AQW 21180/11-15, WA330

Education

Schools Placed in Intervention, WA131

Employment and Learning

People with Disabilities: Work Experience, WA360

Finance and Personnel

Utility Regulator: Chief Executive, WA377

Health, Social Services and Public Safety

Fluoride in Water, WA159

Health and Social Care Trusts: Chairperson and Chief Executive, WA157

Northern Health and Social Care Trust Papers, WA159

Northern Ireland Fire and Rescue Service, WA66

Proposed Children's Heart Surgery Facility, Dublin, WA151

Justice

Court Decisions, WA180

Northern Ireland Police Fund, WA178, WA289, WA292

Office of the First Minister and deputy First Minister

Northern Ireland Memorial Fund, WA2

'Together: Building a United Community', WA316

Regional Development

Metro Bus Passengers, WA190

Social Development

Benefits System: 'The benefit system is changing — you need to know', WA99

Benefits System: Information Booklets, WA100

Boiler Replacement Scheme, WA197

Decent Homes Standard, WA94

Housing Association Properties: Underoccupancy Penalty, WA92

Housing Health and Safety Rating System: England and Wales, WA94

Information Leaflets, WA201

Northern Ireland Executive: Financial Penalty, WA95, WA96

Northern Ireland Housing Executive, WA94

Owner-occupied Houses: Oil to Gas Switch, WA197

Private Sector Landlords: Notice of Unfitness and Disrepair, WA95

Shared Neighbourhood Developments, WA200

Shared Social Housing Development, WA302

'The Socio-economic Impact of the Traditional Protestant Parading Sector in Northern Ireland', WA418

**Craig, Mr Jonathan**

Oral Answers

Agriculture and Rural Development

Broadband: Lagan Valley, 241

Private Members' Business

Equal Pay Settlement: PSNI and NIO Staff, 368

Rural Schools, 101, 102

Revised Written Answers

Education

Departmental Spend on Consultants, RWA3

Written Answers

Office of the First Minister and deputy First Minister

Maze Development: Road Infrastructure Proposals, WA1

**Cree, Mr Leslie**

Ministerial Statements

North/South Ministerial Council: Special EU Programmes, 256

Together: Building a United Community, 60

Oral Answers

Employment and Learning

Step Ahead 50+, 357

Enterprise, Trade and Investment

Economy: Private Sector Growth, 302

Environment

Wind Energy: Heritage Sites, 361

Justice

Bangor Courthouse, 180

Private Members' Business

Child Poverty Targets, 38, 39

Civil Service (Special Advisers) Bill: Final Stage, 326

Written Answers

Agriculture and Rural Development

Bee Issues, WA110

Imidacloprid, Clothianidin and Tmx, WA8

Neonicotinoid Chemicals in Pesticides, WA110

Neonicotinoid Pesticides, WA8

Neonicotinoids, WA7

**Dallat, Mr John**

Oral Answers

Agriculture and Rural Development

Agrifood Strategy, 245

Employment and Learning

Universities: Protestant Students, 20

Enterprise, Trade and Investment

Unemployment: All-Ireland Strategy, 25

Finance and Personnel

Rates: Welfare Reform, 77

Social Development

Child Poverty, 236

Written Answers

Environment

Driving Licence Revocations: Drink-driving Offences, WA274

Litter Dropping: Fixed Penalties, WA274

TV and Radio Advertising: Influence of Drink or Drugs, WA274

Finance and Personnel

Flagpoles: Public Buildings, WA146

Posts Filled without Public Competition, WA368

Health, Social Services and Public Safety  
 Health and Social Care Trusts: Ambulances, WA65  
 Northern and Western Health and Social Care Trusts:  
 Staff, WA162  
 Northern Ireland Fire and Rescue Service, WA169  
 Office of the First Minister and deputy First Minister  
 Shackleton Barracks, WA2  
 Regional Development  
 Belfast to Dublin Enterprise Rail Service, WA184  
 Belfast to Dublin Enterprise Service, WA190  
 Penalty Charge Notices, WA76

**Dallat, Mr John (as Deputy Speaker)**

Adjournment  
 Post-primary Education: East Belfast, 272, 274, 276  
 Oral Answers  
 Enterprise, Trade and Investment  
 Carrickfergus Castle, 301  
 Giro d'Italia: Armagh, 304  
 Inward Investment, 302, 303  
 Environment, 359  
 A5: Environmental Aspects, 360  
 Office of the First Minister and deputy First Minister  
 Economic Recovery, 300  
 Peace Monitoring Report: Residential Segregation, 299  
 Private Members' Business  
 Equal Pay Settlement: PSNI and NIO Staff, 363, 365, 367,  
 368, 370, 371  
 Rural Schools, 89  
 'Transforming Your Care' Review, 234, 235  
 Vehicle Fuel Duty, 70, 71, 81, 82, 84, 85, 87

**Dickson, Mr Stewart**

Oral Answers  
 Justice  
 DOJ: Arm's-length Bodies, 179  
 Private Members' Business  
 Equal Pay Settlement: PSNI and NIO Staff, 366, 367, 371,  
 374  
 Shared Future, 195, 196, 197, 201  
 Written Answers  
 Agriculture and Rural Development  
 Ash Dieback Disease, WA320  
 Education  
 New Transfer Tests, WA133  
 Finance and Personnel  
 New Flagpoles, WA378  
 Renewable Energy Jobs, WA376  
 Regional Development  
 Cushendall: Storm Sewers, WA301  
 Newtownabbey and Carrickfergus: Door-to-Door  
 Transport Service, WA190

**Dobson, Mrs Jo-Anne**

Ministerial Statements  
 Primary Schools: Computer-based Assessments, 173  
 Oral Answers  
 Agriculture and Rural Development  
 Single Farm Payments: Map Errors, 241  
 Education  
 Preschool Places, 253

Justice  
 Historical Enquiries Team, 182  
 Private Members' Business  
 Farm Incomes, 204, 208, 211  
 Hill Farming, 153  
 Rural Schools, 100, 101  
 Written Answers  
 Agriculture and Rural Development  
 Administrative Costs, WA318  
 All-Ireland Licence System, WA115  
 Dungannon: Moy Road Site, WA109  
 Farmers: Future Capital Grant Scheme, WA211  
 Farmers: Hardship Payments, WA8  
 Land Parcel Identification System, WA6  
 Single Farm Payments and Agrienvironment Scheme  
 Funding, WA4  
 The Young Farmers' Clubs of Ulster, WA318  
 Unanswered Questions: AQW 20662/11-15 and AQW  
 21080/11-15, WA109  
 Culture, Arts and Leisure  
 Portadown: Carleton Over-50s Association, WA330  
 Sport and Physical Activity in Northern Ireland, WA220  
 Education  
 Dickson Plan Catchment Area: Post-primary Schools,  
 WA332  
 Orchard County Primary School, WA335  
 Primary and Post-primary School Pupils, WA352  
 Rural Development Council: Rural Proofing  
 Assessment, WA13  
 Environment  
 Hydroelectric Turbine, WA270  
 Health, Social Services and Public Safety  
 Cancellation of Appointments, WA155  
 Cardiac Physiologists, WA379  
 Care Home Residents, WA66  
 Children's Residential Care, WA284  
 Crozier House, Banbridge, WA156  
 Multiple Sclerosis Patients: Availability of Treatment,  
 WA66  
 Skeagh House, Dromore, WA156  
 Waringstown Branch Surgery: Temporary Closure, WA386  
 Justice  
 Jury Service: Eligibility Criteria, WA74  
 Legal Aid System: Abuse, WA68  
 Social Development  
 Banbridge District Council Area: Income-based Benefit,  
 WA99  
 Child Maintenance Service Staff, WA200  
 Employment and Support Allowance, WA419  
 Portadown: Carleton Over-50s Association WA420  
 Social Security Agency, WA414  
 Volunteer Now, WA310  
 Women's Aid: Craigavon/Banbridge, WA93

**Douglas, Mr Sammy**

Ministerial Statements  
 Employment, Learning and Skills: Gender Issues, 342  
 Teacher Education Infrastructure, 166  
 Oral Answers  
 Health, Social Services and Public Safety  
 Autism: East Belfast, 124, 125  
 Office of the First Minister and deputy First Minister  
 FM/DFM: Meeting with Tánaiste and Secretary of  
 State, 123



## Dunne, Mr Gordon

### Oral Answers

- Employment and Learning
  - Universities: Protestant Students, 19
- Enterprise, Trade and Investment
  - Economy: Private Sector Growth, 301
- Environment
  - George Best Belfast City Airport, 362
- Health, Social Services and Public Safety
  - Paediatric Congenital Cardiac Services, 127
- Justice
  - Bangor Courthouse, 180

### Private Members' Business

- Energy Costs, 52
- Epilepsy Services, 230
- 'Transforming Your Care' Review, 263

### Written Answers

- Culture, Arts and Leisure
  - Ravenhill Stadium Project, WA327
  - World Police and Fire Games 2013, WA324
- Employment and Learning
  - Further Education Colleges: Renewable Energy Projects, WA359
  - Unionist Students: University, WA263
- Enterprise, Trade and Investment
  - North West 200 in 2014, WA364
- Health, Social Services and Public Safety
  - Northern Ireland Hospice, WA281
- Regional Development
  - North Down: Grass Cutting and Weed Spraying, WA411

## Durkan, Mr Mark H

### Oral Answers

- Health, Social Services and Public Safety
  - Autism: East Belfast, 125
- Social Development
  - Social Housing: Shared Developments, 239

### Private Members' Business

- Child Poverty Targets, 41, 43
- Epilepsy Services, 227
- 'Transforming Your Care' Review, 270, 271

### Written Answers

- Agriculture and Rural Development
  - Farm Safety, WA214
- Employment and Learning
  - Staff Training: Discriminatory Advertising, WA354
  - Work Connect, WA360
- Finance and Personnel
  - Faulty Cavity Wall Insulation, WA46
- Health, Social Services and Public Safety
  - Dementia Strategy: Implementation, WA68
  - Electroencephalogram, WA171
  - Electroencephalogram Services, WA285
  - Epilepsy, WA171
  - Foyle: Epilepsy, WA166
  - Tourette's Syndrome, WA169
- Regional Development
  - Derry to Coleraine Bus Service, WA404
- Social Development
  - Department Audit: Work Capability Assessments, WA198
  - Employment and Support Allowance: Foyle, WA198

- Employment and Support Allowance: Work Capability Assessment, WA198
- Foyle Jobs and Benefits Office: MLA Visit, WA200
- Foyle: Northern Ireland Housing Executive Properties, WA417
- Health and Social Care Trust Areas: Prefabricated and Relocatable Extensions, WA194
- Housing Executive Properties: Cavity Wall Insulation, WA305
- Housing Executive Properties: Prefabricated and Relocatable Extensions, WA194
- Regional Infrastructure Support Programme, WA200
- Specialist Benefit Advice Services, WA305
- Universal Credit, WA92, WA101
- Universal Credit Claimants, WA97
- Venue in Derry's Ebrington Square: Permanent Arena, WA421
- Welfare Reform Bill, WA417
- Welfare Reform: Information Booklets, WA99
- Work Capability Assessment, WA417
- Work Capability Assessment Decisions: Foyle, WA198
- Work Capability Assessments, WA199

## Easton, Mr Alex

### Oral Answers

- Justice
  - Northern Ireland Community Safety College, 179

### Private Members' Business

- Epilepsy Services, 230

### Written Answers

- Culture, Arts and Leisure
  - Band Funding, WA217
  - Claim Settlement, WA324
  - Postage Costs, WA326
- Education
  - North Down: Nursery School Placement, WA351
  - North Down: Primary 1 Places, WA352
- Finance and Personnel
  - Non-domestic Rates, WA377
- Justice
  - Probation Board for Northern Ireland, WA397
  - Probation Board for Northern Ireland: Prisoner Releases, WA398
  - Young Offenders Institution, WA391, WA392
  - Young Offenders: Release, WA395
  - Young Offenders: Release Processes, WA393
- Social Development
  - Kilcooley Estate, Bangor: Kilclief Flats, WA309

## Eastwood, Mr Colum

### Ministerial Statements

- First Minister and deputy First Minister: Visit to China, 283
- Together: Building a United Community, 58

### Oral Answers

- Enterprise, Trade and Investment
  - Economy: Private Sector Growth, 302
- Justice
  - DOJ: Arm's-length Bodies, 179

### Private Members' Business

- Child Poverty Targets, 32
- Shared Future, 193

Written Answers

- Agriculture and Rural Development
  - Northern Ireland Rural Development Programme 2007 – 2013, WA205, WA206, WA207
- Culture, Arts and Leisure
  - Radio One Big Weekend, WA218
- Employment and Learning
  - Apprenticeships NI, WA26
  - Student Finance, WA259
- Office of the First Minister and deputy First Minister
  - All-party Talks: Irish and British Governments, WA108
  - Victims and Survivors of Historical Institutional Abuse: Support Service, WA107, WA108
- Regional Development
  - Derry Train Station: Waiting Room, WA189
- Social Development
  - Community Care Grants/Community Care Crisis Grants, WA194
  - Crisis Loans, WA193

**Elliott, Mr Tom**

- Committee Stages
  - Planning Bill, CS2
- Executive Committee Business
  - Marine Bill: Final Stage, 176
  - Marine Bill: Further Consideration Stage, 5, 10
- Ministerial Statements
  - North/South Ministerial Council: Environment, 68
- Oral Answers
  - Culture, Arts and Leisure
    - Sport: People with Disabilities, 247
  - Environment
    - Environmental Crime, 360
    - Fuel Laundering, 75
  - Justice
    - DOJ: Arm's-length Bodies, 179
  - Regional Development
    - Buses: Marble Arch and Florence Court, Fermanagh, 186
  - Social Development
    - Social Housing: Shared Developments, 238
- Private Members' Business
  - Civil Service (Special Advisers) Bill: Further Consideration Stage, 130, 131, 135, 137
  - Equal Pay Settlement: PSNI and NIO Staff, 365, 366, 372
- Written Answers
  - Agriculture and Rural Development
    - Farm Modernisation Programme: Tranche 3, WA317
  - Employment and Learning
    - Stranmillis University College, WA28
  - Health, Social Services and Public Safety, WA165
    - Aughnacloy: McKeag Day Centre, WA281
    - Cardiac Surgery: Royal Victoria Hospital, Belfast., WA166
    - Electronic Cigarettes, WA167
  - Justice
    - PSNI: Front Line Services, WA388
  - Social Development
    - Help-to-Buy Scheme, WA305

**Farry, Dr Stephen**

- Ministerial Statements
  - Employment, Learning and Skills: Gender Issues, 338, 340, 341, 342, 343

- Teacher Education Infrastructure, 161, 164, 165, 166, 167, 168

Oral Answers

- Employment and Learning
  - Economic Inactivity, 20, 21
  - Employment, 21, 22
  - Higher Education EU Support Fund, 358
  - Recruitment Agencies, 18, 19
  - Step Ahead 50+, 357, 358
  - Stranmillis University College, 358, 359
  - Student Finance: Private Institutions, 356, 357
  - Students: Scottish Universities, 18
  - Success Through Skills, 355
  - Universities: Protestant Students, 19, 20
  - Youth Employment, 355, 356

Written Answers

- Employment and Learning
  - A8 Countries: Workers, WA24
  - Access to Work Scheme, WA258
  - Additional Support Fund, WA260, WA355
  - Agency Workers Regulations 2011, WA134
  - A-level Exams, WA358
  - Allstate: Jobs, WA138
  - Apprenticeships NI, WA26
  - Bryson Future Skills, WA258
  - Careers Advisers, WA358
  - Collaboration and Innovation Fund, WA261
  - Creative Industries Apprenticeship Pilot, WA356
  - Disability Employment Service, WA25, WA28
  - Economic Inactivity, WA137
  - Employment: Community-based Schemes, WA28
  - Funded Postgraduate Places, WA256
  - Further Education Colleges, WA135, WA255, WA357
  - Further Education Colleges: Pay Increases, WA133
  - Further Education Colleges: Renewable Energy Projects, WA359
  - Higher Education Institutes, WA357
  - Higher Education Strategy, WA360
  - iPad Schemes: Open University Access, WA256
  - Moderate or Severe Learning Difficulties: Students, WA259, WA260
  - North Down: Youth Employment Scheme, WA356
  - North West Regional College: Staff, WA263
  - Northern Ireland Civil Service, WA134
  - Open University Degrees, WA261
  - Open University Funding, WA256
  - Paid and Unpaid Invoices, WA136
  - Pathways to Success, WA27
  - Patient and Client Council Report, WA356
  - People Moved from Welfare into Employment, WA25, WA26
  - People not in Education, Employment or Training, WA255
  - People with a Learning Disability: Views, WA260
  - People with Disabilities: Work Experience, WA360
  - Postgraduate Certificate in Education, WA358
  - Programme for Government: Commitment 25, WA135
  - Programme for Government: Commitment 36, WA135
  - Qualifications: 2010-11 and 2011-12, WA134
  - Queen's University Belfast and Stranmillis University College, WA27
  - Queen's University Students' Union: G4S, WA136, WA137
  - Queen's University Students' Union: Stewarding Service, WA136
  - Regional Colleges: Management Information Systems, WA259

Registered Carers: Return to Education, WA357  
 Royal Exchange Development, WA25  
 SAE Education Limited, WA26  
 Skills Solutions Service, WA355  
 South West College and Belfast Metropolitan College, WA257  
 South West College, Dungannon Campus, WA257  
 Southern Regional College, WA258  
 St Mary's University College/Stranmillis University College/Queen's University, Belfast: Merger, WA354  
 Staff Training: Discriminatory Advertising, WA354  
 Stranmillis University College, WA28, WA29  
 Stranmillis University College: Chair of the Board of Governors, WA137  
 Student Finance, WA259  
 'Study of the Teacher Education Infrastructure in Northern Ireland', WA358  
 'The Effects of the Selective System of Secondary Education in Northern Ireland', WA356  
 Third-level Education, WA137  
 Together: Building a United Community, WA359  
 'Together: Building a United Community', WA256  
 Together: Building a United Community: NEETS, WA361  
 Training for Success: Programme-led Apprenticeships, WA361  
 Unionist Students: University, WA263  
 United Youth Programme, WA255, WA256  
 Universities: Applications, WA362  
 Universities: Student Numbers, WA26  
 University of Ulster: Day Care Facilities, WA134  
 Widening Access Programme, WA358  
 Work Connect, WA360  
 World Host Training, WA354  
 Young People: Diverse Range of Needs, WA137  
 Youth Employment Scheme, WA24  
 Youth Employment Service Scheme, WA355

### **Fearon, Ms Megan**

#### Ministerial Statements

Together: Building a United Community, 59

#### Oral Answers

Employment and Learning  
 Employment, 21

#### Private Members' Business

Child Poverty Targets, 36  
 Shared Future, 195  
 Vehicle Fuel Duty, 83

#### Written Answers

Agriculture and Rural Development  
 Rural Development Funding, WA204  
 Young People: Training, WA115

#### Education

Children with Special Needs: Transport Assistance, WA353  
 Funded Transport, WA250  
 Partial Transport Funding, WA250  
 Post-primary Schools: Streaming, WA255

#### Employment and Learning

Young People: Diverse Range of Needs, WA137

#### Enterprise, Trade and Investment

Small Businesses Funding, WA362

#### Finance and Personnel

Civil Service Staff, WA277

Health, Social Services and Public Safety  
 Newry and Armagh: Suicide and Self-harm, WA161  
 Regional Development  
 A1: Signage Costs, WA300  
 Car Parks: Euro Exchange Rate, WA191  
 Social Development  
 Young People: Training, WA196

### **Flanagan, Mr Phil**

#### Ministerial Statements

Employment, Learning and Skills: Gender Issues, 342  
 Teacher Education Infrastructure, 166, 167

#### Oral Answers

Agriculture and Rural Development  
 Rivers Agency: Flooding Risk, 243

#### Education

Post-primary Schools: Area Planning, 250

#### Employment and Learning

Recruitment Agencies, 19  
 Youth Employment, 356

#### Enterprise, Trade and Investment

Electricity: Security of Supply, 23  
 Power NI: Prices, 300

#### Regional Development

Buses: Marble Arch and Florence Court, Fermanagh, 186

#### Private Members' Business

Energy Costs, 44, 45, 46, 47, 52

#### Written Answers

#### Education

County Fermanagh: Post-primary Schools, WA254

#### Enterprise, Trade and Investment

Economic Strategy, WA35  
 Lowering Unemployment, WA35  
 Titanic Belfast Visitors, WA143  
 Trade: Diversification, WA138

#### Finance and Personnel

Economic Indicators: Review, WA48  
 G8 Summit: Funding Arrangements, WA378  
 Manufacturing Sector Employees, WA374  
 Top 100 Companies: Headquarters in Belfast, WA373

#### Office of the First Minister and deputy First Minister

Ilex, WA3

#### Social Development

Boiler Installer Forms: Waiting Times, WA97  
 Boiler Replacement Scheme Applications, WA193

### **Ford, Mr David**

#### Matter of the Day

Murder of Drummer Lee Rigby, 222

#### Oral Answers

#### Justice

Bangor Courthouse, 180  
 Criminal Justice: Registered Intermediaries, 182  
 DOJ: Arm's-length Bodies, 179  
 G8 Summit: Police Accountability, 183  
 G8 Summit: Security, 180, 181  
 Historical Enquiries Team, 182  
 Northern Ireland Community Safety College, 179, 180  
 Police Rehabilitation and Retraining Trust: Former Chairperson, 180  
 Prisoners: Pre-release Assessment, 183  
 Young Offenders: Early Intervention, 181, 182

## Private Members' Business

Equal Pay Settlement: PSNI and NIO Staff, 371, 373, 374

## Written Answers

## Justice

Animal Cruelty Offences, WA75  
 Bangor Courthouse, WA179  
 Carecall Funding, WA291  
 Change Managers: Code of Conduct and Discipline, WA70  
 Child Exploitation and Online Protection Centre/ National Crime Agency, WA288  
 Civil Service: Equal Pay, WA74  
 Colin Duffy: Legal Aid Costs, WA290  
 Compassionate Temporary Release, WA397  
 Compensation Agency: Claims, WA391  
 Compensation Agency: Claims Awarded, WA390  
 Contiguous Policing Districts and Court Divisions, WA74  
 Court Decisions, WA180  
 Court Divisions, WA70  
 Court Hearings, WA173  
 Courthouses: Flying Flags, WA172  
 Criminal Justice System for Offenders and Witnesses: Speech and Language Support, WA69  
 Cybercrime Directorate, WA178  
 Defaulters: Collection of Fines, WA390  
 Defendants: Legal Representation, WA391  
 Dignity at Work Cases, WA399  
 Enforcement of Judgements Office, WA70  
 Enforcement of Judgements Office: Repossessed Houses, WA73  
 Ethnic Minorities: Racist Attacks, WA399  
 Fermanagh/Tyrone Court Division: Young Conference Orders, WA72  
 Firearm Certificate Conditions, WA68  
 Firearms (Northern Ireland) Order 2004 Article 27 Section 4, WA400  
 Firearms Certificate, WA400  
 G4S: Disciplinary Action, WA172  
 G8 Summit, WA76  
 G8 Summit: Cost of Policing, WA401  
 Imprisonment for Failure to Pay Fines, WA75  
 Incentives and Earned Privileges Schemes, WA176  
 Information Disclosure, WA172  
 Ionizing Radiation Regulations: Scanners in Prison Estates, WA178  
 Jury Service: Eligibility Criteria, WA74  
 Lagan Search and Rescue, WA76  
 Legal Aid, WA179, WA289  
 Legal Aid for Appeals, WA176  
 Legal Aid Savings, WA293  
 Legal Aid System: Abuse, WA68  
 Legal Service Commission Staff, WA177  
 Legal Services Commission, WA291  
 Legal Services Commission Staff, WA177, WA179, WA288  
 Londonderry Magistrates Court: Contested Domestic Violence Cases, WA72  
 Londonderry's Walls: Security Gates, WA75, WA179  
 Lurgan: Sexual Offences, WA389  
 Maghaberry Prison: Addiction Treatment, WA173  
 Maghaberry Prison: Near Death of a Prisoner, WA174, WA177, WA287  
 Maghaberry Prison: Roe 1 and Roe 2 Accommodation Units, WA75  
 Magilligan Prison, WA71

Magistrates Court Cases: Non-contested Preliminary Enquiries, WA70  
 Mental Health Prison Wing or Unit, WA389  
 Minority Ethnic Background: Legislation, WA292  
 Northern Ireland Civil Service and the Northern Ireland Legal Services Commission, WA174  
 Northern Ireland Legal Services Commission, WA68, WA70, WA75, WA173  
 Northern Ireland Legal Services Commission and Human Resources Department Staff, WA174  
 Northern Ireland Legal Services Commission Staff, WA176  
 Northern Ireland Legal Services Commission: Accountancy Allowance, WA174  
 Northern Ireland Legal Services Commission: Pay Strategy, WA397  
 Northern Ireland Legal Services Commission: Staff, WA72, WA396  
 Northern Ireland Police Fund, WA178, WA289, WA293  
 Northern Ireland Prison Service, WA288  
 Northern Ireland Prison Service Anti-bullying Policy, WA290  
 Northern Ireland Prison Service Staff, WA291  
 Northern Ireland Prison Service Staff: Training, WA388  
 Northern Ireland Prison Service: Hot or Cold Debriefs, WA388  
 Northern Ireland Prison Service: Prisoner Attendance at Funerals, WA388  
 Northern Ireland Prison Service: Prisoners at Risk, WA292, WA401  
 Northern Ireland Prison Service: Psychology Services, WA177  
 Northern Ireland Prison Service: Supporting Prisoners at Risk, WA290  
 Offender Levy, WA68  
 Operation Loft: Debriefing, WA76  
 Paid and Unpaid Invoices, WA175  
 People with a Psychotic Disorder: Guilty of Serious Offences, WA291  
 Permanent Staff, WA71  
 Permanent Staff: Contractual Right to Pay Progression, WA396  
 Police Museum, WA400  
 Printing 3D: Firearms, WA400  
 Prison Governor: Theft Convictions since 2000, WA70  
 Prisoner: Attempted Suicide, WA288  
 Prisoner: Temporary Release, WA399  
 Prisoners/Staff Members: Assaults, WA389  
 Prisoners: Compassionate Bail, WA388  
 Prisoners: Illegal or Non-prescribed Drugs, WA389  
 Prisoners: Non-payment of Fines, WA179  
 Prisoners: Pay and Privileges, WA71, WA72  
 Prisoners: Temporary Release, WA287  
 Prisoners: Vulnerable, WA288  
 Prisons: Suicides and Attempted Suicides, WA174  
 Prisons: Suicides and Suicide Attempts, WA172  
 Probation Board for Northern Ireland, WA397  
 Probation Board for Northern Ireland Staff, WA172  
 Probation Board for Northern Ireland: Prisoner Releases, WA398  
 Probation Board: Administrative Personnel, WA73, WA75  
 Proceeds of Crime: People with Disabilities, WA178  
 Professional Standards Unit, WA69, WA177  
 PSNI Serious and Organised Crime Branch, WA288

PSNI Serious Organised Crime Branch: Seized Assets, WA76  
 PSNI: Front Line Services, WA388  
 Queen's Diamond Jubilee Medal, WA401  
 Roe House, Maghaberry: 2010 Agreement, WA292  
 Rowan Sexual Assault Referral Centre, WA71  
 RUC Reserve Gratuity Fund, WA173  
 Sexual Offences Prevention Order, WA396  
 Sexual Offences Prevention Orders, WA71  
 Sexual Offences Prevention Orders: Breach, WA71, WA396  
 South Antrim: Community Service, WA398  
 Taxing Masters, WA69  
 Television Licence Fee, WA74  
 'Together: Building a United Community', WA177  
 Union Flag: Flying, WA400  
 Valid Firearms Certificates: Seizure of Weapons, WA390  
 World Police and Fire Games 2013, WA389  
 Young Offenders Institution, WA391, WA392  
 Young Offenders: Release, WA395  
 Young Offenders: Release Processes, WA393

**Foster, Mrs Arlene**

Oral Answers

Enterprise, Trade and Investment  
 Belfast International Airport, 24  
 Carrickfergus Castle, 300, 301  
 Economy: Private Sector Growth, 301, 302  
 Electricity: Security of Supply, 23, 24  
 Giro d'Italia: Armagh, 304  
 Inward Investment, 302, 303  
 Jobs Fund, 303, 304  
 Planning Application M/2011/0126/F, 25  
 Power NI: Prices, 300  
 Prospecting Licences, 26  
 Unemployment: All-Ireland Strategy, 24, 25  
 US/Northern Ireland Investment Conference 2008, 22, 23

Private Members' Business

Energy Costs, 49, 50, 51, 52

Written Answers

Enterprise, Trade and Investment  
 'A Telecommunications Action Plan for Northern Ireland 2011-2015', WA142  
 Air Passenger Duty, WA265  
 Belfast Welcome Centre and the Belfast Visitor and Convention Bureau: Funding, WA362  
 Bilingual Signage, WA364  
 Broadband Service, WA139, WA142  
 Caterpillar: Meetings, WA363  
 Causeway Coast: International Sales Representatives, WA141  
 Cavan Interconnector, WA267  
 Craigavon Borough Council: Writ of Summons, WA363  
 Credit Union: Portadown, WA36  
 Domestic Renewable Heat Incentive, WA37  
 EC Document: State Aid SA.33671 (2012/N), WA142  
 Economic Strategy, WA35  
 Electricity Costs for Businesses: Reductions, WA37  
 Electricity from Renewable Sources, WA264  
 Electricity Generated from Renewable Sources, WA363  
 EU Consumer Rights Directive 2014/20, WA269  
 Fermanagh: Shale Gas, WA138  
 Foyle: Invest NI, WA265

G8 Summit, WA37, WA267  
 'Game of Thrones': Jobs Created, WA143  
 Giro d'Italia 2014, WA144  
 Giro d'Italia 2014: Route, WA268  
 Home Energy Efficiency Measures, WA37  
 Horizon 2020/EU Funding Streams, WA33  
 Hydraulic Fracturing Licence, WA140  
 Hydrocarbon Producers, WA265  
 Indigenous Business, WA35  
 Integrated Economic Strategy: Ireland, WA35  
 International Monetary Fund, WA266, WA268  
 Invest NI, WA31, WA140, WA263, WA266, WA362  
 Invest NI: Available Lands, WA144  
 Job Promotion and Creation, WA31, WA32  
 Jobs Fund: Tourism Sector Jobs, WA36  
 Local Angling and Fishing Tourism, WA263  
 Lowering Unemployment, WA35  
 Moyle Interconnector, WA266  
 Multilingual Signage, WA268  
 North Antrim: Gaelic Games-related Facilities, WA268  
 North West 200 in 2014, WA364  
 North West 200, WA267  
 Northern Ireland Events Company, WA36  
 Offshore Wind Farm: South Down, WA34  
 Paid and Unpaid Invoices, WA142  
 Petroleum Licences and Petroleum Exploration, WA364  
 Petroleum Prospecting Licence, WA32  
 Planning Application M/2011/0126/F, WA36  
 Presbyterian Mutual Society, WA264  
 Presbyterian Mutual Society Directors, WA264  
 Regional Airport Freight Services: Funding, WA364  
 Regional Economic Recovery, WA268  
 Single Wind Turbines, WA36  
 Small Businesses Funding, WA362  
 Smart Specialisation Strategy, WA139  
 South Down: Future Investment Opportunities, WA140  
 Tamboran Resources, WA141  
 Tamboran Resources Hydrocarbon Reserve Claims, WA141  
 Titanic Belfast Visitors, WA143  
 Tourism Signage: Irish Language, WA362  
 Tourist Destinations, WA29  
 Trade Enhancement, WA34  
 Trade: Diversification, WA138  
 Unanswered Question: AQW 14189/11-15, WA30  
 Unanswered Question: AQW 20005/11-15, WA364  
 United Youth Programme, WA264  
 Wind Power, WA141  
 Wind Turbines: Grid Connections, WA34  
 Wind Turbines: OffShore, WA34

**Frew, Mr Paul**

Oral Answers

Agriculture and Rural Development  
 Agrifood Strategy, 244  
 Enterprise, Trade and Investment  
 US/Northern Ireland Investment Conference 2008, 22

Private Members' Business

Energy Costs, 44, 45, 49  
 Farm Incomes, 206, 207, 210  
 Hill Farming, 152, 153

Written Answers

Agriculture and Rural Development  
 Brucellosis: Pre-movement Tests, WA112

Farm Modernisation Schemes, WA208  
 Farmers: Welfare, WA209  
 Fishing Fleet: Assistance with Costs, WA317  
 Fishing Fleet: Light Dues, WA204  
 Fodder and Silage: Shortage, WA208  
 Fodder and Silage: Transportation, WA208  
 Relocation of the Rivers Agency/Fisheries, WA319  
 Rural Communities: Boost Scheme, WA322  
 Severe Weather: Fishing Fleet Assistance, WA203  
 Single Farm Payment, WA207  
 Unanswered Questions: AQW 21973/11-15; AQW 21974/11-15; and AQW 21975/11-15, WA318  
 Use of Helicopters: Cost, WA114  
 Wind Turbine Applications, WA110  
 Young Farmer Incentive Schemes, WA4

Education

North Antrim: Nursery, Primary and Post-primary Pupils, WA350

Enterprise, Trade and Investment

Wind Turbines: Grid Connections, WA33

Environment

Levy: Single-use Plastic Bag, WA42

Justice

G8 Summit, WA76  
 RUC Reserve Gratuity Fund, WA173

Regional Development

Blue Badges: Disabled Parking Bays, WA185  
 Blue Badges: Expired, WA185  
 G8 Summit, WA189

**Gardiner, Mr Samuel**

Oral Answers

Enterprise, Trade and Investment  
 Jobs Fund, 304  
 Health, Social Services and Public Safety  
 Autism: East Belfast, 125  
 Social Development  
 Kitchen and Window Replacements: Craigavon, 239

Private Members' Business

'Transforming Your Care' Review, 268

Written Answers

Culture, Arts and Leisure  
 Quaker Heritage, WA218  
 Employment and Learning  
 Regional Colleges: Management Information Systems, WA259  
 Southern Regional College, WA258

**Girvan, Mr Paul**

Ministerial Statements

North/South Ministerial Council: Special EU Programmes, 258

Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 309, 310  
 Civil Service (Special Advisers) Bill: Further Consideration Stage, 113, 114, 115  
 Equal Pay Settlement: PSNI and NIO Staff, 371  
 Vehicle Fuel Duty, 80, 81

Written Answers

Culture, Arts and Leisure  
 Creative Industries: South Antrim, WA219  
 Education  
 Parkhall Integrated College, Antrim, WA254

Employment and Learning

Bryson Future Skills, WA257

Environment

River Courses: Invasive Alien Species, WA367

Health, Social Services and Public Safety

Day Opportunities Placements, WA282  
 Learning Disabilities: Clients, WA284  
 Northern Health and Social Care Trust: Day Opportunities Programme, WA285

Justice

Legal Aid, WA179

Regional Development

EU Habitats Directive, WA297  
 EU Habitats Directive: Breaches, WA297  
 Penalty Charge Notices, WA411

Social Development

Ballyearl Estate, Newtownabbey, WA192  
 South Antrim: One- and Two-bedroom Social Housing Units, WA417

**Givan, Mr Paul**

Ministerial Statements

Together: Building a United Community, 62

Oral Answers

Environment  
 Fuel Laundering, 75  
 Planning: Uncompleted Developments, 71, 72

Private Members' Business

Equal Pay Settlement: PSNI and NIO Staff, 364, 367  
 Shared Future, 191

Written Answers

Environment  
 Local Government Employees, WA40  
 Finance and Personnel  
 Report on Apartments: Northern Ireland Law Commission, WA376  
 Health, Social Services and Public Safety  
 Parole Commissioners: Marian Price, WA387  
 Justice  
 Defendants: Legal Representation, WA391  
 G8 Summit: Cost of Policing, WA401  
 Social Development  
 Housing: Private Tenants, WA312

**Hale, Mrs Brenda**

Matter of the Day

Murder of Drummer Lee Rigby, 222

Ministerial Statements

First Minister and deputy First Minister: Visit to China, 283

Oral Answers

Social Development  
 Work Capability Assessments: Cancer Patients, 238

Written Answers

Agriculture and Rural Development  
 Farm Modernisation Scheme, WA321  
 Feed Price Increase, WA321  
 Fodder Scheme, WA212  
 Milk Quotas, WA320  
 Environment  
 Moira to Lisburn Road: Incinerator, WA270  
 Finance and Personnel  
 Ramada Hotel, Portrush: NAMA, WA49

Office of the First Minister and deputy First Minister  
 Social Investment Fund, WA2  
 Regional Development  
 Culcavy Road, Hillsborough, WA410

**Hamilton, Mr Simon**

Committee Stages  
 Planning Bill, CS1, CS2, CS3  
 Executive Committee Business  
 Marine Bill: Final Stage, 175  
 Marine Bill: Further Consideration Stage, 5, 6, 7, 8  
 Ministerial Statements  
 North/South Ministerial Council: Environment, 67  
 Oral Answers  
 Environment  
 Marine Atlas, 75  
 Private Members' Business  
 Civil Service (Special Advisers) Bill: Further Consideration  
 Stage, 133, 142  
 Written Answers  
 Regional Development  
 A20 Newtownards to Portaferry Road, WA296  
 A21 Newtownards to Comber Dual Carriageway,  
 WA402  
 Ballynahinch: Wastewater Treatment Works, WA91  
 Parking Spaces: Disabled Persons, WA182  
 Social Development  
 Saintfield: Social Housing Newbuilds, WA200  
 Social Security Benefit Appeal Hearings, WA412

**Hazzard, Mr Christopher**

Ministerial Statements  
 Primary Schools: Computer-based Assessments, 172  
 Oral Answers  
 Education  
 Shared Education, 252  
 Employment and Learning  
 Universities: Protestant Students, 20  
 Health, Social Services and Public Safety  
 Ulster Hospital: Mental Health Services, 125  
 Social Development  
 Benefits Guidelines: Mental Health, 239, 240  
 Private Members' Business  
 Hill Farming, 159, 160  
 Rural Schools, 92, 93  
 Written Answers  
 Agriculture and Rural Development  
 Livestock Injuries, WA4  
 Scrapies: Sheep Herds, WA5  
 Education  
 Intergenerational Programmes, WA248  
 School Uniform Costs, WA23  
 School Uniform Guidelines, WA22  
 Enterprise, Trade and Investment  
 Invest NI, WA139, WA263  
 Local Angling and Fishing Tourism, WA263  
 South Down: Future Investment Opportunities, WA140  
 Regional Development  
 South Down: Infrastructure Projects, WA184

**Hilditch, Mr David**

Oral Answers  
 Employment and Learning  
 Recruitment Agencies, 18  
 Enterprise, Trade and Investment  
 Carrickfergus Castle, 300, 301  
 Electricity: Security of Supply, 23  
 Finance and Personnel  
 Non-domestic Rates, 76  
 Health, Social Services and Public Safety  
 Health and Care Centres, 127  
 Private Members' Business  
 Northern Amateur Football League's Primacy Rule, 349, 353  
 Written Answers  
 Employment and Learning  
 Economic Inactivity, WA137  
 Regional Development  
 Castlemara, Carrickfergus: Sewerage System, WA191

**Humphrey, Mr William**

Oral Answers  
 Culture, Arts and Leisure  
 Boxing Strategy, 245  
 Education  
 Minister of Education and Secretary of State for  
 Education, 251  
 Office of the First Minister and deputy First Minister  
 FM/DFM: Visit to China, 296  
 Regional Development  
 Ballymagarry Lane, Belfast, 187  
 Private Members' Business  
 Civil Service (Special Advisers) Bill: Final Stage, 294, 308,  
 309, 315  
 Civil Service (Special Advisers) Bill: Further Consideration  
 Stage, 133, 141, 142  
 Northern Amateur Football League's Primacy Rule, 350,  
 351, 352, 353  
 Written Answers  
 Culture, Arts and Leisure  
 Boxing Strategy: Belfast, WA327  
 World Police and Fire Games 2013, WA326  
 Regional Development  
 Oldpark Road/Manor Street Junction, WA187  
 Social Development  
 Housing Benefit, WA308

**Hussey, Mr Ross**

Matter of the Day  
 Murder of Drummer Lee Rigby, 223  
 Private Members' Business  
 Civil Service (Special Advisers) Bill: Final Stage, 290, 291,  
 293, 306, 307, 315, 318  
 Equal Pay Settlement: PSNI and NIO Staff, 369, 370, 371  
 Written Answers  
 Enterprise, Trade and Investment  
 Tourist Destinations, WA29  
 Finance and Personnel  
 Civil Service Equal Pay, WA48  
 Equal Pay Settlement: PSNI, WA148  
 Health, Social Services and Public Safety  
 Lagan Search and Rescue, WA67

## Justice

Civil Service: Equal Pay, WA74  
 Lagan Search and Rescue, WA76  
 Londonderry's Walls: Security Gates, WA75, WA179  
 'Together: Building a United Community', WA177

## Social Development

'Together: Building a United Community', WA200

**Irwin, Mr William**

## Oral Answers

Agriculture and Rural Development  
 Single Farm Payments: Map Errors, 240  
 Enterprise, Trade and Investment  
 Giro d'Italia: Armagh, 304  
 Office of the First Minister and deputy First Minister  
 Maze/Long Kesh: Balmoral Show, 299

## Private Members' Business

Farm Incomes, 208, 209  
 Hill Farming, 154  
 Vehicle Fuel Duty, 84

## Written Answers

Justice  
 Operation Loft: Debriefing, WA76  
 Regional Development  
 Seagahan Dam: Armagh Fisheries, WA189

**Kelly, Mrs Dolores**

## Committee Stages

Planning Bill, CS5

## Executive Committee Business

Marine Bill: Final Stage, 176  
 Marine Bill: Further Consideration Stage, 9, 10

## Oral Answers

Agriculture and Rural Development  
 Broadband: Lagan Valley, 242  
 Employment and Learning  
 Students: Scottish Universities, 18  
 Finance and Personnel  
 Inflation, 75, 76  
 Office of the First Minister and deputy First Minister  
 Defamation Act 2013, 296  
 Social Development  
 Kitchen and Window Replacements: Craigavon, 239  
 Private Members' Business  
 Child Poverty Targets, 36, 37, 38  
 Civil Service (Special Advisers) Bill: Final Stage, 290, 293,  
 294, 295, 305, 317, 318, 335  
 Civil Service (Special Advisers) Bill: Further Consideration  
 Stage, 139  
 Shared Future, 193, 194, 196, 198  
 'Transforming Your Care' Review, 265, 266

## Written Answers

Agriculture and Rural Development  
 Better Regulation Review, WA319  
 G8 Summit, WA319  
 Upper Bann: Farmers' Markets, WA6  
 Education  
 Pomeroy: Primary School, WA220  
 Schools Access Team, WA9  
 Widening Access Programme, WA349  
 Employment and Learning  
 Widening Access Programme, WA358

## Enterprise, Trade and Investment

Craigavon Borough Council: Writ of Summons, WA363  
 G8 Summit, WA267

## Environment

Driver and Vehicle Agency, WA43

## Finance and Personnel

Asthma Deaths, WA47

## Health, Social Services and Public Safety

Nursing Homes, WA170

## Office of the First Minister and deputy First Minister

Social Investment Fund, WA104

## Regional Development

Ulsterbus: Rural Network Coverage, WA77

## Social Development

Regional Infrastructure Programme: Woman, WA313

**Kelly, Mr Gerry**

## Private Members' Business

Civil Service (Special Advisers) Bill: Further Consideration  
 Stage, 140, 141  
 Northern Amateur Football League's Primacy Rule, 353

**Kennedy, Mr Danny**

## Matter of the Day

Murder of Drummer Lee Rigby, 222

## Oral Answers

Regional Development  
 A5: EU Habitats Directive, 184, 185, 186  
 Ballymagarry Lane, Belfast, 187  
 Buses: Marble Arch and Florence Court, Fermanagh,  
 186, 187  
 Narrow Water Bridge, 183, 184  
 Public Transport: Audiovisual Equipment, 184

## Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 322  
 Shared Future, 202  
 Vehicle Fuel Duty, 81, 82, 87

## Written Answers

Regional Development  
 A1: Signage Costs, WA300  
 A20 Newtownards to Portaferry Road, WA296  
 A21 Newtownards to Comber Dual Carriageway,  
 WA402  
 A26: Dualling, WA181, WA184  
 A37 Limavady to Coleraine Road: Climbing Lane,  
 WA188  
 A5 Road Scheme, WA293, WA294, WA295, WA299  
 A5 Western Transport Corridor, WA186, WA187  
 Ardmore Area of Finaghy: Noise Levels, WA294  
 Article 11 Enforcement Notices, WA88  
 Asbestos Water Pipes, WA78, WA408  
 Aghnacloy, Fivemiletown, Coalisland and  
 Donaghmore: Parking Tickets, WA185  
 Ballygorian Road, Hilltown: Mains Extension, WA91  
 Ballynahinch: Wastewater Treatment Works, WA91  
 Balmoral Show: Traffic, WA296  
 Bangor Line: Victoria Park Railway Station, WA91  
 Bangor: Park-and-ride Scheme, WA186  
 Belfast to Dublin Enterprise Rail Service, WA184  
 Belfast to Dublin Enterprise Service, WA190  
 Blue Badge Holders, WA187, WA188  
 Blue Badge Scheme, WA188, WA402  
 Blue Badges: Disabled Parking Bays, WA185  
 Blue Badges: Expired, WA185



- Bus Lanes: Taxi Use, WA296  
 Bus Turning Circle: Maintenance Costs, WA91  
 Bus Turning Circles: Maintenance, WA181  
 Bus Users: Visually Impaired, WA84  
 Car Parks: Euro Exchange Rate, WA191  
 Castlemara, Carrickfergus: Sewerage System, WA191  
 City of Culture 2013, WA407  
 College Park Avenue, South Belfast: Residents Parking Scheme, WA301  
 Craiganlet Crossroads, WA191  
 Culcavy Road, Hillsborough, WA410  
 Cushendall: Storm Sewers, WA301  
 Derry to Coleraine Bus Service, WA405  
 Derry Train Station: Waiting Room, WA189  
 Disability Action Transport Scheme, WA189  
 Disabled Car Parking Spaces: Private Companies, WA90  
 Door-2-Door Transport Scheme, WA401  
 Dunhill Road, Coleraine, WA85  
 East Antrim: Park-and-ride Facilities, WA405  
 East Antrim: Park-and-ride/Park-and-share Facilities, WA405  
 East Londonderry: Park-and-ride Car Parks, WA188  
 EU Habitats Directive, WA297  
 EU Habitats Directive: Breaches, WA297  
 Fairhill Road, Cusendall: Water Mains, WA407  
 Fixed Penalty Notices: Revenue, WA402  
 Flood Prevention, WA300  
 G8 Summit, WA189, WA296, WA301, WA403  
 G8 Summit: Restrictions to Road Works, WA294  
 G8 Summit: Suspension of Roadworks, WA294  
 G8 Summit: Temporary Cessation of Roadworks, WA294  
 Glenmachan Sewer Project, WA300  
 Goldline Services: Passenger Numbers, WA410  
 Illegal Monuments, WA78, WA180  
 Integrated Transport, WA192  
 Local Speed Limits, WA296  
 Mains Rehabilitation Programme: Low Water Pressure, WA183  
 Metro Bus Passengers, WA190  
 Motorway Network Maintenance, WA410  
 Newcastle Road, Kilkeel Bridge, WA188  
 Newcastle: Park-and-ride Facility, WA403  
 Newtownabbey and Carrickfergus: Door-to-Door Transport Service, WA190  
 North Down: Grass Cutting, WA403  
 North Down: Grass Cutting and Weed Spraying, WA411  
 North Down: Grass-cutting Schedule, WA293  
 North Down: Park-and-ride Spaces, WA299  
 North West 200, WA404  
 Northern Ireland Transport Holding Company, WA406  
 Oldpark Road/Manor Street Junction, WA187  
 Paid and Unpaid Invoices, WA90  
 Park-and-ride Facilities, WA412  
 Parking Fines: Payment Defaults, WA404  
 Parking Spaces: Disabled Persons, WA183  
 Pedestrian Safety: Urban and town Settings, WA181  
 Penalty Charge Notices, WA76, WA411  
 Portrush to Coleraine: 06:43 Train, WA189  
 Pothole Repairs, WA90  
 Potholes Unrepaired, WA91  
 Private Companies: Disabled Car Parking Spaces, WA402  
 Private Disabled Parking Spaces, WA90  
 Public Inquiry System, WA84  
 Queens Avenue, Magherafelt, WA191  
 Rail Passenger Numbers, WA297  
 Reservoirs: Private and Public Ownership, WA91  
 Roads Service: Capital and Structural Maintenance, WA88  
 Roads Service: Final Adoption Certificate, WA85, WA89  
 Roads Service: Preliminary Adoption Certificate, WA85, WA89  
 Roadside Monuments, WA407  
 Roadside Parking Bays, WA403  
 Roadside Shrines, WA192  
 School Pupils: Free Public Transport, WA301  
 Seagahan Dam: Armagh Fisheries, WA189  
 South Belfast: Pavement Repairs, WA296  
 South Belfast: Residents Parking Schemes, WA295  
 South Down: Infrastructure Projects, WA184  
 South Tyrone: Safer Routes to School Project, WA404  
 Speed Limits: 20 miles per hour, WA181, WA182  
 Strangford: Article 11 Enforcement Notices, WA86  
 Strangford: Outstanding Water Surety Bond, WA86  
 Strangford: Unadopted Roads, WA88  
 Street Furniture, WA180  
 Street Lighting: Cost of Electricity, WA411  
 Street Lighting: Costs and Maintenance, WA411  
 Translink, WA406  
 Translink: Fare Increases, WA406  
 Translink: Try the Train Advertising, WA185  
 Ulsterbus: Rural Network Coverage, WA77  
 Unadopted Roads, WA181, WA190  
 Utility Companies: Restoration Works, WA182  
 Vehicles Damage: Badly Maintained Roads, WA85  
 West Belfast: Traffic-calming Measures, WA86
- Kinahan, Mr Danny**
- Adjournment
- Whitemountain Quarries Hazardous Waste Transfer Site, West Belfast, 217
- Matter of the Day
- Graeme McDowell: World Match Play Golf Success, 104
- Ministerial Statements
- Primary Schools: Computer-based Assessments, 172
- Together: Building a United Community, 62
- Oral Answers
- Culture, Arts and Leisure
- Lough Neagh: Fish Stocks and Habitats, 246
- Education
- Shared Education, 252
- Employment and Learning
- Success Through Skills, 355
- Enterprise, Trade and Investment
- Belfast International Airport, 24
- Environment
- George Best Belfast City Airport, 362
- Planning: Uncompleted Developments, 72
- Health, Social Services and Public Safety
- Nurses and Nursing Assistants, 124
- Justice
- Young Offenders: Early Intervention, 182
- Social Development
- Social Housing: Special Needs and Assisted Living, 237
- Private Members' Business
- Farm Incomes, 210

Rural Schools, 90, 91, 92  
 Shared Future, 196, 197

Written Answers

Agriculture and Rural Development  
     Native Trees: Destruction, WA7  
     Trees: Pollarding and Felling, WA7

Assembly Commission  
     Ormiston House, WA201

Culture, Arts and Leisure  
     Water Turbines: Fish Kills, WA326  
     Water Turbines: Installation, WA329

Education  
     Ballymena Learning Together Area Learning  
         Community, WA122  
     Departmental Budget: Efficiency Savings, WA335  
     Education and Skills Authority, WA350  
     Exams: Northern Ireland and England, WA246  
     Literacy and Numeracy Project, WA225, WA232,  
         WA239  
     Newcomer Funding, WA128  
     Peace-building and Conflict Resolution Centre, WA24  
     Primary Legislation: Entry Criteria, WA354  
     Programme for International Student Assessment,  
         WA350  
     Pupils: Support, WA128  
     Schools: Governors, Trustees and Chairpersons,  
         WA250  
     Schools: Newcomer Guidelines, WA127  
     Shared Education: Promotion and Facilitation, WA349  
     Teachers and Principals on Long-term Sick Leave,  
         WA14  
     Teachers: Unsatisfactory, WA10, WA11  
     'Together: Building a United Community', WA220

Employment and Learning  
     A8 Countries: Workers, WA24

Health, Social Services and Public Safety  
     Ethnic Minorities, WA166  
     Ethnic Minority Backgrounds: Doctors and Nurses,  
         WA281  
     Health and Social Care Staff: Travel Allowances,  
         WA387  
     Social Care Funding, WA67  
     South Antrim: Small Care Homes in Residential Areas,  
         WA65

Justice  
     Ethnic Minorities: Racist Attacks, WA399  
     Minority Ethnic Background: Legislation, WA292

Office of the First Minister and deputy First Minister  
     Legislative Consent Motions: Assembly Approval,  
         WA315  
     Programme for Government: Delivery Plans, WA316,  
         WA317  
     'Together: Building a United Community', WA316

Social Development  
     Benefit Claimants: Other Countries, WA416  
     Monkscoole House, Rathcoole, WA307  
     National Insurance: Numbers, Schooling and Basic  
         Health Support, WA412  
     Randalstown Main Streets: Funding and Upgrading,  
         WA100  
     Randalstown: Regeneration, WA307, WA415  
     Welfare Reform Bill, WA416

## Lo, Ms Anna

Adjournment  
     Knockbreda High School and Newtownbreda High School,  
         South Belfast, 378

Committee Stages  
     Planning Bill, CS1, CS2, CS3, CS4, CS5

Executive Committee Business  
     Marine Bill: Final Stage, 175  
     Pollution Prevention and Control (Industrial Emissions)  
         Regulations (Northern Ireland) 2013, 345

Ministerial Statements  
     Employment, Learning and Skills: Gender Issues, 341  
     First Minister and deputy First Minister: Visit to China, 282  
     North/South Ministerial Council: Environment, 66  
     Together: Building a United Community, 58

Oral Answers

Environment  
     Environmental Crime, 360  
     Road Safety: North/South Co-operation, 73  
     Office of the First Minister and deputy First Minister  
         Minority Ethnic Development Fund, 122

Written Answers

Education  
     Integrated Schools, WA20

Environment  
     Clauses 2 and 6 of the Planning Bill, WA366  
     Clauses 2 and 6 of the Planning Bill: Economic  
         Considerations, WA366  
     Economic Considerations in Planning Conditions,  
         WA365

Finance and Personnel  
     Marriages and Civil Partnerships (Approved Premises)  
         (Amendment) Regulation 2011, WA378

Health, Social Services and Public Safety  
     Cancer Patients Awaiting Scans: Backlog, WA56  
     Ovarian Cancer, WA55  
     Regional Psychosexual and Gender Identity Service,  
         WA387

Justice  
     Rowan Sexual Assault Referral Centre, WA71

Regional Development  
     Bus Lanes: Taxi Use, WA296  
     South Belfast: Pavement Repairs, WA296  
     South Belfast: Residents Parking Schemes, WA295

Social Development  
     Employment and Support Allowance: Medical  
         Assessment Process, WA195  
     Employment and Support Allowance: Migration  
         Process, WA195

## Lunn, Mr Trevor

Matter of the Day  
     Graeme McDowell: World Match Play Golf Success, 104

Ministerial Statements  
     Primary Schools: Computer-based Assessments, 172

Oral Answers

Enterprise, Trade and Investment  
     US/Northern Ireland Investment Conference 2008, 22

Justice  
     Criminal Justice: Registered Intermediaries, 182

Private Members' Business  
     Energy Costs, 47  
     Rural Schools, 94

Written Answers

- Assembly Commission
  - Insurance Excess for 2012-13, WA421
- Education
  - Integrated Preschools, WA120
  - Integrated Provision: Demand, WA130
  - Integrated Schools Enrolment, WA340
  - Integrated Schools: Children, WA130
  - Oversubscribed Integrated Preschools, WA121
- Enterprise, Trade and Investment
  - Job Promotion and Creation, WA31, WA32
- Health, Social Services and Public Safety
  - Independent Health Providers: Funding, WA378
  - Neurological Services, WA381
  - Parkinson's Disease/Other Neurological Conditions, WA381
  - Parkinson's Disease: Diagnoses, WA382
  - Parkinson's Disease: Diagnosis, WA381
  - Parkinson's Disease: Speech and Language Therapists, WA382
- Social Development
  - Welfare Reform Bill, WA415

**Lynch, Mr Seán**

- Ministerial Statements
  - First Minister and deputy First Minister: Visit to China, 282
  - Teacher Education Infrastructure, 168
- Oral Answers
  - Office of the First Minister and deputy First Minister
    - Peace Monitoring Report: Residential Segregation, 298
  - Regional Development
    - A5: EU Habitats Directive, 184, 185
- Written Answers
  - Regional Development
    - Roads Service: Capital and Structural Maintenance, WA88

**Lyttle, Mr Chris**

- Ministerial Statements
  - Employment, Learning and Skills: Gender Issues, 343
  - First Minister and deputy First Minister: Visit to China, 281
  - Teacher Education Infrastructure, 165
- Oral Answers
  - Employment and Learning
    - Step Ahead 50+, 358
    - Students: Scottish Universities, 18
  - Enterprise, Trade and Investment
    - Inward Investment, 303
  - Justice
    - Young Offenders: Early Intervention, 181
  - Office of the First Minister and deputy First Minister
    - Peace Monitoring Report: Residential Segregation, 298
- Private Members' Business
  - Child Poverty Targets, 35
  - Northern Amateur Football League's Primacy Rule, 348, 349
  - Shared Future, 188, 189, 190, 198, 200, 201
- Written Answers
  - Education
    - A-level Software and Systems Development, WA249
  - Finance and Personnel
    - Young People Not in Education, Employment or Training, WA373

- Health, Social Services and Public Safety
  - Dementia, WA384
  - Transforming Your Care: Older People, WA169
- Office of the First Minister and deputy First Minister
  - Social Investment Zone Steering Groups, WA315
- Regional Development
  - Street Furniture, WA180

**McAleer, Mr Declan**

- Ministerial Statements
  - Together: Building a United Community, 59
- Oral Answers
  - Agriculture and Rural Development
    - Single Farm Payments, 243
  - Environment
    - A5: Environmental Aspects, 359
- Private Members' Business
  - Farm Incomes, 209
  - Hill Farming, 154
- Written Answers
  - Finance and Personnel
    - Multiple Deprivation Measures, WA46
    - Rural Areas: Poverty and Deprivation, WA370
  - Regional Development
    - G8 Summit, WA301

**McCallister, Mr John**

- Matter of the Day
  - Murder of Drummer Lee Rigby, 223
- Ministerial Statements
  - Together: Building a United Community, 64
- Private Members' Business
  - Farm Incomes, 215
  - Shared Future, 193
  - 'Transforming Your Care' Review, 261, 266, 267

**McCann, Mr Fra**

- Adjournment
  - Whitemountain Quarries Hazardous Waste Transfer Site, West Belfast, 218
- Ministerial Statements
  - Teacher Education Infrastructure, 165
- Oral Answers
  - Social Development
    - Social Housing: Shared Developments, 238
- Written Answers
  - Health, Social Services and Public Safety
    - Royal Victoria Hospital, Belfast: Building Project, WA170
  - Regional Development
    - Unadopted Roads, WA190

**McCann, Ms Jennifer**

- Oral Answers
  - Office of the First Minister and deputy First Minister
    - Delivering Social Change: Signature Programme, 297, 298
    - Peace Monitoring Report: Residential Segregation, 298, 299
- Private Members' Business
  - Shared Future, 199, 200, 201

## McCarthy, Mr Kieran

### Assembly Business

Public Petition: Health Service Dental Care, 1

### Ministerial Statements

North/South Ministerial Council: Special EU Programmes, 256

### Oral Answers

Culture, Arts and Leisure

Sport: People with Disabilities, 247

Health, Social Services and Public Safety

Paediatric Congenital Cardiac Services, 126, 127

Social Development

Social Housing: Shared Developments, 238

### Private Members' Business

Epilepsy Services, 228

Farm Incomes, 207, 208

Hill Farming, 153

'Transforming Your Care' Review, 262

### Written Answers

Agriculture and Rural Development

Forestry Act (Northern Ireland) 2010, WA213

Culture, Arts and Leisure

Children: Hearing Impairments, WA331

Environment

Shadow Councils, WA43

Health, Social Services and Public Safety

Deaf Children: Specialist Mental Health Provision, WA67

Health and Social Care Trust Service and Budget Agreements, WA149

Health and Social Care Trusts: Non-recurrent Funding, WA52

Health and Social Care Trusts: Service and Budgets Agreements, WA50, WA51

Social Development

Houses in Multiple Occupation: Apartments, WA311

## McCartney, Mr Raymond

### Oral Answers

Justice

G8 Summit: Security, 181

Regional Development

Ballymagarry Lane, Belfast, 187

### Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 321, 322, 323, 324, 326, 332

Civil Service (Special Advisers) Bill: Further Consideration Stage, 136, 137

Equal Pay Settlement: PSNI and NIO Staff, 364, 365

### Written Answers

Culture, Arts and Leisure

UK City of Culture: Legacy Plan, WA218

Education

Children with Special Needs: Post-primary Education, WA133

Environment

Derry: Gasification Plant, WA144

## McCausland, Mr Nelson

### Executive Committee Business

Child Support (Management of Payments and Arrears) (Amendment) Regulations (Northern Ireland) 2012, 31

Child Support Maintenance (Changes to Basic Rate Calculation and Minimum Amount of Liability) Regulations (Northern Ireland) 2012, 30

Child Support Maintenance Calculation Regulations (Northern Ireland) 2012, 29, 30

Social Security Benefits Up-rating Order (Northern Ireland) 2013, 27, 28

### Oral Answers

Social Development

Benefits Guidelines: Mental Health, 239, 240

Child Poverty, 236

Kitchen and Window Replacements: Craigavon, 239

Social Housing: Shared Developments, 238, 239

Social Housing: Special Needs and Assisted Living, 237

Work Capability Assessments: Cancer Patients, 237, 238

### Revised Written Answers

Culture, Arts and Leisure

Loughmacrory Lough, RWA1

### Written Answers

Social Development

ATOS Assessment Process, WA98

ATOS Healthcare, WA307

Ballyearl Estate, Newtownabbey, WA192

Ballymena Borough Council Area: Social Housing Units, WA308

Ballymoney Borough Council Area: Social Housing Units, WA308

Ballyree Drive, Bangor: Bungalows, WA310

Banbridge District Council Area: Income-based Benefit, WA100

Benefit Applicant: Medical Assessments, WA419

Benefit Applicants, WA417

Benefit Claimants: Other Countries, WA416

Benefits Appeal Tribunals: Panel Members, WA309

Benefits System: 'The benefit system is changing — you need to know', WA99

Benefits System: Information Booklets, WA100

Boiler Installer Forms: Waiting Times, WA97

Boiler Replacement Scheme, WA98, WA197

Boiler Replacement Scheme Applications, WA193

Carrickmore: Derelict and Vacant Sites, WA92

Child Maintenance Service Staff, WA200

Community Care Grants/Community Care Crisis Grants, WA194

Creggan, Derry: Social Housing Development, WA101

Crisis Loans, WA193

Cumann Lúthchleas Gael, WA418

Decent Homes Standard, WA94

Department Audit: Work Capability Assessments, WA198

Dignity at Work Policy, WA302

Disability Discrimination Act, WA306

Employment and Support Allowance, WA419

Employment and Support Allowance: Assessments, WA418

Employment and Support Allowance: ESA 50 Form, WA416

Employment and Support Allowance: Foyle, WA199

Employment and Support Allowance: Medical Assessment Process, WA195

Employment and Support Allowance: Migration Process, WA195

Employment and Support Allowance: Work Capability Assessment, WA198

Farmers: Help, WA309  
 Foyle Jobs and Benefits Office: MLA Visit, WA201  
 Foyle: Northern Ireland Housing Executive Properties, WA417  
 Health and Social Care Trust Areas: Prefabricated and Relocatable Extensions, WA194  
 Help-to-Buy Scheme, WA305, WA309  
 Houses in Multiple Occupation: Apartments, WA311  
 Houses in Multiple Occupation: Legislation, WA304, WA305  
 Houses in Multiple Occupation: Scheme, WA304  
 Housing Association Properties: Underoccupancy Penalty, WA92  
 Housing Benefit, WA308  
 Housing Executive Properties in North Down: Double Glazing, WA306  
 Housing Executive Properties: Cavity Wall Insulation, WA305  
 Housing Executive Properties: East Belfast and South Belfast, WA95  
 Housing Executive Properties: Prefabricated and Relocatable Extensions, WA194  
 Housing Executive: Contracts, WA311  
 Housing Executive: Insulation, WA311  
 Housing Executive: Redecoration Grants, WA312  
 Housing Executive: Underspend, WA100  
 Housing Health and Safety Rating System: England and Wales, WA94  
 Housing Policy and Structures, WA308  
 Housing Reform, WA415  
 Housing: Private Tenants, WA312  
 Incapacity Benefit to Employment and Support Allowance, WA306  
 Information Leaflets, WA201  
 Kilcooley Estate, Bangor: Kilclief Flats, WA309  
 King Street, Bangor: Felling of Trees, WA420  
 Mesothelioma Support Scheme, WA101  
 Monkscoole House, Rathcoole, WA307  
 Moyle District Council Area: Social Housing Units, WA308  
 National Insurance: Numbers, Schooling and Basic Health Support, WA412  
 Newcastle, County Down: Town Centre Public Realms Work and Urban Regeneration, WA196  
 'No Ball Games' Signs, WA415  
 North and East Antrim: Farming Communities, WA101  
 North Antrim: Housing Schemes, WA199  
 North Antrim: Social Housing, WA199  
 North Down: Housing Executive Properties, WA196  
 North Down: Housing Waiting List, WA195  
 North Down: New Social Housing Builds, WA419  
 Northern Ireland Executive: Financial Penalty, WA96  
 Northern Ireland Housing Executive, WA94  
 Northern Ireland Housing Executive Properties, WA302  
 Owner-occupied Houses: Oil to Gas Switch, WA197  
 Paid and Unpaid Invoices, WA97  
 Physical Regeneration Concept Master Plans, WA97  
 Portadown: Carleton Over-50s Association WA420  
 Private Sector Landlords: Notice of Unfitness and Disrepair, WA95  
 Public and Private Housing Stock: Single-skin Properties, WA413  
 Queen's Parade, Bangor, WA197  
 Randalstown Main Streets: Funding and Upgrading, WA100  
 Randalstown: Regeneration, WA307, WA415

Regional Infrastructure Programme: Woman, WA313  
 Regional Infrastructure Support Programme, WA200  
 Royston House, Belfast: Medical Assessments, WA306, WA412  
 Saintfield: Social Housing Newbuilds, WA200  
 Shared Neighbourhood Developments, WA200  
 Shared Social Housing Development, WA302  
 Social Housing: Double Glazing, WA304  
 Social Security Agency, WA414, WA420  
 Social Security Agency Procedures, WA304  
 Social Security Agency Staff, WA302  
 Social Security Agency: Recruitment, WA305  
 Social Security Benefit Appeal Hearings, WA412  
 South Antrim: One- and Two-bedroom Social Housing Units, WA417  
 Specialist Benefit Advice Services, WA305  
 St Patrick's Barracks, Ballymena, WA95  
 Strategic Regeneration Frameworks, WA96  
 'The Socio-economic Impact of the Traditional Protestant Parading Sector in Northern Ireland', WA418  
 'Together: Building a United Community', WA200  
 Universal Credit, WA92, WA101  
 Universal Credit Claimants, WA97  
 Venue in Derry's Ebrington Square: Permanent Arena, WA421  
 Village Area, Belfast: Regeneration, WA310  
 Vital Venue at Ebrington, Derry: Permanent Arena, WA421  
 Volunteer Now, WA310  
 Welfare Reform Bill, WA415, WA416, WA417  
 Welfare Reform: Advice, WA310  
 Welfare Reform: Information Booklets, WA99  
 Welfare Reform: Underoccupancy Penalty, WA312  
 West Bank, Coleraine: Emergency Housing, WA304  
 West Belfast: Window Replacements, WA96  
 Women's Aid: Craigavon/Banbridge, WA93  
 Work Capability Assessment, WA417  
 Work Capability Assessment Decisions: Foyle, WA198  
 Work Capability Assessments, WA199  
 Young People: Training, WA196  
 Zero Carbon Social Housing, WA309

### **McCorley, Ms Rosaleen**

#### Adjournment

Whitemountain Quarries Hazardous Waste Transfer Site, West Belfast, 216

#### Oral Answers

Culture, Arts and Leisure  
 Sport: People with Disabilities, 247

Employment and Learning  
 Economic Inactivity, 20  
 Stranmillis University College, 359

Office of the First Minister and deputy First Minister  
 Disability Strategy: Children, 120, 121

#### Private Members' Business

Northern Amateur Football League's Primacy Rule, 349, 350

#### Written Answers

Agriculture and Rural Development  
 Belfast Hills, WA214

#### Justice

Probation Board: Administrative Personnel, WA75  
 Office of the First Minister and deputy First Minister  
 Historical Child Abuse Inquiry, WA3

Social Development  
Housing Executive: Redecoration Grants, WA312

**McCrea, Mr Basil**

Ministerial Statements

Together: Building a United Community, 64

Written Answers

Employment and Learning

Funded Postgraduate Places, WA256

Enterprise, Trade and Investment

'A Telecommunications Action Plan for Northern Ireland 2011-2015', WA142

Broadband Service, WA139, WA142

Cavan Interconnector, WA267

EC Document: State Aid SA.33671 (2012/N), WA142

Moyle Interconnector, WA266

Health, Social Services and Public Safety

EpiPens, WA285

Genitourinary Medicine Clinic, WA384

Royal Victoria Hospital, Belfast: Genito-urinary

Medicine Clinic, WA279

Royal Victoria Hospital: Maternity Leave, WA280

Sexual Health Promotion Strategy and Action Plan

2008-2013, WA384

**McCrea, Mr Ian**

Oral Answers

Education

Shared Education, 251, 252

Finance and Personnel

Civil Service: Equal Pay, 79

Office of the First Minister and deputy First Minister

Economic Recovery, 299

Regional Development

Ballymagarry Lane, Belfast, 187

Private Members' Business

Equal Pay Settlement: PSNI and NIO Staff, 363, 364, 365

Written Answers

Culture, Arts and Leisure

Sport NI: Netball Northern Ireland, WA331

Health, Social Services and Public Safety

Mid Ulster Hospital: Outpatients Department, WA283

Regional Development

Queens Avenue, Magherafelt, WA191

**McDevitt, Mr Conall**

Adjournment

Knockbreda High School and Newtownbreda High School, South Belfast, 377

Ministerial Statements

Together: Building a United Community, 57, 59, 62

Oral Answers

Education

Preschool Places, 253

Health, Social Services and Public Safety

Paediatric Congenital Cardiac Services, 126

Justice

Historical Enquiries Team, 182

Private Members' Business

Northern Amateur Football League's Primacy Rule, 350, 351

Shared Future, 194, 197, 198

'Transforming Your Care' Review, 234, 260, 267

Written Answers

Enterprise, Trade and Investment

Invest NI, WA30

Environment

Levy: Single-use Carrier Bag, WA42

Health, Social Services and Public Safety

Specialist Beds: Delivery, WA379

Transforming Your Care, WA278

Office of the First Minister and deputy First Minister

Dealing with Legacies, WA105

Regional Development

Ardmore Area of Finaghy: Noise Levels, WA294

Integrated Transport, WA192

**McDonnell, Dr Alasdair**

Oral Answers

Culture, Arts and Leisure

Sport: People with Disabilities, 247

Employment and Learning

Higher Education EU Support Fund, 358

Environment

George Best Belfast City Airport, 362

Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 288, 293, 324, 325, 326

Written Answers

Agriculture and Rural Development

Farming: Fodder Crisis, WA212

Finance and Personnel

Public Service Pensions Bill, WA49

**McElduff, Mr Barry**

Ministerial Statements

First Minister and deputy First Minister: Visit to China, 282

Teacher Education Infrastructure, 168

Oral Answers

Employment and Learning

Students: Scottish Universities, 18

Environment

DOE: Decentralisation, 73

Wind Energy: Heritage Sites, 361

Revised Written Answers

Culture, Arts and Leisure

Loughmacrory Lough, RWA1

Written Answers

Agriculture and Rural Development

Broadband Black Spot Areas, WA209

Fodder Crisis, WA116

West Tyrone: Regenerating Villages and Small Towns, WA5

Environment

'Building on Tradition', WA269

Planning Permission, WA38

Health, Social Services and Public Safety

Medical Professionals' Representations, WA150

Omagh: Acute Mental Health Services, WA170

Social Development

ATOS Assessment Process, WA98

**McGahan, Ms Bronwyn**

Ministerial Statements

Employment, Learning and Skills: Gender Issues, 341

North/South Ministerial Council: Environment, 67  
 Teacher Education Infrastructure, 166

Oral Answers  
 Office of the First Minister and deputy First Minister  
 Delivering Social Change: Signature Programme, 298

Private Members' Business  
 Child Poverty Targets, 34  
 Rural Schools, 95  
 Shared Future, 192

Written Answers  
 Agriculture and Rural Development  
 Defibrillators: Rural Areas, WA319  
 South Tyrone: Rural Regeneration: Villages, WA211

Education  
 Buddy Bear Primary School, WA339  
 Cerebral Palsy: Special Education Provision, WA338

Finance and Personnel  
 Unemployed: Financial Assistance, WA45

Health, Social Services and Public Safety  
 Dentists and Dental Services: Rural Areas, WA284  
 First Respondents of Road Traffic Accidents: Portable Oxygen, WA385  
 Free Health Care, WA67

Regional Development  
 South Tyrone: Safer Routes to School Project, WA404

**McGimpsey, Mr Michael**

Adjournment  
 Knockbreda High School and Newtownbreda High School, South Belfast, 375

Matter of the Day  
 Graeme McDowell: World Match Play Golf Success, 103

Oral Answers  
 Agriculture and Rural Development  
 Rivers Agency: Flooding Risk, 243  
 Culture, Arts and Leisure  
 Boxing Strategy, 245

Private Members' Business  
 Northern Amateur Football League's Primacy Rule, 347, 348

Written Answers  
 Culture, Arts and Leisure  
 Efficiency Savings: Job Losses, WA8  
 Social Development  
 Welfare Reform: Underoccupancy Penalty, WA312

**McGlone, Mr Patsy**

Ministerial Statements  
 First Minister and deputy First Minister: Visit to China, 281

Oral Answers  
 Culture, Arts and Leisure  
 Boxing Strategy, 245  
 Enterprise, Trade and Investment  
 Power NI: Prices, 300  
 US/Northern Ireland Investment Conference 2008, 22

Environment  
 Wind Energy: Heritage Sites, 361

Justice  
 Northern Ireland Community Safety College, 179, 180

Social Development  
 Social Housing: Special Needs and Assisted Living, 237

Private Members' Business  
 Child Poverty Targets, 38  
 Civil Service (Special Advisers) Bill: Further Consideration Stage, 132  
 Energy Costs, 46  
 Equal Pay Settlement: PSNI and NIO Staff, 368

Revised Written Answers  
 Education  
 Private Consultancy Firms and Events Companies: Cost to DE, RWA3

Written Answers  
 Agriculture and Rural Development  
 Farmers: Hardship Scheme, WA213  
 Enterprise, Trade and Investment  
 G8 Summit, WA37  
 Horizon 2020/EU Funding Streams, WA33  
 Invest NI: Available Lands, WA144  
 Petroleum Prospecting Licence, WA32

Environment  
 Dungannon District Council Area: Land Available, WA270

Finance and Personnel  
 EU Sources: Funding, WA44

Health, Social Services and Public Safety  
 Antrim Area Hospital: Accident and Emergency Department, WA385  
 Health and Social Care Trusts: Travel Allowances, WA159  
 Mid Ulster Hospital Minor Injury Unit, WA385  
 Private Medical Insurance: Health and Social Care Trust Staff, WA63

Office of the First Minister and deputy First Minister  
 Strategic Investment Board: Staff Costs, WA109

Social Development  
 Cumann Lúthchleas Gael, WA418  
 Employment and Support Allowance: Assessments, WA418  
 Employment and Support Allowance: ESA 50 Form, WA416  
 Housing Executive: Insulation, WA311

**McGuinness, Mr Martin**

Ministerial Statements  
 First Minister and deputy First Minister: Visit to China, 279, 280, 281, 282, 283

Oral Answers  
 Office of the First Minister and deputy First Minister  
 Defamation Act 2013, 296  
 Delivering Social Change: Signature Programme, 297  
 Economic Recovery, 299  
 FM/DFM: Visit to China, 296, 297  
 Maze/Long Kesh: Balmoral Show, 299  
 Peace Monitoring Report: Residential Segregation, 298

Private Members' Business  
 Civil Service (Special Advisers) Bill: Final Stage, 330

Written Answers  
 Office of the First Minister and deputy First Minister  
 All-party Talks: Irish and British Governments, WA109  
 Appeal Applications, WA203  
 Ballykelly: Former Army Base, WA104  
 China Trade Mission: November 2012, WA103  
 Community Groups: Ethnic Minorities, WA315  
 Dealing with Legacies, WA105  
 Delivering Social Change: Universities, WA317  
 Disability Strategy, WA2

'Economy and Jobs Initiative', WA3  
 Former Security Sites: Ministry of Defence, WA1  
 Grievance Cases and Whistle blowing Complaints, WA108  
 Historical Child Abuse Inquiry, WA3  
 Ilex, WA3  
 Legislative Consent Motions: Assembly Approval, WA315  
 Maze Conflict Transformation Centre, WA103  
 Maze Development: Road Infrastructure Proposals, WA1  
 Maze/Long Kesh Regeneration Site, WA3  
 North/South Ministerial Council: Education for Protestant Children, WA103  
 Northern Ireland Memorial Fund, WA2  
 Paid and Unpaid Invoices, WA104  
 Peace-building and Conflict Resolution Centre, WA107  
 Peace-building and Conflict Resolution Centre: Business Case, WA105  
 Peace-building and Conflict Resolution Centre: Colliers International, WA106  
 Peace-building and Conflict Resolution Centre: Committee for the Office of the First and deputy First Minister, WA106  
 Peace-building and Conflict Resolution Centre: Consultation Process, WA106  
 Peace-building and Conflict Resolution Centre: Income and Employment Generation, WA105  
 Peace-building and Conflict Resolution Centre: Participation of Schools, WA107  
 Peace-building and Conflict Resolution Centre: Research, WA106  
 Peace-building and Conflict Resolution Centre: Section 75 Obligations, WA107  
 Planning Appeals Commission, WA2  
 Planning Appeals Commission: Appeals and Article 31 Hearings, WA107, WA316  
 Planning Appeals Commission: Temporary Staff, WA203  
 Programme for Government: Delivery Plans, WA316, WA317  
 Shackleton Barracks, WA2  
 Social Investment Fund, WA3, WA104  
 Social Investment Zone Steering Groups, WA315  
 Special Enterprise Zones, WA107  
 Strategic Investment Board: Consultants, WA108  
 Strategic Investment Board: Staff Costs, WA109  
 'Together: Building a United Community', WA316  
 Trade Mission to China: Full Costs, WA103  
 Unanswered Question: AQW 19647/11-15, WA107  
 Victims and Survivors of Historical Institutional Abuse: Support Service, WA107, WA108  
 Victims Groups: Alleged Irregularities, WA103

Written Ministerial Statement

Office of the First Minister and deputy First Minister  
 Together: Building a United Community Strategy, WMS1

**McIlveen, Mr David**

Ministerial Statements

Together: Building a United Community, 60

Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 319  
 Vehicle Fuel Duty, 82

Written Answers

Culture, Arts and Leisure

Children with Disabilities: Participation in Team Sports, WA325  
 City of Culture 2013, WA324  
 River Miles, WA331

Education

Preschool Education Places, WA220

Employment and Learning

Further Education Colleges: Pay Increases, WA133  
 Skills Solutions Service, WA355  
 World Host Training, WA354

Enterprise, Trade and Investment

Wind Power, WA141

Environment

North Antrim: Natural Heritage Grants Scheme, WA275

Health, Social Services and Public Safety

Health and Social Care Trusts: Multiple Sclerosis Nurses, WA65  
 Multiple Sclerosis, WA169  
 Multiple Sclerosis Nurses, WA283

Justice

Child Exploitation and Online Protection Centre/  
 National Crime Agency, WA288  
 Court Hearings, WA173  
 Cybercrime Directorate, WA178  
 PSNI Serious and Organised Crime Branch, WA288  
 PSNI Serious Organised Crime Branch: Seized Assets, WA76

Regional Development

Roadside Shrines, WA191

**McIlveen, Miss Michelle**

Ministerial Statements

Together: Building a United Community, 61

Private Members' Business

Northern Amateur Football League's Primacy Rule, 346  
 Rural Schools, 94, 95

Written Answers

Agriculture and Rural Development

European Fisheries Fund: Axis 4, WA110

Justice

Prisoners: Non-payment of Fines, WA179  
 Prisoners: Pay and Privileges, WA71, WA72

Regional Development

Roads Service: Final Adoption Certificate, WA85  
 Roads Service: Preliminary Adoption Certificate, WA85  
 Strangford: Article 11 Enforcement Notices, WA85  
 Strangford: Outstanding Water Surety Bond, WA86  
 Strangford: Unadopted Roads, WA87

**McKay, Mr Daithí**

Ministerial Statements

North/South Ministerial Council: Special EU Programmes, 255

Oral Answers

Agriculture and Rural Development

Agrifood Strategy, 244

Education

DE: 'Together: Building a United Community', 253

Finance and Personnel

Single-use Carrier Bag Levy, 78



Justice  
 Police Rehabilitation and Retraining Trust: Former  
 Chairperson, 180

Private Members' Business  
 Civil Service (Special Advisers) Bill: Final Stage, 287, 288,  
 290, 291, 293, 294, 295, 304, 305, 306, 307, 308, 328  
 Civil Service (Special Advisers) Bill: Further Consideration  
 Stage, 114, 134, 135, 136  
 Vehicle Fuel Duty, 70, 81, 82, 83, 85

Written Answers  
 Agriculture and Rural Development  
 Shanaghy Road, Ballymoney: Flooding, WA210  
 Assembly Commission  
 Leftover Food from Functions, WA201  
 Surplus Food Project, WA201  
 Enterprise, Trade and Investment  
 Bilingual Signage, WA364  
 Domestic Renewable Heat Incentive, WA36  
 Giro d'Italia 2014, WA144  
 Giro d'Italia 2014: Route, WA268  
 Jobs Fund: Tourism Sector Jobs, WA36  
 Multilingual Signage, WA268  
 North Antrim: Gaelic Games-related Facilities, WA268  
 Tourism Signage: Irish Language, WA362  
 Unanswered Question: AQW 20005/11-15, WA364

Environment  
 Private Residential Care and Nursing Homes, WA271

Finance and Personnel  
 Defamation Bill, WA48  
 Essential Users Fuel Rebate for Hauliers, WA376  
 European Funding Receipts, WA45  
 Flags and Flagpoles, WA146

Health, Social Services and Public Safety  
 Pinewood Residential Home, Ballymena, WA159,  
 WA160

Justice  
 Legal Service Commission Staff, WA177  
 Legal Services Commission, WA291  
 Legal Services Commission Staff, WA177, WA179,  
 WA288

Office of the First Minister and deputy First Minister  
 Delivering Social Change: Universities, WA317  
 'Economy and Jobs Initiative', WA3

Social Development  
 Ballymena Borough Council Area: Social Housing  
 Units, WA308  
 Ballymoney Borough Council Area: Social Housing  
 Units, WA308  
 Moyle District Council Area: Social Housing Units,  
 WA308  
 Social Housing: Double Glazing, WA304

**McKevitt, Mrs Karen**

Ministerial Statements  
 North/South Ministerial Council: Special EU Programmes,  
 257, 258

Oral Answers  
 Agriculture and Rural Development  
 Rivers Agency: Flooding Risk, 244  
 Culture, Arts and Leisure  
 Libraries NI: Disadvantaged Areas, 248  
 Education  
 Single Education System, 250

Enterprise, Trade and Investment  
 Carrickfergus Castle, 301  
 Office of the First Minister and deputy First Minister  
 Child and Working-age Poverty: Institute for Fiscal  
 Studies Report, 120  
 Regional Development  
 Narrow Water Bridge, 183, 184

Private Members' Business  
 Northern Amateur Football League's Primacy Rule, 347

Written Answers  
 Culture, Arts and Leisure  
 Elite Programme, WA329  
 Employment and Learning  
 Universities: Student Numbers, WA26  
 Health, Social Services and Public Safety  
 National Institute for Health and Clinical Excellence:  
 Guidance on Fertility, WA58  
 Regional Development  
 Ballygorian Road, Hilltown: Mains Extension, WA91  
 Mains Rehabilitation Programme: Low Water Pressure,  
 WA183  
 Social Development  
 Welfare Reform: Advice, WA310

**McLaughlin, Ms Maeve**

Oral Answers  
 Enterprise, Trade and Investment  
 Jobs Fund, 303  
 Finance and Personnel  
 Civil Service: Equal Pay, 79  
 Health, Social Services and Public Safety  
 Autism: East Belfast, 125

Private Members' Business  
 'Transforming Your Care' Review, 263

Written Answers  
 Culture, Arts and Leisure  
 Transgender Community, WA328  
 Employment and Learning  
 Registered Carers: Return to Education, WA357  
 Enterprise, Trade and Investment  
 EU Consumer Rights Directive 2014/20, WA269  
 Indigenous Business, WA35  
 Smart Specialisation Strategy, WA139  
 Trade Enhancement, WA34  
 Unanswered Question: AQW 14189/11-15, WA30

Finance and Personnel  
 Public Procurement Contracts: Social Clauses, WA378  
 Social Value Act, WA147  
 Health, Social Services and Public Safety  
 Elderly and Vulnerable People: Protection, WA161  
 Healthy Start Scheme, WA282  
 Physiotherapy: Self-referrals, WA383  
 Residential Homes: Closure, WA63  
 Slievemore Nursing Home, Derry, WA161  
 Tourette's Disorder, WA382

Regional Development  
 Roadside Parking Bays, WA403

Social Development  
 Creggan, Derry: Social Housing Development, WA101  
 Vital Venue at Ebrington, Derry: Permanent Arena,  
 WA421

**McLaughlin, Mr Mitchel (as Principal Deputy Speaker)**

Adjournment  
Whitemountain Quarries Hazardous Waste Transfer Site, West Belfast, 216, 219

Assembly Business, 102

Executive Committee Business  
Carrier Bags Bill: First Stage, 284

Oral Answers  
Agriculture and Rural Development  
Broadband: Lagan Valley, 242  
Rivers Agency: Flooding Risk, 243

Education  
DE: 'Together: Building a United Community', 253  
Programme for International Student Assessment: Rasch Model, 254

Employment and Learning, 18

Enterprise, Trade and Investment  
Prospecting Licences, 26

Justice, 179  
Criminal Justice: Registered Intermediaries, 183  
Young Offenders: Early Intervention, 182

Regional Development, 183  
A5: EU Habitats Directive, 185, 186  
Ballymagarry Lane, Belfast, 187, 188  
Buses: Marble Arch and Florence Court, Fermanagh, 187  
Public Transport: Audiovisual Equipment, 184

Private Members' Business  
Farm Incomes, 204, 207, 209, 210, 211, 212, 214  
Hill Farming, 151, 153, 156, 159  
Rural Schools, 90, 91, 92, 93, 94, 95, 97, 98, 100, 101, 102  
Shared Future, 188

**McLaughlin, Mr Mitchel**

Matter of the Day  
Murder of Drummer Lee Rigby, 221

Ministerial Statements  
North/South Ministerial Council: Special EU Programmes, 257

Oral Answers  
Employment and Learning  
Step Ahead 50+, 357

Finance and Personnel  
Non-domestic Rates, 76

Private Members' Business  
Civil Service (Special Advisers) Bill: Final Stage, 317, 318, 319, 323, 325, 329  
Civil Service (Special Advisers) Bill: Further Consideration Stage, 115, 116, 117, 137, 138, 139  
Vehicle Fuel Duty, 81, 86, 88

Written Answers  
Finance and Personnel  
Public Sector Employees: Compensation, WA372  
Resource Departmental Expenditure Limits, WA373

**McMullan, Mr Oliver**

Assembly Business  
Public Petition: Cushendall Fire Station, 224

Oral Answers  
Agriculture and Rural Development  
Single Farm Payments: Map Errors, 240

Enterprise, Trade and Investment  
Economy: Private Sector Growth, 301

Prospecting Licences, 26

Private Members' Business  
Farm Incomes, 207

Written Answers  
Agriculture and Rural Development  
Bovine TB, WA205

Enterprise, Trade and Investment  
Caterpillar: Meetings, WA363

Health, Social Services and Public Safety  
Adult Mental Health Services, WA56, WA286  
Glenmona Resource Centre, Cushendall, WA165  
Northern Health and Social Care Trust: Recruitment, WA165  
Prostate Cancer Screenings, WA165  
Rathmoyle Residential and Day-care Facility, WA165  
Residential Care Homes: Closures, WA159

Justice  
Proceeds of Crime: People with Disabilities, WA178

Regional Development  
Asbestos Water Pipes, WA408  
Fairhill Road, Cusdendall: Water Mains, WA407

Social Development  
Farmers: Help, WA309  
North and East Antrim: Farming Communities, WA101

**McNarry, Mr David**

Ministerial Statements  
Together: Building a United Community, 64

Revised Written Answers  
Finance and Personnel  
Civil Servants' Salaries, RWA10

Written Answers  
Agriculture and Rural Development  
Rural Primary Schools: Closure, WA322

Education  
Education and Library Boards: Pupils' Key Stage 1 and 2 Performance, WA23  
Primary and Post-primary Schools, WA123  
Rural and Urban Primary Schools: Costs, WA251  
Rural Primary Schools: Closures, WA123

Enterprise, Trade and Investment  
Northern Ireland Events Company, WA36  
Offshore Wind Farm: South Down, WA34  
Wind Turbines: OffShore, WA34

Environment  
Council Staff, WA273  
Council Staff Pay, WA272

Finance and Personnel  
Business Rates: Major Towns and Cities, WA47  
Civil Servants' Salaries, WA147  
Departmental Arm's-length Bodies or Quangos, WA148  
Extreme Weather: Garden Centres, WA45  
Extreme Weather: Garden Centres and Nurseries, WA45

Health, Social Services and Public Safety  
Care Homes: Closure, WA55  
Care of the Elderly, WA54  
Community-based Care Packages, WA54  
Northern Ireland Fire and Rescue Service, WA280  
Paediatric Heart Patients, WA55  
Private Care Home Referrals, WA59  
Residential Care Homes: Closure, WA285

Regional Development  
G8 Summit, WA296, WA402

Motorway Network Maintenance, WA410  
 Northern Ireland Transport Holding Company, WA406  
 Pothole Repairs, WA90  
 Potholes Unrepaired, WA91  
 Translink, WA406  
 Translink: Fare Increases, WA406  
 Vehicles Damage: Badly Maintained Roads, WA85

### **McQuillan, Mr Adrian**

#### Written Answers

Social Development  
 Housing Executive: Underspend, WA100

### **Maginness, Mr Alban**

#### Oral Answers

Enterprise, Trade and Investment  
 Electricity: Security of Supply, 24  
 Environment  
 Environmental Crime, 360  
 Fuel Laundering, 74  
 Justice  
 Young Offenders: Early Intervention, 181  
 Office of the First Minister and deputy First Minister  
 Delivering Social Change: Signature Programme, 298  
 Peace Monitoring Report, 122  
 Social Development  
 Work Capability Assessments: Cancer Patients, 237

#### Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 290, 293, 313, 324, 328, 329, 330  
 Civil Service (Special Advisers) Bill: Further Consideration Stage, 113, 115, 117, 131, 140, 141, 142, 143, 144, 145, 146  
 Energy Costs, 49  
 Equal Pay Settlement: PSNI and NIO Staff, 365  
 Northern Amateur Football League's Primacy Rule, 347, 348, 351  
 Vehicle Fuel Duty, 87, 88

#### Written Answers

Agriculture and Rural Development  
 Ash Dieback Disease, WA212  
 Education  
 North Belfast: First Choice School or Nursery Unit, WA124  
 Employment and Learning  
 Disability Employment Service, WA27  
 Health, Social Services and Public Safety  
 Multiple Sclerosis, WA168

### **Maskey, Mr Alex**

#### Adjournment

Knockbreda High School and Newtownbreda High School, South Belfast, 377  
 Post-primary Education: East Belfast, 275

#### Executive Committee Business

Child Support (Management of Payments and Arrears) (Amendment) Regulations (Northern Ireland) 2012, 31  
 Child Support Maintenance (Changes to Basic Rate Calculation and Minimum Amount of Liability) Regulations (Northern Ireland) 2012, 30  
 Child Support Maintenance Calculation Regulations (Northern Ireland) 2012, 29

Social Security Benefits Up-rating Order (Northern Ireland) 2013, 27

#### Oral Answers

Culture, Arts and Leisure  
 Commonwealth Games 2014, 249

#### Private Members' Business

Child Poverty Targets, 37  
 Shared Future, 191, 194, 195, 196

#### Written Answers

Agriculture and Rural Development  
 Common Agricultural Policy and Common Fisheries Policy, WA215  
 Regional Development  
 College Park Avenue, South Belfast: Residents Parking Scheme, WA301  
 Social Development  
 Housing Executive Properties: East Belfast and South Belfast, WA95

### **Milne, Mr Ian**

#### Oral Answers

Agriculture and Rural Development  
 Broadband: Lagan Valley, 242  
 Culture, Arts and Leisure  
 Lough Neagh: Fish Stocks and Habitats, 246  
 Enterprise, Trade and Investment  
 Planning Application M/2011/0126/F, 25  
 Justice  
 G8 Summit: Police Accountability, 183

#### Private Members' Business

Hill Farming, 151

#### Written Answers

Employment and Learning  
 Universities: Applications, WA361  
 Enterprise, Trade and Investment  
 Planning Application M/2011/0126/F, WA36  
 Environment  
 Rural Dwellers: Non-farming, WA43  
 Health, Social Services and Public Safety  
 Mid Ulster Hospital, WA50  
 Office of the First Minister and deputy First Minister  
 Maze/Long Kesh Regeneration Site, WA3

### **Morrow, The Lord**

#### Matter of the Day

Murder of Drummer Lee Rigby, 224

#### Ministerial Statements

North/South Ministerial Council: Environment, 68  
 Teacher Education Infrastructure, 168

#### Oral Answers

Agriculture and Rural Development  
 Single Farm Payments, 242  
 Culture, Arts and Leisure  
 Lough Neagh: Fish Stocks and Habitats, 246  
 Enterprise, Trade and Investment  
 Planning Application M/2011/0126/F, 25

#### Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 290, 293, 294, 295, 305, 306, 312, 314, 315, 317, 330  
 Civil Service (Special Advisers) Bill: Further Consideration Stage, 111, 112, 114, 116, 133, 139, 140, 142, 145

Written Answers

Agriculture and Rural Development  
 Agrifood Branch Inspectors, WA5, WA7  
 Agrifood Enforcement Legislation, WA209  
 Animals for Agricultural Shows: Cross-border Movement, WA113  
 Equine Slaughter or Processing Plant: Belfast, WA113  
 Culture, Arts and Leisure  
 Shooting Sports, WA216  
 Education  
 Catholic Certificate of Religious Education, WA122  
 Catholic Maintained and Integrated Primary Schools: Preparation for Sacraments, WA340  
 Catholic Maintained Primary Schools, WA349  
 Convention on the Rights of a Child, WA341  
 Galbally: Primary School, WA128, WA132  
 Killyman Primary School, WA132  
 Primary School Places: Refused First Choice, WA350  
 Pupil Places: Year 1, WA223  
 Southern Education and Library Board: Public Liability Insurance, WA246, WA352  
 Sperrinview Special School, WA253, WA338  
 Sperrinview Special School, Dungannon, WA17  
 Employment and Learning  
 Access to Work Scheme, WA258  
 Disability Employment Service, WA25  
 Queen's University Belfast and Stranmillis University College, WA27  
 South West College and Belfast Metropolitan College, WA257  
 South West College, Dungannon Campus, WA257  
 Environment  
 Ballymena Borough Council: Adults with Special Needs, WA39  
 Council Staff: Full-time and Part-time, WA40  
 People with Learning Disabilities: Work Placements or Employment, WA270  
 People with Special Needs: Posts in Councils, WA272  
 Physical Disabilities: Council Staff, WA276  
 Justice  
 Carecall Funding, WA291  
 Change Managers: Code of Conduct and Discipline, WA70  
 Colin Duffy: Legal Aid Costs, WA290  
 Compassionate Temporary Release, WA397  
 Court Divisions, WA70  
 Courthouses: Flying Flags, WA172  
 Fermanagh/Tyrone Court Division: Young Conference Orders, WA72  
 Firearm Certificate Conditions, WA68  
 Firearms (Northern Ireland) Order 2004 Article 27 Section 4, WA400  
 Firearms Certificate, WA400  
 G4S: Disciplinary Action, WA172  
 Information Disclosure, WA172  
 Legal Aid, WA289  
 Legal Aid for Appeals, WA176  
 Legal Aid Savings, WA293  
 Londonderry Magistrates Court: Contested Domestic Violence Cases, WA72  
 Lurgan: Sexual Offences, WA389  
 Maghaberry Prison: Addiction Treatment, WA173  
 Maghaberry Prison: Near Death of a Prisoner, WA174, WA176, WA287  
 Magistrates Court Cases: Non-contested Preliminary Enquiries, WA70

Mental Health Prison Wing or Unit, WA389  
 Northern Ireland Legal Services Commission, WA173  
 Northern Ireland Prison Service, WA288  
 Northern Ireland Prison Service Anti-bullying Policy, WA290  
 Northern Ireland Prison Service Staff, WA291  
 Northern Ireland Prison Service: Hot or Cold Debriefs, WA388  
 Northern Ireland Prison Service: Prisoner Attendance at Funerals, WA388  
 Northern Ireland Prison Service: Prisoners at Risk, WA292, WA401  
 Northern Ireland Prison Service: Psychology Services, WA177  
 Northern Ireland Prison Service: Supporting Prisoners at Risk, WA290  
 Offender Levy, WA68  
 People with a Psychotic Disorder: Guilty of Serious Offences, WA291  
 Prison Governor: Theft Convictions since 2000, WA70  
 Prisoner: Attempted Suicide, WA288  
 Prisoner: Temporary Release, WA399  
 Prisoners/Staff Members: Assaults, WA389  
 Prisoners: Compassionate Bail, WA388  
 Prisoners: Illegal or Non-prescribed Drugs, WA389  
 Prisoners: Temporary Release, WA287  
 Prisoners: Vulnerable, WA287  
 Prisons: Suicides and Attempted Suicides, WA174  
 Prisons: Suicides and Suicide Attempts, WA172  
 Professional Standards Unit, WA69, WA177  
 Sexual Offences Prevention Order, WA396  
 Sexual Offences Prevention Orders, WA71  
 Sexual Offences Prevention Orders: Breach, WA71, WA396  
 Union Flag: Flying, WA400  
 Regional Development  
 Aughnacloy, Fivemiletown, Coalisland and Donaghmore: Parking Tickets, WA185  
 Social Development  
 ATOS Healthcare, WA307  
 Benefit Applicants, WA417  
 Benefits Appeal Tribunals: Panel Members, WA309

**Moutray, Mr Stephen**

Ministerial Statements  
 First Minister and deputy First Minister: Visit to China, 280  
 Together: Building a United Community, 57

Oral Answers

Education  
 Primary Schools: Craigavon, 252  
 Social Development  
 Kitchen and Window Replacements: Craigavon, 239

Private Members' Business

Child Poverty Targets, 33, 34  
 Energy Costs, 48  
 Shared Future, 190

Written Answers

Employment and Learning  
 Careers Advisers, WA358

**Nesbitt, Mr Mike**

Matter of the Day  
 Murder of Drummer Lee Rigby, 221

**Ministerial Statements**

- First Minister and deputy First Minister: Visit to China, 280
- Together: Building a United Community, 57

**Oral Answers**

- Enterprise, Trade and Investment
  - Power NI: Prices, 300
- Environment
  - Vehicle Testing: Heavy Goods Vehicles, 362, 363
- Office of the First Minister and deputy First Minister
  - Defamation Act 2013, 296
- Regional Development
  - Public Transport: Audiovisual Equipment, 184

**Private Members' Business**

- Child Poverty Targets, 33, 41
- Civil Service (Special Advisers) Bill: Final Stage, 293, 311, 312, 313, 321, 323
- Shared Future, 190, 191, 197

**Written Answers**

- Culture, Arts and Leisure
  - Public Consultations, WA329
- Employment and Learning
  - Stranmillis University College, WA29
  - Together: Building a United Community, WA359
- Finance and Personnel
  - Coiste na nIarchimí: Funding, WA370, WA371
- Health, Social Services and Public Safety
  - Day Case Procedures, WA158
  - Day Case Procedures: Duplicate Bookings, WA66
  - Statutory Care Homes: Admissions, WA158
- Office of the First Minister and deputy First Minister
  - Former Security Sites: Ministry of Defence, WA1
  - Peace-building and Conflict Resolution Centre, WA107
  - Peace-building and Conflict Resolution Centre:
    - Business Case, WA105
  - Peace-building and Conflict Resolution Centre: Colliers International, WA106
  - Peace-building and Conflict Resolution Centre:
    - Committee for the Office of the First and deputy First Minister, WA106
  - Peace-building and Conflict Resolution Centre: Income and Employment Generation, WA105
  - Peace-building and Conflict Resolution Centre:
    - Participation of Schools, WA107
  - Peace-building and Conflict Resolution Centre:
    - Research, WA106
  - Trade Mission to China: Full Costs, WA103

**Newton, Mr Robin****Adjournment**

- Knockbreda High School and Newtownbreda High School, South Belfast, 378, 379
- Post-primary Education: East Belfast, 272

**Oral Answers**

- Environment
  - Environmental Crime, 360
- Justice
  - Young Offenders: Early Intervention, 181

**Private Members' Business**

- Equal Pay Settlement: PSNI and NIO Staff, 370, 371

**Written Answers**

- Finance and Personnel
  - Small Business Rate Relief Scheme, WA49

**Health, Social Services and Public Safety**

- Health Service: Economy, WA171

**Ní Chuilín, Ms Carál****Oral Answers**

- Culture, Arts and Leisure
  - Boxing Strategy, 245, 246
  - Commonwealth Games 2014, 248, 249
  - Libraries NI: Disadvantaged Areas, 247, 248
  - Lough Neagh: Fish Stocks and Habitats, 246
  - Sport: People with Disabilities, 247

**Private Members' Business**

- Northern Amateur Football League's Primacy Rule, 351, 352, 353

**Written Answers**

- Culture, Arts and Leisure
  - Athletics: UK Teams, WA219
  - Backin' Belfast Campaign, WA323
  - Ballyclare: War Years Remembered Museum, WA329
  - Band Funding, WA217
  - Bangor: Aurora Swimming Pool, WA327
  - Boxing Strategy: Belfast, WA327
  - Central Investigation Service: Fraud Awareness Training, WA325
  - Children with Disabilities: Participation in Team Sports, WA325
  - Children: Hearing Impairments, WA331
  - City of Culture 2013, WA324
  - Claim Settlement, WA324
  - Commercial Pike Fishing, WA217
  - Creative Industries: South Antrim, WA219
  - Cycling, WA325
  - Cycling Club: Funding, WA217
  - Cycling Clubs, WA216
  - Cyclists, WA217
  - DCAL Information Service, WA216
  - DCAL: Hospitality Expenses, WA326
  - Effective Employer's Pension Contribution to Staff, WA325
  - Efficiency Savings: Job Losses, WA8
  - Elite Cyclists: Funding, WA217
  - Elite Programme, WA329
  - Foras na Gaeilge: Legal Advice, WA324
  - Fundraising Committee of Tyrone Gaelic Athletic Association: Chairman, WA323
  - Giro d'Italia 2014, WA216
  - Irish and Ulster Scots: Rural Areas, WA219
  - National Museums Northern Ireland, WA116, WA117
  - North Down: Arts Opportunities, WA331
  - Northern Ireland Civil Service Pay Awards, WA119
  - Portadown: Carleton Over-50s Association, WA330
  - Postage Costs, WA326
  - Public Consultations, WA329
  - Quaker Heritage, WA218
  - Radio One Big Weekend, WA218
  - Ravenhill Stadium Project, WA327
  - River Miles, WA331
  - Rugby, WA218
  - Salmon and Inland Fisheries Forum, WA327
  - Shooting Sports, WA216
  - Sport and Physical Activity in Northern Ireland, WA220
  - Sport NI, WA330
  - Sport NI: Netball Northern Ireland, WA331
  - Transgender Community, WA328
  - Translations: Costs, WA328
  - UK City of Culture 2013, WA215

UK City of Culture: Legacy Plan, WA218  
 Ulster-Scots Newspaper, WA218, WA323  
 Unanswered Questions: AQW 21176/11-15; AQW 21177/11-15; AQW 21178/11-18; AQW 21179/11-15; and AQW 21180/11-15, WA330  
 Water Turbines: Fish Kills, WA326  
 Water Turbines: Installation, WA329  
 Woodford Fly Fishery: Fishing Competition, WA328  
 World Police and Fire Games 2013, WA324, WA326

**Ó hOisín, Mr Cathal**

Matter of the Day

Graeme McDowell: World Match Play Golf Success, 103

Oral Answers

Enterprise, Trade and Investment  
 Unemployment: All-Ireland Strategy, 24, 25  
 Regional Development  
 Public Transport: Audiovisual Equipment, 184

Private Members' Business

Northern Amateur Football League's Primacy Rule, 345

Written Answers

Culture, Arts and Leisure  
 Bangor: Aurora Swimming Pool, WA327  
 Irish and Ulster Scots: Rural Areas, WA219  
 Ulster-Scots Newspaper, WA218, WA323  
 Environment  
 Post-excavation Storage and Archiving, WA37  
 Health, Social Services and Public Safety  
 Chemotherapy Appointments, WA280  
 Tranquilliser and Anti-psychosis Drugs, WA280  
 Regional Development  
 City of Culture 2013, WA407  
 G8 Summit: Suspension of Roadworks, WA294  
 Social Development  
 West Bank, Coleraine: Emergency Housing, WA304

**O'Dowd, Mr John**

Adjournment

Knockbreda High School and Newtownbreda High School, South Belfast, 380  
 Post-primary Education: East Belfast, 276

Ministerial Statements

Primary Schools: Computer-based Assessments, 169, 171, 172, 173

Oral Answers

Education  
 DE: 'Together: Building a United Community', 253  
 Minister of Education and Secretary of State for Education, 251  
 Post-primary Schools: Area Planning, 250, 251  
 Preschool Places, 253  
 Primary Schools: Craigavon, 252  
 Programme for International Student Assessment: Rasch Model, 254  
 Shared Education, 252  
 Single Education System, 249, 250

Private Members' Business

Rural Schools, 98, 99, 100, 101, 102

Revised Written Answers

Education  
 External Consultants, RWA5, RWA6

Written Answers

Education

Accounting Officers, WA18  
 A-level Exams, WA248, WA249  
 A-level Software and Systems Development, WA249  
 ASPIRE Face-to-face Information Seminars, WA129  
 ASPIRE Self-study Module, WA129  
 ASPIRE Seminars: School Staff, WA129  
 Ballymena Learning Together Area Learning Community, WA122  
 Bangor Schools: Primary 1 Places, WA131  
 Belfast Education and Library Board Staff, WA21  
 Board of Governors: Councillor, WA341  
 Board of Governors: MLA, WA347  
 Buddy Bear Primary School, WA339  
 Capital Money, WA132  
 Careers, Education, Information, Advice and Guidance Programme, WA122  
 Catholic Certificate of Religious Education, WA122  
 Catholic Maintained and Integrated Primary Schools: Preparation for Sacraments, WA340  
 Catholic Maintained Primary Schools, WA349  
 Central Procurement Directorate, WA9  
 Cerebral Palsy: Special Education Provision, WA338  
 Children with Special Needs: Post-primary Education, WA133  
 Children with Special Needs: Transport Assistance, WA353  
 Convention on the Rights of a Child, WA341  
 Council for Catholic Maintained Schools and Northern Ireland Council for Integrated Education, WA21  
 County Fermanagh: Post-primary Schools, WA254  
 Delivering Social Change Signature Project, WA247  
 Departmental Budget: Efficiency Savings, WA335  
 Dickson Plan Catchment Area: Post-primary Schools, WA332  
 Dignity at Work Cases, WA340  
 Education and Library Board Staff, WA12  
 Education and Library Boards, WA18, WA21  
 Education and Library Boards: Pupils' Key Stage 1 and 2 Performance, WA23  
 Education and Skills Authority, WA21, WA350  
 Education and Skills Authority Implementation Team, WA18  
 English as an Additional Language, WA354  
 Exams: Northern Ireland and England, WA246  
 Free School Meals, WA249  
 Funded Transport, WA250  
 Funding for Careers, Education, Information, Advice and Guidance Programme, WA21, WA22  
 Galbally: Primary School, WA128, WA132  
 Gallagher and Smith Main Report, WA250  
 Glasswater Primary School, County Down, WA341  
 Governors: Individual School, WA20  
 Initial Teacher Education Colleges, WA336  
 Integrated Preschools, WA120  
 Integrated Provision: Demand, WA130  
 Integrated Schools, WA20  
 Integrated Schools Enrolment, WA340  
 Integrated Schools: Children, WA130  
 Intergenerational Programmes, WA248  
 Joint Faith Schools, WA20  
 Killyman Primary School, WA132  
 Literacy and Numeracy Project, WA225, WA232, WA239  
 Literacy and Numeracy Two-year Teaching Support Posts, WA351

Maintained Primary Schools, WA341  
 Maintained Primary Schools: Pupils, WA223  
 Mobile Classrooms, WA19, WA119, WA120  
 Modular Examinations: Removal, WA13  
 New School Builds, WA131  
 New School Builds: Planning Permission, WA332  
 New Transfer Tests, WA133  
 Newcomer Funding, WA128  
 Newly Qualified Teachers, WA246  
 North Antrim: Nursery, Primary and Post-primary Pupils, WA350  
 North Belfast: First Choice School or Nursery Unit, WA124  
 North Down: Nursery Pupils, WA222  
 North Down: Nursery School Placement, WA351  
 North Down: Primary 1 Places, WA222, WA352  
 Orchard County Primary School, WA336  
 Organisation for Economic Co-operation and Development: Programme for International Student Assessment, WA248  
 Oversubscribed Integrated Preschools, WA121  
 Paid and Unpaid Invoices, WA12  
 Parkhall Integrated College, Antrim, WA254  
 Partial Transport Funding, WA251  
 Peace-building and Conflict Resolution Centre, WA24  
 Pomeroy: Primary School, WA220  
 Postgraduate Certificate in Education, WA349  
 Post-primary Schools: Streaming, WA255  
 Preschool Allocation, WA352  
 Preschool Children: Equality of Provision, WA352  
 Preschool Education Places, WA220  
 Preschool Places: Newtownabbey, WA254  
 Preschools: Minimum Security Standards, WA353  
 Primary 1 Places: Capped Enrolment Numbers, WA222  
 Primary and Post-primary School Pupils, WA352  
 Primary and Post-primary Schools, WA123  
 Primary Legislation: Entry Criteria, WA354  
 Primary School Places: Refused First Choice, WA350  
 Primary Schools, WA247  
 Primary Schools: Costs, WA252  
 Primary Schools: Prioritising Children, WA124  
 Programme for International Student Assessment, WA250, WA338, WA350  
 Projected Capital Spend, WA19  
 Pupil Places: Year 1, WA223  
 Pupils: Support, WA128  
 Redundancy Payments: Principals and Vice-Principals, WA132  
 Retired Teachers, WA119  
 Rural and Urban Primary Schools: Costs, WA251  
 Rural Development Council: Rural Proofing Assessment, WA13  
 Rural Primary Schools: Closures, WA123  
 Savings Delivery Plans, WA9  
 School Pupils: Free Public Transport, WA133  
 School Uniform Costs, WA23  
 School Uniform Guidelines, WA22, WA23  
 Schools Access Team, WA9  
 Schools Enhancement Programme, WA18, WA339  
 Schools in Intervention, WA252  
 Schools Placed in Intervention, WA131  
 Schools: Governors, Trustees and Chairpersons, WA250  
 Schools: Newcomer Guidelines, WA127  
 Science, Technology, Engineering and Maths Subjects, WA121, WA123

Shared Education: Promotion and Facilitation, WA349  
 South Antrim: Pupils, WA250  
 Southern Education and Library Board: Public Liability Insurance, WA247, WA352  
 Special Educational Needs Resource File, WA128  
 Specialist Schools, WA22  
 Specialist Schools Programme, WA339  
 Sperrinview Special School, WA254, WA338  
 Sperrinview Special School, Dungannon, WA17  
 Substitute Teachers, WA251  
 Teacher Training, WA130  
 Teachers and Principals on Long-term Sick Leave, WA14  
 Teachers: Unsatisfactory, WA10, WA11  
 Teaching Graduates, WA126  
 Teaching Posts, WA124, WA125  
 'Together: Building a United Community', WA220  
 Transporting Pupils to and from School: Costs, WA353  
 Widening Access Programme, WA349  
 Young People with Special Educational Needs, WA252

**O'Neill, Mrs Michelle**

Oral Answers

Agriculture and Rural Development  
 Agrifood Strategy, 244, 245  
 Broadband: Lagan Valley, 241, 242  
 Rivers Agency: Flooding Risk, 243, 244  
 Single Farm Payments, 242, 243  
 Single Farm Payments: Map Errors, 240, 241

Private Members' Business

Farm Incomes, 212  
 Hill Farming, 156, 158

Written Answers

Agriculture and Rural Development  
 A5 Dual Carriageway: Return of Land, WA214  
 Administrative Costs, WA318  
 Adverse Weather: Damage Caused, WA110  
 Adverse Weather: Farmers, WA111  
 Agrifood Branch Inspectors, WA5, WA7  
 Agrifood Enforcement Legislation, WA209  
 All-Ireland Licence System, WA115  
 Animal Cruelty, WA114  
 Animals for Agricultural Shows: Cross-border Movement, WA113  
 Ash Dieback Disease, WA212, WA320  
 Ballygawley Flood Relief Scheme, WA209  
 Bee Issues, WA110  
 Belfast Hills, WA215  
 Better Regulation Review, WA319  
 Bovine TB, WA205  
 Broadband Black Spot Areas, WA209  
 Brucellosis: Pre-movement Tests, WA112  
 Central Investigation Service, WA322  
 Central Investigation Service Employees, WA322  
 Common Agricultural Policy and Common Fisheries Policy, WA215  
 DARD Hotline, WA114  
 Defibrillators: Rural Areas, WA319  
 Dignity at Work Cases, WA320  
 Disease Outbreaks: Lost Trees, WA321  
 Dog-grooming Establishments: Inspections, WA115  
 Dog-grooming Establishments: Regulations, WA115  
 Dungannon: Moy Road Site, WA109  
 East Belfast: Flooding, WA211  
 Equine Slaughter or Processing Plant: Belfast, WA113  
 European Fisheries Fund: Axis 4, WA110

Farm Modernisation Programme: Tranche 3, WA317  
 Farm Modernisation Scheme, WA321  
 Farm Modernisation Schemes, WA208  
 Farm Safety, WA214  
 Farmers: Future Capital Grant Scheme, WA211  
 Farmers: Hardship Payments, WA8  
 Farmers: Hardship Scheme, WA213  
 Farmers: Inspections, WA320  
 Farmers: Welfare, WA209  
 Farming: Fodder Crisis, WA212  
 Feed Price Increase, WA321  
 Field Boundary Restoration Work, WA114  
 Fishing Fleet: Assistance with Costs, WA317  
 Fishing Fleet: Financial Support, WA210  
 Fishing Fleet: Light Dues, WA204  
 Fishing Industry: Light Dues, WA111, WA204  
 Fishing Vessel Licences: Two-year, WA111  
 Fodder and Silage: Shortage, WA208  
 Fodder and Silage: Transportation, WA208  
 Fodder Crisis, WA116  
 Fodder Scheme, WA212  
 Forestry Act (Northern Ireland) 2010, WA213  
 Fraud Prosecutions, WA213  
 G8 Summit, WA319  
 'Going for Growth', WA210  
 Hardship Payments: Applications, WA7  
 Imidacloprid, Clothianidin and Tmx, WA8  
 Land Parcel Identification System, WA6  
 Livestock Injuries, WA4  
 Londonderry Port and Harbour: Fodder Transport Scheme, WA211  
 Milk Quotas, WA321  
 Native Trees: Destruction, WA7  
 Neonicotinoid Chemicals in Pesticides, WA110  
 Neonicotinoid Pesticides, WA8  
 Neonicotinoids, WA7  
 Northern Ireland Agrifood Industry, WA210  
 Northern Ireland Rural Development Programme 2007 – 2013, WA205, WA206, WA207  
 Paid and Unpaid Invoices, WA112  
 Pet First Aid Training Courses, WA204  
 Relocation of the Rivers Agency/Fisheries, WA319  
 Rural Communities: Boost Scheme, WA322  
 Rural Development Funding, WA204  
 Rural Primary Schools: Closure, WA322  
 Scrapies: Sheep Herds, WA5  
 Severe Weather: Farming, WA116  
 Severe Weather: Fishing Fleet Assistance, WA203  
 Shanaghy Road, Ballymoney: Flooding, WA210  
 Single Farm Payment, WA4, WA207  
 Single Farm Payment: Applications in 2010 and 2012, WA204  
 Single Farm Payment: Claims, WA208  
 Single Farm Payment: Field Boundary Restoration Work, WA114  
 Single Farm Payments, WA215  
 Single Farm Payments and Agrienvironment Scheme Funding, WA4  
 South Tyrone: Rural Regeneration: Villages, WA211  
 The Young Farmers' Clubs of Ulster, WA318  
 Three Rivers Project, Strabane, WA116  
 Trees: Pollarding and Felling, WA7  
 Unanswered Questions: AQW 20662/11-15 and AQW 21080/11-15, WA109  
 Unanswered Questions: AQW 21973/11-15; AQW 21974/11-15; and AQW 21975/11-15, WA318

Upper Bann: Farmers' Markets, WA6  
 Use of Helicopters: Cost, WA114  
 West Tyrone: Regenerating Villages and Small Towns, WA5  
 Wind Turbine Applications, WA110  
 Wind Turbines: Livestock Abortions, WA322  
 Young Farmer Incentive Schemes, WA5  
 Young People: Training, WA115

## Overend, Mrs Sandra

### Ministerial Statements

Employment, Learning and Skills: Gender Issues, 341  
 First Minister and deputy First Minister: Visit to China, 283  
 Teacher Education Infrastructure, 167

### Oral Answers

#### Education

Minister of Education and Secretary of State for Education, 251

#### Employment and Learning

Students: Scottish Universities, 18

#### Environment

A5: Environmental Aspects, 359

DOE: Decentralisation, 74

#### Finance and Personnel

Non-domestic Rates, 77

#### Health, Social Services and Public Safety

Paediatric Congenital Cardiac Services, 126, 127

#### Justice

Northern Ireland Community Safety College, 180

Office of the First Minister and deputy First Minister  
 FM/DFM: Meeting with Tánaiste and Secretary of State, 123

#### Regional Development

A5: EU Habitats Directive, 184, 185

#### Social Development

Work Capability Assessments: Cancer Patients, 238

### Private Members' Business

Energy Costs, 46, 47

### Written Answers

#### Employment and Learning

'Together: Building a United Community', WA256

United Youth Programme, WA255, WA256

#### Enterprise, Trade and Investment

United Youth Programme, WA264

#### Finance and Personnel

'Together: Building a United Community', WA147

#### Health, Social Services and Public Safety

eHealth and External Collaboration: Regional Director, WA64

Salary Differences, WA64

## Poots, Mr Edwin

### Matter of the Day

Murder of Drummer Lee Rigby, 223

### Oral Answers

#### Health, Social Services and Public Safety

Autism: East Belfast, 124, 125

Health and Care Centres, 127

Nurses and Nursing Assistants, 124

Paediatric Congenital Cardiac Services, 126, 127

Ulster Hospital: Mental Health Services, 125, 126

### Private Members' Business

Epilepsy Services, 231, 232



- 'Transforming Your Care' Review, 260, 267, 268
- Written Answers
- Health, Social Services and Public Safety, WA165
- A5 Scheme: Funding, WA387
- Accident and Emergency: Referrals, WA162
- Adult Mental Health Services, WA56, WA286
- Antrim Area Hospital: Accident and Emergency Department, WA277, WA385
- Antrim Area Hospital: Stroke Lysis Treatment, WA380
- Aughnacloy: McKeag Day Centre, WA281
- Beech Hall Centre, West Belfast, WA55
- Belfast City Hospital: Windsor House, WA386
- Cancellation of Appointments, WA155
- Cancer Patients Awaiting Scans: Backlog, WA56
- Cancer Services: Ring-fenced Fund, WA382
- Cardiac Physiologists, WA379
- Cardiac Surgery: Royal Victoria Hospital, Belfast., WA166
- Care Home Residents, WA66
- Care Homes: Closure, WA55
- Care of the Elderly, WA54
- Central Investigation Service, WA387
- Chemotherapy Appointments, WA280
- Children's Residential Care, WA284
- Clinical Psychologists: Adult Autism-Specific Service Provision, WA386
- Communication Devices, WA54
- Communication Disabilities, WA50
- Community Care Worker: Health and Social Care Trusts, WA155
- Community Care Workers, WA277
- Community Care Workers: Fuel Allowance and Vehicle Wear and Tear, WA155, WA386
- Community-based Care Packages, WA54
- Crozier House, Banbridge, WA156
- Day Case Procedures, WA158
- Day Case Procedures: Duplicate Bookings, WA66
- Day Opportunities Placements, WA283
- Deaf Children: Specialist Mental Health Provision, WA67
- Dementia, WA384
- Dementia Strategy: Implementation, WA68
- Dementia: Diagnosis, WA166
- Dentists and Dental Services: Rural Areas, WA284
- Dentists: Commitment Payment and Practice Allowance, WA286
- Donaghadee Health Centre, WA64
- Donaghadee Health Centre: Average Waiting Time, WA155
- Eating Disorders, WA285
- eHealth and External Collaboration of the Health and Social Care Board: Regional Director, WA379
- eHealth and External Collaboration: Regional Director, WA64
- Elderly and Vulnerable People: Protection, WA161
- Electroencephalogram, WA171
- Electroencephalogram Services, WA285
- Electronic Cigarettes, WA167
- Emergency Departments: Belfast, WA169
- Endometriosis, WA286, WA383
- Endometriosis: Diagnoses, WA383
- Epilepsy, WA171
- EpiPens, WA285
- Ethnic Minorities, WA166
- Ethnic Minority Backgrounds: Doctors and Nurses, WA282
- Faxed Prescriptions, WA282
- First Respondents of Road Traffic Accidents: Portable Oxygen, WA385
- Fluoride in Water, WA159, WA167
- Foot and Ankle Surgery, WA61, WA63
- Foot and Ankle Surgery Services, WA151
- Foyle: Epilepsy, WA166
- Free Health Care, WA67
- Genitourinary Medicine Clinic, WA384
- Glenmona Resource Centre, Cushendall, WA165
- Health and Social Care Staff: Travel Allowances, WA387
- Health and Social Care Trust Service and Budget Agreements, WA149
- Health and Social Care Trusts: Ambulances, WA65
- Health and Social Care Trusts: Chairperson and Chief Executive, WA157
- Health and Social Care Trusts: Multiple Sclerosis Nurses, WA66
- Health and Social Care Trusts: Non-recurrent Funding, WA52
- Health and Social Care Trusts: Service and Budgets Agreements, WA50, WA51
- Health and Social Care Trusts: Travel Allowances, WA159
- Health Service Fertility Treatment, WA280
- Health Service: Economy, WA171
- Healthy Start Scheme, WA282
- Hospital 'Never Events', WA164, WA387
- Independent Health Providers: Funding, WA378
- Lagan Search and Rescue, WA67
- Learning Disabilities: Clients, WA284
- Medical Professionals' Representations, WA150
- Mental Health Issues: Funding, WA380
- Mid Ulster Hospital, WA50
- Mid Ulster Hospital Minor Injury Unit, WA385
- Mid Ulster Hospital: Outpatients Department, WA283
- Muckamore Abbey Hospital, WA56
- Multiple Sclerosis, WA168, WA169
- Multiple Sclerosis Nurses, WA283
- Multiple Sclerosis Patients: Availability of Treatment, WA66
- National Institute for Health and Clinical Excellence: Guidance on Fertility, WA58
- Neurological Services, WA381
- Newry and Armagh: Suicide and Self-harm, WA161
- North Down: Epilepsy Diagnoses, WA386
- Northern and Western Health and Social Care Trusts: Staff, WA162
- Northern Health and Social Care Trust, WA380
- Northern Health and Social Care Trust Papers, WA159
- Northern Health and Social Care Trust: Chief Executive, WA63
- Northern Health and Social Care Trust: Day Opportunities Programme, WA285
- Northern Health and Social Care Trust: Multi-agency Support Teams for Schools, WA57, WA58
- Northern Health and Social Care Trust: Recruitment, WA165
- Northern Ireland Ambulance Trust: Emergency Medical Technicians and Paramedics, WA383
- Northern Ireland Fire and Rescue Service, WA66, WA169, WA280
- Northern Ireland Hospice, WA281
- Nursing Homes, WA170
- Omagh: Acute Mental Health Services, WA170
- Organ Donation, WA286
- Orthopaedic Patients, WA61

- Orthopaedic Posts, WA61  
 Ovarian Cancer, WA55  
 Paediatric Cardiac Surgeries, WA157  
 Paediatric Heart Patients, WA55  
 Paid and Unpaid Invoices, WA59  
 Parkinson's Disease/Other Neurological Conditions, WA381  
 Parkinson's Disease: Diagnoses, WA382  
 Parkinson's Disease: Diagnosis, WA381  
 Parkinson's Disease: Speech and Language Therapists, WA382  
 Parole Commissioners: Marian Price, WA387  
 Physiotherapy: Self-referrals, WA383  
 Pinewood Residential Home, Ballymena, WA160  
 Private Care Home Referrals, WA59  
 Private Medical Insurance: Health and Social Care Trust Staff, WA63  
 Proposed Children's Heart Surgery Facility, Dublin, WA151  
 Prostate Cancer Screenings, WA165  
 Rathmoyle Residential and Day-care Facility, WA165  
 Regional Psychosexual and Gender Identity Service, WA387  
 Residential Care Beds, WA284  
 Residential Care Homes, WA62, WA153  
 Residential Care Homes: Closure, WA151, WA279, WA285  
 Residential Care Homes: Closures, WA159  
 Residential Care Homes: Respite Beds and Intermediate Care Beds, WA152  
 Residential Care: Bed Numbers, WA379  
 Residential Homes: Closure, WA62, WA63  
 Residential Homes: Private Sector, WA63  
 Residential Homes: Statutory, WA62  
 Royal Belfast Hospital for Sick Children: Clark Clinic, WA54  
 Royal Hospitals Site, Belfast: New Women's and Children's Hospital, WA382  
 Royal Victoria Hospital, Belfast: Building Project, WA170  
 Royal Victoria Hospital, Belfast: Genito-urinary Medicine Clinic, WA279  
 Royal Victoria Hospital: Maternity Leave, WA280  
 Salary Differences, WA64  
 Self-harm: Depression, WA59  
 Sexual Health Promotion Strategy and Action Plan 2008-2013, WA384  
 Skeagh House, Dromore, WA156  
 Skeagh House: Closure, WA53  
 Skeagh House: Residents, WA385  
 Skeagh House: Staff, WA53  
 Slievemore Nursing Home, Derry, WA161  
 Smoking Cessation Courses, WA167  
 Social Care Funding, WA67  
 Social Services: Background Checks, WA60  
 South Antrim: Small Care Homes in Residential Areas, WA65  
 Southern Health and Social Care Trust: Psychiatric Intensive Care, WA170  
 Specialist Beds: Delivery, WA379  
 Statutory Care Homes: Admissions, WA158  
 Statutory Care Homes: Staff, WA156  
 Statutory Residential Homes: Closure, WA154  
 Stroke Lysis Treatment, WA380  
 Suicide: Depression, WA60  
 Surgical Podiatry, WA61  
 Thackeray Day Centre, Limavady, WA151  
 Tourette's Disorder, WA382  
 Tourette's Syndrome, WA169  
 Trachea, Bronchus and Lung Cancer Deaths, WA64  
 Tranquilliser and Anti-psychosis Drugs, WA280  
 Transforming Your Care, WA278  
 Transforming Your Care: Older People, WA169  
 Waiting List Initiative, WA384  
 Waringstown Branch Surgery: Temporary Closure, WA386  
 Water Fluoridation Pilot Study, WA287  
 Western Health and Social Care Trust: Annual Budget, WA155  
 Western Health and Social Care Trust: Cancelled Hospital Appointments, WA164
- Ramsey, Mr Pat**
- Assembly Business, 337  
 Ministerial Statements  
     Employment, Learning and Skills: Gender Issues, 341  
     Teacher Education Infrastructure, 165  
 Oral Answers  
     Employment and Learning  
         Recruitment Agencies, 19  
         Success Through Skills, 355  
 Written Answers  
     Assembly Commission  
         Leftover Food from Functions, WA201  
         Ormiston House, WA202  
         Surplus Food Project, WA201  
     Employment and Learning  
         Additional Support Fund, WA260, WA355  
         Creative Industries Apprenticeship Pilot, WA356  
         Moderate or Severe Learning Difficulties: Students, WA259, WA260  
         North West Regional College: Staff, WA263  
         Patient and Client Council Report, WA356  
         People with a Learning Disability: Views, WA260  
         SAE Education Limited, WA26  
         University of Ulster: Day Care Facilities, WA134  
     Enterprise, Trade and Investment  
         Foyle: Invest NI, WA264  
         Invest NI, WA266  
         Regional Airport Freight Services: Funding, WA364  
     Finance and Personnel  
         Suicide from Depression, WA47  
         Unoccupied Private Properties, WA371  
     Health, Social Services and Public Safety  
         Self-harm: Depression, WA59  
         Suicide: Depression, WA60  
     Justice  
         Ionizing Radiation Regulations: Scanners in Prison Estates, WA178  
         Maghaberry Prison: Roe 1 and Roe 2 Accommodation Units, WA75  
         Roe House, Maghaberry: 2010 Agreement, WA292  
     Office of the First Minister and deputy First Minister  
         Community Groups: Ethnic Minorities, WA315  
         Special Enterprise Zones, WA107  
     Regional Development  
         Goldline Services: Passenger Numbers, WA410

**Ramsey, Ms Sue**

## Adjournment

Whitemountain Quarries Hazardous Waste Transfer Site,  
West Belfast, 216, 218

## Committee Business

Tobacco Retailers Bill: Extension of Committee Stage, 225

## Oral Answers

## Finance and Personnel

Marriage (Same Sex Couples) Bill, 78

## Health, Social Services and Public Safety

Nurses and Nursing Assistants, 124

## Office of the First Minister and deputy First Minister

Minority Ethnic Development Fund, 121, 122

## Private Members' Business

Energy Costs, 48, 49

Epilepsy Services, 226

'Transforming Your Care' Review, 262, 264

## Written Answers

## Employment and Learning

Employment: Community-based Schemes, WA28

## Enterprise, Trade and Investment

Integrated Economic Strategy: Ireland, WA35

## Health, Social Services and Public Safety

Beech Hall Centre, West Belfast, WA55

Endometriosis, WA286, WA383

Endometriosis: Diagnoses, WA383

Royal Hospitals Site, Belfast: New Women's and

Children's Hospital, WA382

## Regional Development

West Belfast: Traffic-calming Measures, WA86

## Social Development

Housing Executive: Contracts, WA311

West Belfast: Window Replacements, WA96

**Robinson, Mr George**

## Ministerial Statements

Together: Building a United Community, 58

## Oral Answers

## Enterprise, Trade and Investment

Belfast International Airport, 24

## Office of the First Minister and deputy First Minister

Minority Ethnic Development Fund, 122

## Private Members' Business

Child Poverty Targets, 35

Epilepsy Services, 225

Shared Future, 193, 194

'Transforming Your Care' Review, 264

## Written Answers

## Employment and Learning

Pathways to Success, WA27

Together: Building a United Community: NEETS, WA361

## Environment

Single-tier Taxi Licensing System, WA367

Single-tier Taxi System, WA367

## Health, Social Services and Public Safety

Western Health and Social Care Trust: Annual Budget,  
WA155

## Justice

Probation Board for Northern Ireland Staff, WA172

## Regional Development

A37 Limavady to Coleraine Road: Climbing Lane, WA188

North West 200, WA404

Portrush to Coleraine: 06:43 Train, WA189

**Robinson, Mr Peter**

## Ministerial Statements

Together: Building a United Community, 55, 57, 58, 59,  
60, 61, 62, 63, 64

## Oral Answers

## Office of the First Minister and deputy First Minister

Child and Working-age Poverty: Institute for Fiscal  
Studies Report, 120

Disability Strategy: Children, 120

FM/DFM: Meeting with Tánaiste and Secretary of  
State, 123

Minority Ethnic Development Fund, 122

Peace Monitoring Report, 122, 123

## Written Answers

## Office of the First Minister and deputy First Minister

All-party Talks: Irish and British Governments, WA109

Appeal Applications, WA203

Ballykelly: Former Army Base, WA104

China Trade Mission: November 2012, WA103

Community Groups: Ethnic Minorities, WA315

Dealing with Legacies, WA105

Delivering Social Change: Universities, WA317

Disability Strategy, WA2

'Economy and Jobs Initiative', WA3

Former Security Sites: Ministry of Defence, WA1

Grievance Cases and Whistle blowing Complaints,  
WA108

Historical Child Abuse Inquiry, WA3

Ilex, WA3

Legislative Consent Motions: Assembly Approval, WA315

Maze Conflict Transformation Centre, WA103

Maze Development: Road Infrastructure Proposals, WA1

Maze/Long Kesh Regeneration Site, WA3

North/South Ministerial Council: Education for

Protestant Children, WA103

Northern Ireland Memorial Fund, WA2

Paid and Unpaid Invoices, WA104

Peace-building and Conflict Resolution Centre, WA107

Peace-building and Conflict Resolution Centre:

Business Case, WA105

Peace-building and Conflict Resolution Centre: Colliers

International, WA106

Peace-building and Conflict Resolution Centre:

Committee for the Office of the First and deputy First  
Minister, WA106

Peace-building and Conflict Resolution Centre:

Consultation Process, WA106

Peace-building and Conflict Resolution Centre: Income

and Employment Generation, WA105

Peace-building and Conflict Resolution Centre:

Participation of Schools, WA107

Peace-building and Conflict Resolution Centre:

Research, WA106

Peace-building and Conflict Resolution Centre: Section

75 Obligations, WA107

Planning Appeals Commission, WA2

Planning Appeals Commission: Appeals and Article 31

Hearings, WA107, WA316

Planning Appeals Commission: Temporary Staff,

WA203

Programme for Government: Delivery Plans, WA316,

WA317

Shackleton Barracks, WA2

Social Investment Fund, WA3, WA104

Social Investment Zone Steering Groups, WA315

Special Enterprise Zones, WA107  
 Strategic Investment Board: Consultants, WA108  
 Strategic Investment Board: Staff Costs, WA109  
 'Together: Building a United Community', WA316  
 Trade Mission to China: Full Costs, WA103  
 Unanswered Question: AQW 19647/11-15, WA107  
 Victims and Survivors of Historical Institutional Abuse:  
 Support Service, WA107, WA108  
 Victims Groups: Alleged Irregularities, WA103

Written Ministerial Statement

Office of the First Minister and deputy First Minister  
 Together: Building a United Community Strategy,  
 WMS1

**Rogers, Mr Sean**

Ministerial Statements

North/South Ministerial Council: Special EU Programmes,  
 257  
 Primary Schools: Computer-based Assessments, 172  
 Teacher Education Infrastructure, 167  
 Together: Building a United Community, 60

Oral Answers

Agriculture and Rural Development  
 Single Farm Payments, 243  
 Culture, Arts and Leisure  
 Commonwealth Games 2014, 249  
 Education  
 Shared Education, 252  
 Enterprise, Trade and Investment  
 Jobs Fund, 303  
 Environment  
 Road Safety: North/South Co-operation, 73  
 Health, Social Services and Public Safety  
 Ulster Hospital: Mental Health Services, 126  
 Office of the First Minister and deputy First Minister  
 FM/DFM: Meeting with Tánaiste and Secretary of  
 State, 123

Private Members' Business

Farm Incomes, 213, 214  
 Hill Farming, 158, 159  
 Rural Schools, 93, 94

Written Answers

Agriculture and Rural Development  
 Adverse Weather: Damage Caused, WA110  
 Adverse Weather: Farmers, WA111  
 Fishing Industry: Light Dues, WA111  
 Fishing Vessel Licences: Two-year, WA111  
 Single Farm Payments, WA215  
 Education  
 Glasswater Primary School, County Down, WA341  
 Maintained Primary Schools, WA341  
 Maintained Primary Schools: Pupils, WA223  
 Employment and Learning  
 Higher Education Strategy, WA360  
 Enterprise, Trade and Investment  
 Air Passenger Duty, WA265  
 Finance and Personnel  
 Narrow Water Bridge, WA276  
 Suicide, WA148  
 Regional Development  
 Newcastle Road, Kilkeel Bridge, WA188  
 Newcastle: Park-and-ride Facility, WA403

Social Development  
 Social Security Agency Procedures, WA304

**Ross, Mr Alastair**

Ministerial Statements

Employment, Learning and Skills: Gender Issues, 342  
 Teacher Education Infrastructure, 166

Oral Answers

Employment and Learning  
 Youth Employment, 355, 356

Written Answers

Culture, Arts and Leisure  
 Backin' Belfast Campaign, WA323  
 Cycling Club: Funding, WA216  
 Cycling Clubs, WA216  
 Cyclists, WA217  
 Elite Cyclists: Funding, WA217  
 Giro d'Italia 2014, WA216  
 Rugby, WA218  
 Education  
 ASPIRE Face-to-face Information Seminars, WA129  
 ASPIRE Self-study Module, WA129  
 ASPIRE Seminars: School Staff, WA129  
 Belfast Education and Library Board Staff, WA21  
 Council for Catholic Maintained Schools and Northern  
 Ireland Council for Integrated Education, WA21  
 Delivering Social Change Signature Project, WA247  
 Education and Library Boards, WA21  
 Education and Skills Authority, WA21  
 English as an Additional Language, WA354  
 Initial Teacher Education Colleges, WA336  
 Special Educational Needs Resource File, WA128  
 Teacher Training, WA130  
 Regional Development  
 Illegal Monuments, WA77, WA78, WA180

**Ruane, Ms Caitríona**

Ministerial Statements

First Minister and deputy First Minister: Visit to China, 280  
 North/South Ministerial Council: Special EU Programmes,  
 256  
 Together: Building a United Community, 58

Private Members' Business

Shared Future, 197

Revised Written Answers

Education  
 Consultancy, RWA4  
 Consultancy Fees, RWA5  
 Consultancy Firms, RWA1  
 Departmental Spend on Consultants, RWA3  
 Education and Skills Authority: Implementation Team,  
 RWA4  
 Private Consultancy Firms and Events Companies:  
 Cost to DE, RWA3  
 Review of Public Administration, RWA2, RWA4

**Sheehan, Mr Pat**

Oral Answers

Education  
 Minister of Education and Secretary of State for  
 Education, 251

Private Members' Business

Rural Schools, 97, 101

**Speaker, The (Mr William Hay)**

Assembly Business, 1, 55, 337  
 Extension of Sitting, 147, 320  
 Public Petition: Cushendall Fire Station, 224  
 Public Petition: Health Service Dental Care, 1, 2

Executive Committee Business  
 Child Support Maintenance Calculation Regulations (Northern Ireland) 2012, 29  
 Marine Bill: Further Consideration Stage, 2, 17, 26, 27

Matter of the Day  
 Graeme McDowell: World Match Play Golf Success, 103  
 Murder of Drummer Lee Rigby, 221

Ministerial Statements  
 North/South Ministerial Council: Special EU Programmes, 256, 258  
 Primary Schools: Computer-based Assessments, 173  
 Teacher Education Infrastructure, 164, 166, 167  
 Together: Building a United Community, 57, 58, 59, 60, 62, 63, 64

Oral Answers  
 Environment, 71  
 DOE: Decentralisation, 74  
 Fuel Laundering, 75  
 Planning: Uncompleted Developments, 72  
 Road Safety: North/South Co-operation, 73  
 Finance and Personnel  
 Marine Atlas, 75  
 Marriage (Same Sex Couples) Bill, 78

Private Members' Business  
 Child Poverty Targets, 32  
 Civil Service (Special Advisers) Bill: Final Stage, 288, 290, 293, 294, 295, 305, 306, 307, 308, 317, 318  
 Civil Service (Special Advisers) Bill: Further Consideration Stage, 104, 112, 114, 115, 116, 118, 119, 130, 133, 137, 138, 139, 140, 141, 142, 147, 148, 150  
 Epilepsy Services, 225  
 Northern Amateur Football League's Primacy Rule, 345, 347, 348, 349, 350, 351, 352, 354  
 Shared Future, 189, 190, 191, 193, 194, 195, 196, 197, 198, 199, 202, 203  
 'Transforming Your Care' Review, 260, 261, 262, 265, 266, 267, 271, 272

Speaker's Business, 337

**Spratt, Mr Jimmy**

Adjournment  
 Knockbreda High School and Newtownbreda High School, South Belfast, 376, 377

Ministerial Statements  
 Together: Building a United Community, 59

Oral Answers  
 Enterprise, Trade and Investment  
 Jobs Fund, 303  
 Office of the First Minister and deputy First Minister  
 Child and Working-age Poverty: Institute for Fiscal Studies Report, 120  
 Regional Development  
 A5: EU Habitats Directive, 185

Private Members' Business  
 Child Poverty Targets, 36, 37, 38  
 Civil Service (Special Advisers) Bill: Final Stage, 290

Equal Pay Settlement: PSNI and NIO Staff, 364, 365, 367, 368, 373  
 Shared Future, 202

Written Answers  
 Agriculture and Rural Development  
 A5 Dual Carriageway: Return of Land, WA214  
 Dignity at Work Cases, WA320  
 Education  
 Dignity at Work Cases, WA340  
 Environment  
 Lisburn and Castlereagh Councils: Merger, WA42  
 Transition Committees, WA365  
 Finance and Personnel  
 Dignity at Work Cases, WA375  
 Rates: Empty Properties, WA49  
 Health, Social Services and Public Safety  
 Mental Health Issues: Funding, WA380  
 Waiting List Initiative, WA384  
 Justice  
 Compensation Agency: Claims, WA390, WA391  
 Compensation Agency: Claims Awarded, WA390  
 Dignity at Work Cases, WA399  
 Regional Development  
 Glenmachan Sewer Project, WA300  
 Speed Limits: 20 miles per hour, WA181  
 Social Development  
 Village Area, Belfast: Regeneration, WA310

**Storey, Mr Mervyn**

Adjournment  
 Knockbreda High School and Newtownbreda High School, South Belfast, 379, 380  
 Post-primary Education: East Belfast, 275, 276

Ministerial Statements  
 North/South Ministerial Council: Special EU Programmes, 256  
 Primary Schools: Computer-based Assessments, 171  
 Teacher Education Infrastructure, 167  
 Together: Building a United Community, 62

Oral Answers  
 Education  
 Single Education System, 250  
 Regional Development  
 Buses: Marble Arch and Florence Court, Fermanagh, 187

Private Members' Business  
 Rural Schools, 89, 90, 92, 93, 95, 97, 99, 100

Revised Written Answers  
 Education  
 Review of Public Administration, RWA2

Written Answers  
 Education  
 Accounting Officers, WA18  
 Careers, Education, Information, Advice and Guidance Programme, WA122  
 Central Procurement Directorate, WA9  
 Education and Library Board Staff, WA12  
 Education and Library Boards, WA18  
 Education and Skills Authority Implementation Team, WA18  
 Funding for Careers, Education, Information, Advice and Guidance Programme, WA21, WA22  
 Primary Schools: Costs, WA252  
 Savings Delivery Plans, WA9

Schools Enhancement Programme, WA18, WA339  
 Science, Technology, Engineering and Maths Subjects,  
 WA121, WA123  
 Specialist Schools, WA22  
 Specialist Schools Programme, WA339  
 Substitute Teachers, WA251  
 Young People with Special Educational Needs, WA252

**Swann, Mr Robin**

Ministerial Statements

Teacher Education Infrastructure, 163  
 Together: Building a United Community, 61

Oral Answers

Agriculture and Rural Development  
 Agrifood Strategy, 244  
 Education  
 Post-primary Schools: Area Planning, 250  
 Employment and Learning  
 Economic Inactivity, 21  
 Office of the First Minister and deputy First Minister  
 Disability Strategy: Children, 121

Private Members' Business

Farm Incomes, 211, 214, 215  
 Hill Farming, 155, 156, 160  
 Shared Future, 201

Written Answers

Agriculture and Rural Development  
 Central Investigation Service, WA322  
 Central Investigation Service Employees, WA322  
 Disease Outbreaks: Lost Trees, WA321  
 Farmers: Inspections, WA320  
 Field Boundary Restoration Work, WA114  
 Fraud Prosecutions, WA213  
 'Going for Growth', WA210  
 Londonderry Port and Harbour: Fodder Transport  
 Scheme, WA211  
 Northern Ireland Agrifood Industry, WA210  
 Single Farm Payment, WA4  
 Single Farm Payment: Field Boundary Restoration  
 Work, WA114

Culture, Arts and Leisure

Central Investigation Service: Fraud Awareness  
 Training, WA325  
 Salmon and Inland Fisheries Forum, WA327

Employment and Learning

Agency Workers Regulations 2011, WA134  
 iPad Schemes: Open University Access, WA256  
 Northern Ireland Civil Service, WA134  
 Open University Funding, WA256  
 Queen's University Students' Union: G4S, WA137  
 Royal Exchange Development, WA25  
 'Study of the Teacher Education Infrastructure in  
 Northern Ireland', WA358

Enterprise, Trade and Investment

International Monetary Fund, WA266, WA268  
 North West 200, WA267  
 Regional Economic Recovery, WA268

Finance and Personnel

Agency Workers Regulations: 12-week Qualifying  
 Period, WA48  
 Civil Service Staff: Agency Workers Regulations, WA48  
 People not in Education, Employment or Training,  
 WA375  
 Unemployment Benefit Claimant Count, WA371

Health, Social Services and Public Safety  
 Accident and Emergency: Referrals, WA162  
 Antrim Area Hospital: Accident and Emergency  
 Department, WA277  
 Antrim Area Hospital: Stroke Lysis Treatment, WA380  
 Central Investigation Service, WA387  
 Community Care Worker: Health and Social Care  
 Trusts, WA155  
 Community Care Workers, WA277  
 Community Care Workers: Fuel Allowance and Vehicle  
 Wear and Tear, WA155, WA386  
 eHealth and External Collaboration of the Health and  
 Social Care Board: Regional Director, WA379  
 Faxed Prescriptions, WA282  
 Northern Health and Social Care Trust, WA380  
 Northern Ireland Ambulance Trust: Emergency Medical  
 Technicians and Paramedics, WA383  
 Paediatric Cardiac Surgeries, WA157  
 Royal Belfast Hospital for Sick Children: Clark Clinic,  
 WA54  
 Social Services: Background Checks, WA60  
 Stroke Lysis Treatment, WA380

Social Development

North Antrim: Housing Schemes, WA199  
 North Antrim: Social Housing, WA199  
 Northern Ireland Housing Executive Properties, WA302  
 Physical Regeneration Concept Master Plans, WA97  
 St Patrick's Barracks, Ballymena, WA95  
 Strategic Regeneration Frameworks, WA96

**Weir, Mr Peter**

Assembly Business

Extension of Sitting, 43

Executive Committee Business

Marine Bill: Further Consideration Stage, 3, 4, 7, 10, 11, 17

Ministerial Statements

North/South Ministerial Council: Environment, 68  
 North/South Ministerial Council: Special EU Programmes,  
 255  
 Together: Building a United Community, 61

Oral Answers

Finance and Personnel  
 Rates: Welfare Reform, 77  
 Office of the First Minister and deputy First Minister  
 FM/DFM: Visit to China, 296, 297

Private Members' Business

Civil Service (Special Advisers) Bill: Final Stage, 327  
 Civil Service (Special Advisers) Bill: Further Consideration  
 Stage, 108, 118, 130, 132, 133, 136  
 Equal Pay Settlement: PSNI and NIO Staff, 366, 373, 374,  
 375  
 Vehicle Fuel Duty, 81

Written Answers

Agriculture and Rural Development  
 Animal Cruelty, WA114  
 Hardship Payments: Applications, WA7  
 Assembly Commission  
 Defamation Proceedings, WA202  
 Insurance Excess for 2012-13, WA421  
 Culture, Arts and Leisure  
 Cycling, WA325  
 North Down: Arts Opportunities, WA331  
 Sport NI, WA330  
 Translations: Costs, WA328

World Police and Fire Games 2013, WA326

Education

- A-level Exams, WA248, WA249
- Bangor Schools: Primary 1 Places, WA131
- Board of Governors: Councillor, WA341
- Board of Governors: MLA, WA347
- Literacy and Numeracy Two-year Teaching Support Posts, WA351
- Mobile Classrooms, WA19, WA119, WA120
- North Down: Nursery Pupils, WA222
- North Down: Primary 1 Places, WA222
- Primary 1 Places: Capped Enrolment Numbers, WA222
- Schools in Intervention, WA252
- Teaching Graduates, WA126
- Teaching Posts, WA124, WA125
- Transporting Pupils to and from School: Costs, WA353

Employment and Learning

- A-level Exams, WA358
- Further Education Colleges, WA357
- Higher Education Institutes, WA357
- North Down: Youth Employment Scheme, WA356
- Open University Degrees, WA261
- St Mary's University College/Stranmillis University College/Queen's University, Belfast: Merger, WA354

Enterprise, Trade and Investment

- Electricity Costs for Businesses: Reductions, WA37

Environment

- Councillor Severance Scheme, WA364, WA365
- Driver and Vehicle Agency, Coleraine, WA38
- Levy: Single-use Carrier Bag, WA41
- North Down Borough Council: Planning Applications, WA145
- Northern Ireland Red Squirrel Forum: Funding, WA39

Finance and Personnel

- Civil Servants: Frequency of Job Applications to HR Connect, WA376
- HR Connect: Employment Applications, WA377
- HR Connect: Unreasonable Offers of Work, WA376
- North Down: Young People Not in Education, Employment or Training, WA46
- PAYE, WA276

Health, Social Services and Public Safety

- Cancer Services: Ring-fenced Fund, WA382
- Donaghadee Health Centre, WA64
- Donaghadee Health Centre: Average Waiting Time, WA155
- Eating Disorders, WA285
- Fluoride in Water, WA167
- Muckamore Abbey Hospital, WA56
- North Down: Epilepsy Diagnoses, WA386
- Organ Donation, WA286

Justice

- Animal Cruelty Offences, WA75
- Contiguous Policing Districts and Court Divisions, WA74
- Defaulters: Collection of Fines, WA390
- Enforcement of Judgements Office: Repossessed Houses, WA73
- World Police and Fire Games 2013, WA389

Office of the First Minister and deputy First Minister

- Appeal Applications, WA203
- Planning Appeals Commission, WA2
- Planning Appeals Commission: Appeals and Article 31 Hearings, WA107, WA316

Regional Development

- Article 11 Enforcement Notices, WA88
- Asbestos Water Pipes, WA78
- Blue Badge Holders, WA187, WA188
- Blue Badge Scheme, WA188, WA402
- Bus Turning Circle: Maintenance Costs, WA91
- Bus Turning Circles: Maintenance, WA181
- Bus Users: Visually Impaired, WA84
- Door-2-Door Transport Scheme, WA401
- Fixed Penalty Notices: Revenue, WA402
- North Down: Grass Cutting, WA403
- North Down: Grass-cutting Schedule, WA293
- North Down: Park-and-ride Spaces, WA299
- Parking Fines: Payment Defaults, WA404
- Pedestrian Safety: Urban and town Settings, WA181
- Rail Passenger Numbers, WA297
- Reservoirs: Private and Public Ownership, WA91
- Roads Service: Final Adoption Certificate, WA89
- Roads Service: Preliminary Adoption Certificate, WA89
- Roadside Monuments, WA407
- Speed Limits: 20 miles per hour, WA182
- Utility Companies: Restoration Works, WA182

Social Development

- Benefit Applicant: Medical Assessments, WA419
- Housing Executive Properties in North Down: Double Glazing, WA306
- Incapacity Benefit to Employment and Support Allowance, WA306
- North Down: Housing Executive Properties, WA196
- North Down: Housing Waiting List, WA195
- North Down: New Social Housing Builds, WA419
- Social Security Agency: Recruitment, WA305

### Wells, Mr Jim

Executive Committee Business

- Marine Bill: Final Stage, 176, 177, 178

Private Members' Business

- Civil Service (Special Advisers) Bill: Further Consideration Stage, 108, 109, 115, 130, 133, 135, 138, 142
- Epilepsy Services, 228, 232
- 'Transforming Your Care' Review, 259, 260

Written Answers

- Agriculture and Rural Development
  - Fishing Fleet: Financial Support, WA210
- Environment
  - Areas of Special Scientific Interest, WA42
  - Driving Licences: Full, WA39
  - Planning Applications: Approved, WA38

### Wilson, Mr Sammy

Ministerial Statements

- North/South Ministerial Council: Special EU Programmes, 254, 255, 256, 257, 258

Oral Answers

- Finance and Personnel
  - Civil Service: Equal Pay, 79
  - Inflation, 75, 76
  - Marriage (Same Sex Couples) Bill, 78
  - Non-domestic Rates, 76, 77
  - Rates: Welfare Reform, 77, 78
  - Single-use Carrier Bag Levy, 78, 79

Private Members' Business

Civil Service (Special Advisers) Bill: Further Consideration  
Stage, 109, 111, 115, 116  
Vehicle Fuel Duty, 85, 86, 87

Revised Written Answers

Finance and Personnel  
Civil Servants' Salaries, RWA10

Written Answers

Finance and Personnel  
Agency Workers Regulations: 12-week Qualifying  
Period, WA48  
Asthma Deaths, WA47  
Business Rates: Major Towns and Cities, WA47  
Civil Servants: Frequency of Job Applications to HR  
Connect, WA377  
Civil Servants' Salaries, WA147  
Civil Service Buildings: Loop System, WA148  
Civil Service Equal Pay, WA48  
Civil Service Staff, WA277  
Civil Service Staff: Agency Workers Regulations, WA48  
Coiste na nIarchimí: Funding, WA370, WA371  
Defamation Bill, WA49, WA145  
Departmental Arm's-length Bodies or Quangos, WA148  
Dignity at Work Cases, WA375  
Dundonald House: Refurbishment, WA147  
Economic Indicators: Review, WA48  
Equal Pay Settlement: PSNI, WA148  
Essential Users Fuel Rebate for Hauliers, WA376  
EU Sources: Funding, WA44  
European Funding Receipts, WA45  
Extreme Weather: Garden Centres, WA45  
Extreme Weather: Garden Centres and Nurseries, WA45  
Faulty Cavity Wall Insulation, WA47  
Flagpoles: Public Buildings, WA146  
Flags and Flagpoles, WA146  
G8 Summit: Funding Arrangements, WA378  
HR Connect: Employment Applications, WA377  
HR Connect: Unreasonable Offers of Work, WA376  
Manufacturing Sector Employees, WA374  
Marriages and Civil Partnerships (Approved Premises)  
(Amendment) Regulation 2011, WA378  
Multiple Deprivation Measures, WA46  
Narrow Water Bridge, WA276  
New Flagpoles, WA378  
Non-domestic Rates, WA377  
North Down: Young People Not in Education,  
Employment or Training, WA46  
North/South Bodies: Pensions Scheme, WA276  
Northern Ireland Civil Service: Equal Pay Entitlement  
Claims, WA46  
Paid and Unpaid Invoices, WA146  
Patton Group, WA375  
PAYE, WA276  
People not in Education, Employment or Training, WA375  
Posts Filled without Public Competition, WA368  
Premature Deaths: Air Pollution, WA145  
Public Procurement Contracts: Social Clauses, WA378  
Public Sector Employees: Compensation, WA372  
Public Service Pensions Bill, WA49  
Ramada Hotel, Portrush: NAMA, WA49  
Rates: Empty Properties, WA49  
Renewable Energy Jobs, WA376  
Report on Apartments: Northern Ireland Law  
Commission, WA376  
Resource Departmental Expenditure Limits, WA373  
Rural Areas: Poverty and Deprivation, WA370

Small Business Rate Relief Scheme, WA49  
Social Value Act, WA147  
Strategic Investment Board: Asset Management Unit,  
WA44  
Suicide, WA148  
Suicide from Depression, WA47  
'Together: Building a United Community', WA147  
Top 100 Companies: Headquarters in Belfast, WA374  
Travel and Hotel Expenses: Payment from Public  
Funds, WA146  
Treasury Discussions, WA50  
Unemployed: Financial Assistance, WA46  
Unemployment Benefit Claimant Count, WA371  
Unoccupied Private Properties, WA371  
Utility Regulator: Chief Executive, WA377  
Young People, WA147  
Young People Not in Education, Employment or  
Training, WA373  
Zero-carbon Homes: Construction, WA370



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# Business Index

## A

'A Telecommunications Action Plan for Northern Ireland 2011-2015', WA142  
A1: Signage Costs, WA300  
A20 Newtownards to Portaferry Road, WA296  
A21 Newtownards to Comber Dual Carriageway, WA402  
A26: Dualling, WA181, WA184  
A37 Limavady to Coleraine Road: Climbing Lane, WA188  
A5 Dual Carriageway: Return of Land, WA214  
A5 Road Scheme, WA293, WA294, WA295, WA299  
A5 Scheme: Funding, WA387  
A5 Western Transport Corridor, WA186, WA187  
A5: Environmental Aspects, 359, 360  
A5: EU Habitats Directive, 184, 185, 186  
A8 Countries: Workers, WA24  
Access to Work Scheme, WA258  
Accident and Emergency: Referrals, WA162  
Accounting Officers, WA18  
Additional Support Fund, WA260, WA355  
Administrative Costs, WA318  
Adult Mental Health Services, WA56, WA286  
Adverse Weather: Damage Caused, WA110  
Adverse Weather: Farmers, WA111  
Agency Workers Regulations 2011, WA134  
Agency Workers Regulations: 12-week Qualifying Period, WA48  
Agrifood Branch Inspectors, WA5, WA7  
Agrifood Enforcement Legislation, WA209  
Agrifood Strategy, 244, 245  
Air Passenger Duty, WA265  
A-level Exams, WA248, WA249, WA358  
A-level Software and Systems Development, WA249  
All-Ireland Licence System, WA115  
All-party Talks: Irish and British Governments, WA108, WA109  
Allstate: Jobs, WA138  
Animal Cruelty, WA114  
Animal Cruelty Offences, WA75  
Animals for Agricultural Shows: Cross-border Movement, WA113  
Antrim Area Hospital: Accident and Emergency Department, WA277, WA385  
Antrim Area Hospital: Stroke Lysis Treatment, WA380  
Appeal Applications, WA203  
Apprenticeships NI, WA26  
Ardmore Area of Finaghy: Noise Levels, WA294  
Areas of Special Scientific Interest, WA42  
Article 11 Enforcement Notices, WA88  
Asbestos Water Pipes, WA78, WA408  
Ash Dieback Disease, WA212, WA320  
ASPIRE Face-to-face Information Seminars, WA129  
ASPIRE Self-study Module, WA129  
ASPIRE Seminars: School Staff, WA129  
Assembly Business, 1, 102, 337  
Asthma Deaths, WA47  
Athletics: UK Teams, WA219  
ATOS Assessment Process, WA98  
ATOS Healthcare, WA307  
Aughnacloy, Fivemiletown, Coalisland and Donaghmore: Parking Tickets, WA185  
Aughnacloy: McKeag Day Centre, WA281  
Autism: East Belfast, 124, 125

## B

Backin' Belfast Campaign, WA323  
Ballyclare: War Years Remembered Museum, WA329  
Ballyearl Estate, Newtownabbey, WA192  
Ballygawley Flood Relief Scheme, WA209  
Ballygorian Road, Hilltown: Mains Extension, WA91  
Ballykelly: Former Army Base, WA104  
Ballymagarry Lane, Belfast, 187, 188  
Ballymena Borough Council Area: Social Housing Units, WA308  
Ballymena Borough Council: Adults with Special Needs, WA39  
Ballymena Learning Together Area Learning Community, WA122  
Ballymoney Borough Council Area: Social Housing Units, WA308  
Ballynahinch: Wastewater Treatment Works, WA91  
Ballyree Drive, Bangor: Bungalows, WA310  
Balmoral Show: Traffic, WA296  
Banbridge District Council Area: Income-based Benefit, WA99, WA100  
Band Funding, WA217  
Bangor Courthouse, 180, WA179  
Bangor Line: Victoria Park Railway Station, WA91  
Bangor Schools: Primary 1 Places, WA131  
Bangor: Aurora Swimming Pool, WA327  
Bangor: Park-and-ride Scheme, WA186  
Bee Issues, WA110  
Beech Hall Centre, West Belfast, WA55  
Belfast City Hospital: Windsor House, WA386  
Belfast Education and Library Board Staff, WA21  
Belfast Hills, WA214, WA215  
Belfast International Airport, 24  
Belfast to Dublin Enterprise Rail Service, WA184  
Belfast to Dublin Enterprise Service, WA190  
Belfast Welcome Centre and the Belfast Visitor and Convention Bureau: Funding, WA362  
Benefit Applicant: Medical Assessments, WA419  
Benefit Applicants, WA417  
Benefit Claimants: Other Countries, WA416  
Benefits Appeal Tribunals: Panel Members, WA309  
Benefits Guidelines: Mental Health, 239, 240  
Benefits System: 'The benefit system is changing — you need to know', WA99  
Benefits System: Information Booklets, WA100  
Better Regulation Review, WA319  
Bilingual Signage, WA364  
Blue Badge Holders, WA187, WA188  
Blue Badge Scheme, WA188, WA402  
Blue Badges: Disabled Parking Bays, WA185  
Blue Badges: Expired, WA185  
Board of Governors: Councillor, WA341  
Board of Governors: MLA, WA347  
Boiler Installer Forms: Waiting Times, WA97  
Boiler Replacement Scheme, WA98, WA197  
Boiler Replacement Scheme Applications, WA193  
Bovine TB, WA205  
Boxing Strategy, 245, 246  
Boxing Strategy: Belfast, WA327  
Broadband Black Spot Areas, WA209  
Broadband Service, WA139, WA142  
Broadband: Lagan Valley, 241, 242

Brucellosis: Pre-movement Tests, WA112  
 Bryson Future Skills, WA257, WA258  
 Buddy Bear Primary School, WA339  
 'Building on Tradition', WA269  
 Bus Lanes: Taxi Use, WA296  
 Bus Turning Circle: Maintenance Costs, WA91  
 Bus Turning Circles: Maintenance, WA181  
 Bus Users: Visually Impaired, WA84  
 Buses: Marble Arch and Florence Court, Fermanagh, 186, 187  
 Business Rates: Major Towns and Cities, WA47

## C

Cancellation of Appointments, WA155  
 Cancer Patients Awaiting Scans: Backlog, WA56  
 Cancer Services: Ring-fenced Fund, WA382  
 Capital Money, WA132  
 Car Parks: Euro Exchange Rate, WA191  
 Cardiac Physiologists, WA379  
 Cardiac Surgery: Royal Victoria Hospital, Belfast., WA166  
 Care Home Residents, WA66  
 Care Homes: Closure, WA55  
 Care of the Elderly, WA54  
 Carecall Funding, WA291  
 Careers Advisers, WA358  
 Careers, Education, Information, Advice and Guidance Programme, WA122  
 Carrickfergus Castle, 300, 301  
 Carrickmore: Derelict and Vacant Sites, WA92  
 Carrier Bags Bill: First Stage, 284  
 Castlemara, Carrickfergus: Sewerage System, WA191  
 Caterpillar: Meetings, WA363  
 Catholic Certificate of Religious Education, WA122  
 Catholic Maintained and Integrated Primary Schools: Preparation for Sacraments, WA340  
 Catholic Maintained Primary Schools, WA349  
 Causeway Coast: International Sales Representatives, WA141  
 Cavan Interconnector, WA267  
 Central Investigation Service, WA322, WA387  
 Central Investigation Service Employees, WA322  
 Central Investigation Service: Fraud Awareness Training, WA325  
 Central Procurement Directorate, WA9  
 Cerebral Palsy: Special Education Provision, WA338  
 Change Managers: Code of Conduct and Discipline, WA70  
 Chemotherapy Appointments, WA280  
 Child and Working-age Poverty: Institute for Fiscal Studies Report, 120  
 Child Exploitation and Online Protection Centre/National Crime Agency, WA288  
 Child Maintenance Service Staff, WA200  
 Child Poverty, 236  
 Child Poverty Targets, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43  
 Child Support (Management of Payments and Arrears) (Amendment) Regulations (Northern Ireland) 2012, 31  
 Child Support Maintenance (Changes to Basic Rate Calculation and Minimum Amount of Liability) Regulations (Northern Ireland) 2012, 30  
 Child Support Maintenance Calculation Regulations (Northern Ireland) 2012, 29, 30  
 Children with Disabilities: Participation in Team Sports, WA325  
 Children with Special Needs: Post-primary Education, WA133  
 Children with Special Needs: Transport Assistance, WA353  
 Children: Hearing Impairments, WA331  
 Children's Residential Care, WA284  
 China Trade Mission: November 2012, WA103  
 City of Culture 2013, WA324, WA407  
 Civil Servants: Frequency of Job Applications to HR Connect, WA376, WA377  
 Civil Servants' Salaries, RWA10, WA147  
 Civil Service (Special Advisers) Bill: Final Stage, 284–295, 304–336  
 Civil Service (Special Advisers) Bill: Further Consideration Stage, 104–119, 128–146, 147–150  
 Civil Service Buildings: Loop System, WA148  
 Civil Service Equal Pay, WA48  
 Civil Service Staff, WA277  
 Civil Service Staff: Agency Workers Regulations, WA48  
 Civil Service: Equal Pay, WA74, 79  
 Claim Settlement, WA324  
 Clauses 2 and 6 of the Planning Bill, WA366  
 Clauses 2 and 6 of the Planning Bill: Economic Considerations, WA366  
 Clinical Psychologists: Adult Autism-Specific Service Provision, WA386  
 Coiste na nIarchimí: Funding, WA370, WA371  
 Colin Duffy: Legal Aid Costs, WA290  
 Collaboration and Innovation Fund, WA261  
 College Park Avenue, South Belfast: Residents Parking Scheme, WA301  
 Commercial Pike Fishing, WA217  
 Common Agricultural Policy and Common Fisheries Policy, WA215  
 Commonwealth Games 2014, 248, 249  
 Communication Devices, WA54  
 Communication Disabilities, WA50  
 Community Benefits: Removal of References, WA41  
 Community Care Grants/Community Care Crisis Grants, WA194  
 Community Care Worker: Health and Social Care Trusts, WA155  
 Community Care Workers, WA277  
 Community Care Workers: Fuel Allowance and Vehicle Wear and Tear, WA155, WA386  
 Community Groups: Ethnic Minorities, WA315  
 Community-based Care Packages, WA54  
 Compassionate Temporary Release, WA397  
 Compensation Agency: Claims, WA390, WA391  
 Compensation Agency: Claims Awarded, WA390  
 Consultancy, RWA4  
 Consultancy Fees, RWA5  
 Consultancy Firms, RWA1  
 Contiguous Policing Districts and Court Divisions, WA74  
 Convention on the Rights of a Child, WA341  
 Council for Catholic Maintained Schools and Northern Ireland Council for Integrated Education, WA21  
 Council Staff, WA273  
 Council Staff Pay, WA272  
 Council Staff: Full-time and Part-time, WA40  
 Councillor Severance Scheme, WA364, WA365  
 Councils: Minutes of Proceedings, WA41  
 County Fermanagh: Post-primary Schools, WA254  
 Court Decisions, WA180  
 Court Divisions, WA70  
 Court Hearings, WA173  
 Courthouses: Flying Flags, WA172  
 Craigtanlet Crossroads, WA191  
 Craigavon Borough Council: Writ of Summons, WA363  
 Creative Industries Apprenticeship Pilot, WA356  
 Creative Industries: South Antrim, WA219  
 Credit Union: Portadown, WA36  
 Creggan, Derry: Social Housing Development, WA101

Criminal Justice System for Offenders and Witnesses:  
 Speech and Language Support, WA69  
 Criminal Justice: Registered Intermediaries, 182, 183  
 Crisis Loans, WA193  
 Crozier House, Banbridge, WA156  
 Culcavy Road, Hillsborough, WA410  
 Cumann Lúthchleas Gael, WA418  
 Cushendall: Storm Sewers, WA301  
 Cybercrime Directorate, WA178  
 Cycling, WA325  
 Cycling Club: Funding, WA216, WA217  
 Cycling Clubs, WA216  
 Cyclists, WA217

## D

DARD Hotline, WA114  
 Day Case Procedures, WA158  
 Day Case Procedures: Duplicate Bookings, WA66  
 Day Opportunities Placements, WA282, WA283  
 DCAL Information Service, WA216  
 DCAL: Hospitality Expenses, WA326  
 DE: 'Together: Building a United Community', 253  
 Deaf Children: Specialist Mental Health Provision, WA67  
 Dealing with Legacies, WA105  
 Decent Homes Standard, WA94  
 Defamation Act 2013, 296  
 Defamation Bill, WA48, WA49, WA145  
 Defamation Proceedings, WA202  
 Defaulters: Collection of Fines, WA390  
 Defendants: Legal Representation, WA391  
 Defibrillators: Rural Areas, WA319  
 Delivering Social Change Signature Project, WA247  
 Delivering Social Change: Signature Programme, 297, 298  
 Delivering Social Change: Universities, WA317  
 Dementia, WA384  
 Dementia Strategy: Implementation, WA68  
 Dementia: Diagnosis, WA166  
 Dentists and Dental Services: Rural Areas, WA284  
 Dentists: Commitment Payment and Practice Allowance, WA286  
 Department Audit: Work Capability Assessments, WA198  
 Departmental Arm's-length Bodies or Quangos, WA148  
 Departmental Budget: Efficiency Savings, WA335  
 Departmental Spend on Consultants, RWA3  
 Derry to Coleraine Bus Service, WA404, WA405  
 Derry Train Station: Waiting Room, WA189  
 Derry: Gasification Plant, WA144  
 Dickson Plan Catchment Area: Post-primary Schools, WA332  
 Dignity at Work Cases, WA320, WA340, WA375, WA399  
 Dignity at Work Policy, WA302  
 Disability Action Transport Scheme, WA189  
 Disability Discrimination Act, WA306  
 Disability Employment Service, WA25, WA27, WA28  
 Disability Strategy, WA2  
 Disability Strategy: Children, 120, 121  
 Disabled Car Parking Spaces: Private Companies, WA90  
 Disease Outbreaks: Lost Trees, WA321  
 DOE: Decentralisation, 73, 74  
 Dog-grooming Establishments: Inspections, WA115  
 Dog-grooming Establishments: Regulations, WA115  
 DOJ: Arm's-length Bodies, 179  
 Domestic Renewable Heat Incentive, WA36, WA37  
 Donaghadee Health Centre, WA64  
 Donaghadee Health Centre: Average Waiting Time, WA155  
 Door-2-Door Transport Scheme, WA401  
 Driver and Vehicle Agency, WA43

Driver and Vehicle Agency, Coleraine, WA38  
 Driving Licence Revocations: Drink-driving Offences, WA274  
 Driving Licences: Full, WA39  
 Dundonald House: Refurbishment, WA147  
 Dungannon District Council Area: Land Available, WA270  
 Dungannon: Moy Road Site, WA109  
 Dunhill Road, Coleraine, WA85

## E

East Antrim: Park-and-ride Facilities, WA405  
 East Antrim: Park-and-ride/Park-and-share Facilities, WA405  
 East Belfast: Flooding, WA211  
 East Londonderry: Park-and-ride Car Parks, WA188  
 Eating Disorders, WA285  
 EC Document: State Aid SA.33671 (2012/N), WA142  
 Economic Considerations in Planning Conditions, WA365  
 Economic Inactivity, 20, 21, WA137  
 Economic Indicators: Review, WA48  
 Economic Recovery, 299, 300  
 Economic Strategy, WA35  
 'Economy and Jobs Initiative', WA3  
 Economy: Private Sector Growth, 301, 302  
 Education and Library Board Staff, WA12  
 Education and Library Boards, WA18, WA21  
 Education and Library Boards: Pupils' Key Stage 1 and 2  
 Performance, WA23  
 Education and Skills Authority, WA21, WA350  
 Education and Skills Authority Implementation Team, WA18  
 Education and Skills Authority: Implementation Team, RWA4  
 Effective Employer's Pension Contribution to Staff, WA325  
 Efficiency Savings: Job Losses, WA8  
 eHealth and External Collaboration of the Health and Social  
 Care Board: Regional Director, WA379  
 eHealth and External Collaboration: Regional Director, WA64  
 Elderly and Vulnerable People: Protection, WA161  
 Electricity Costs for Businesses: Reductions, WA37  
 Electricity from Renewable Sources, WA264  
 Electricity Generated from Renewable Sources, WA363  
 Electricity: Security of Supply, 23, 24  
 Electroencephalogram, WA171  
 Electroencephalogram Services, WA285  
 Electronic Cigarettes, WA167  
 Elite Cyclists: Funding, WA217  
 Elite Programme, WA329  
 Emergency Departments: Belfast, WA169  
 Employment, 21, 22  
 Employment and Learning, 18  
 Employment and Support Allowance, WA419  
 Employment and Support Allowance: Assessments, WA418  
 Employment and Support Allowance: ESA 50 Form, WA416  
 Employment and Support Allowance: Foyle, WA198, WA199  
 Employment and Support Allowance: Medical Assessment  
 Process, WA195  
 Employment and Support Allowance: Migration Process, WA195  
 Employment and Support Allowance: Work Capability  
 Assessment, WA198  
 Employment, Learning and Skills: Gender Issues, 338, 340,  
 341, 342, 343  
 Employment: Community-based Schemes, WA28  
 Endometriosis, WA286, WA383  
 Endometriosis: Diagnoses, WA383  
 Energy Costs, 44, 45, 46, 47, 48, 49, 50, 51, 52, 55  
 Enforcement of Judgements Office, WA70  
 Enforcement of Judgements Office: Repossessed Houses,  
 WA73

English as an Additional Language, WA354  
 Environment, 71, 359  
 Environmental Crime, 360  
 Epilepsy, WA171  
 Epilepsy Services, 225, 226, 227, 228, 229, 230, 231, 232, 233  
 EpiPens, WA285  
 Equal Pay Settlement: PSNI, WA148  
 Equal Pay Settlement: PSNI and NIO Staff, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375  
 Equine Slaughter or Processing Plant: Belfast, WA113  
 Essential Users Fuel Rebate for Hauliers, WA376  
 Ethnic Minorities, WA166  
 Ethnic Minorities: Racist Attacks, WA399  
 Ethnic Minority Backgrounds: Doctors and Nurses, WA281, WA282  
 EU Consumer Rights Directive 2014/20, WA269  
 EU Habitats Directive, WA297  
 EU Habitats Directive: Breaches, WA297  
 EU Sources: Funding, WA44  
 European Fisheries Fund: Axis 4, WA110  
 European Funding Receipts, WA45  
 Exams: Northern Ireland and England, WA246  
 Extension of Sitting, 43, 147, 320  
 External Consultants, RWA5, RWA6  
 Extreme Weather: Garden Centres, WA45  
 Extreme Weather: Garden Centres and Nurseries, WA45

## F

Fairhill Road, Cusdendall: Water Mains, WA407  
 Farm Incomes, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215  
 Farm Modernisation Programme: Tranche 3, WA317  
 Farm Modernisation Scheme, WA321  
 Farm Modernisation Schemes, WA208  
 Farm Safety, WA214  
 Farmers: Future Capital Grant Scheme, WA211  
 Farmers: Hardship Payments, WA8  
 Farmers: Hardship Scheme, WA213  
 Farmers: Help, WA309  
 Farmers: Inspections, WA320  
 Farmers: Welfare, WA209  
 Farming: Fodder Crisis, WA212  
 Faulty Cavity Wall Insulation, WA46, WA47  
 Faxed Prescriptions, WA282  
 Feed Price Increase, WA321  
 Fermanagh/Tyrone Court Division: Young Conference Orders, WA72  
 Fermanagh: Shale Gas, WA138  
 Field Boundary Restoration Work, WA114  
 Firearm Certificate Conditions, WA68  
 Firearms (Northern Ireland) Order 2004 Article 27 Section 4, WA400  
 Firearms Certificate, WA400  
 First Minister and deputy First Minister: Visit to China, 279, 280, 281, 282, 283  
 First Respondents of Road Traffic Accidents: Portable Oxygen, WA385  
 Fishing Fleet: Assistance with Costs, WA317  
 Fishing Fleet: Financial Support, WA210  
 Fishing Fleet: Light Dues, WA204  
 Fishing Industry: Light Dues, WA111, WA204  
 Fishing Vessel Licences: Two-year, WA111  
 Fixed Penalty Notices: Revenue, WA402  
 Flagpoles: Public Buildings, WA146

Flags and Flagpoles, WA146  
 Flood Prevention, WA300  
 Fluoride in Water, WA159, WA167  
 FM/DFM: Meeting with Tánaiste and Secretary of State, 123, 124  
 FM/DFM: Visit to China, 296, 297  
 Fodder and Silage: Shortage, WA208  
 Fodder and Silage: Transportation, WA208  
 Fodder Crisis, WA116  
 Fodder Scheme, WA212  
 Foot and Ankle Surgery, WA61, WA63  
 Foot and Ankle Surgery Services, WA151  
 Foras na Gaeilge: Legal Advice, WA323, WA324  
 Forestry Act (Northern Ireland) 2010, WA213  
 Former Security Sites: Ministry of Defence, WA1  
 Foyle Jobs and Benefits Office: MLA Visit, WA200, WA201  
 Foyle: Epilepsy, WA166  
 Foyle: Invest NI, WA264, WA265  
 Foyle: Northern Ireland Housing Executive Properties, WA417  
 Fraud Prosecutions, WA213  
 Free Health Care, WA67  
 Free School Meals, WA249  
 Fuel Laundering, 74, 75  
 Funded Postgraduate Places, WA256  
 Funded Transport, WA250  
 Funding for Careers, Education, Information, Advice and Guidance Programme, WA21, WA22  
 Fundraising Committee of Tyrone Gaelic Athletic Association: Chairman, WA323  
 Further Education Colleges, WA135, WA255, WA357  
 Further Education Colleges: Pay Increases, WA133  
 Further Education Colleges: Renewable Energy Projects, WA359

## G

G4S: Disciplinary Action, WA172  
 G8 Summit, WA37, WA76, WA189, WA267, WA296, WA301, WA319, WA402, WA403  
 G8 Summit: Cost of Policing, WA401  
 G8 Summit: Funding Arrangements, WA378  
 G8 Summit: Police Accountability, 183  
 G8 Summit: Restrictions to Road Works, WA294  
 G8 Summit: Security, 180, 181  
 G8 Summit: Suspension of Roadworks, WA294  
 G8 Summit: Temporary Cessation of Roadworks, WA294  
 Galbally: Primary School, WA128, WA132  
 Gallagher and Smith Main Report, WA250  
 'Game of Thrones': Jobs Created, WA143  
 Genitourinary Medicine Clinic, WA384  
 George Best Belfast City Airport, 362  
 Giro d'Italia 2014, WA144, WA216  
 Giro d'Italia 2014: Route, WA268  
 Giro d'Italia: Armagh, 304  
 Glasswater Primary School, County Down, WA341  
 Glenmachan Sewer Project, WA300  
 Glenmona Resource Centre, Cushendall, WA165  
 'Going for Growth', WA210  
 Goldline Services: Passenger Numbers, WA410  
 Governors: Individual School, WA20  
 Graeme McDowell: World Match Play Golf Success, 103, 104  
 Grievance Cases and Whistle blowing Complaints, WA108

## H

Hardship Payments: Applications, WA7  
 Health and Care Centres, 127

Health and Social Care Staff: Travel Allowances, WA387  
 Health and Social Care Trust Areas: Prefabricated and Relocatable Extensions, WA194  
 Health and Social Care Trust Service and Budget Agreements, WA149  
 Health and Social Care Trusts: Ambulances, WA65  
 Health and Social Care Trusts: Chairperson and Chief Executive, WA157  
 Health and Social Care Trusts: Multiple Sclerosis Nurses, WA65, WA66  
 Health and Social Care Trusts: Non-recurrent Funding, WA52  
 Health and Social Care Trusts: Service and Budgets Agreements, WA50, WA51  
 Health and Social Care Trusts: Travel Allowances, WA159  
 Health Service Fertility Treatment, WA280  
 Health Service: Economy, WA171  
 Health, Social Services and Public Safety, WA165  
 Healthy Start Scheme, WA282  
 Help-to-Buy Scheme, WA305, WA309  
 Higher Education EU Support Fund, 358  
 Higher Education Institutes, WA357  
 Higher Education Strategy, WA360  
 Hill Farming, 151, 152, 153, 154, 155, 156, 158, 159, 160  
 Historical Child Abuse Inquiry, WA3  
 Historical Enquiries Team, 182  
 Home Energy Efficiency Measures, WA37  
 Horizon 2020/EU Funding Streams, WA33  
 Hospital 'Never Events', WA164, WA386, WA387  
 Houses in Multiple Occupation: Apartments, WA311  
 Houses in Multiple Occupation: Legislation, WA304, WA305  
 Houses in Multiple Occupation: Scheme, WA304  
 Housing Association Properties: Underoccupancy Penalty, WA92  
 Housing Benefit, WA308  
 Housing Executive Properties in North Down: Double Glazing, WA306  
 Housing Executive Properties: Cavity Wall Insulation, WA305  
 Housing Executive Properties: East Belfast and South Belfast, WA95  
 Housing Executive Properties: Prefabricated and Relocatable Extensions, WA194  
 Housing Executive: Contracts, WA311  
 Housing Executive: Insulation, WA311  
 Housing Executive: Redecoration Grants, WA312  
 Housing Executive: Underspend, WA100  
 Housing Health and Safety Rating System: England and Wales, WA94  
 Housing Policy and Structures, WA307, WA308  
 Housing Reform, WA415  
 Housing: Private Tenants, WA312  
 HR Connect: Employment Applications, WA377  
 HR Connect: Unreasonable Offers of Work, WA376  
 Hydraulic Fracturing Licence, WA140  
 Hydrocarbon Producers, WA265  
 Hydroelectric Turbine, WA270

## I

Ilex, WA3  
 Illegal Monuments, WA77, WA78, WA180  
 Imidacloprid, Clothianidin and Tmx, WA8  
 Imprisonment for Failure to Pay Fines, WA75  
 Incapacity Benefit to Employment and Support Allowance, WA306  
 Incentives and Earned Privileges Schemes, WA176  
 Independent Health Providers: Funding, WA378

Indigenous Business, WA35  
 Inflation, 75, 76  
 Information Disclosure, WA172  
 Information Leaflets, WA201  
 Initial Teacher Education Colleges, WA336  
 Insurance Excess for 2012-13, WA421  
 Integrated Economic Strategy: Ireland, WA35  
 Integrated Preschools, WA120  
 Integrated Provision: Demand, WA130  
 Integrated Schools, WA20  
 Integrated Schools Enrolment, WA340  
 Integrated Schools: Children, WA130  
 Integrated Transport, WA192  
 Intergenerational Programmes, WA248  
 International Monetary Fund, WA266, WA268  
 Invest NI, WA30, WA31, WA139, WA140, WA263, WA266, WA362  
 Invest NI: Available Lands, WA144  
 Invoices Paid and Unpaid, WA39  
 Inward Investment, 302, 303  
 Ionizing Radiation Regulations: Scanners in Prison Estates, WA178  
 iPad Schemes: Open University Access, WA256  
 Irish and Ulster Scots: Rural Areas, WA219

## J

Job Promotion and Creation, WA31, WA32  
 Jobs Fund, 303, 304  
 Jobs Fund: Tourism Sector Jobs, WA36  
 Joint Faith Schools, WA20  
 Jury Service: Eligibility Criteria, WA74  
 Justice, 179

## K

Kilcooley Estate, Bangor: Kilclief Flats, WA309  
 Killyman Primary School, WA132  
 King Street, Bangor: Felling of Trees, WA420  
 Kitchen and Window Replacements: Craigavon, 239  
 Knockbreda High School and Newtownbreda High School, South Belfast, 375, 376, 377, 378, 379, 380

## L

Lagan Search and Rescue, WA67, WA76  
 Land Parcel Identification System, WA6  
 Learning Disabilities: Clients, WA284  
 Leftover Food from Functions, WA201  
 Legal Aid, WA179, WA289  
 Legal Aid for Appeals, WA176  
 Legal Aid Savings, WA293  
 Legal Aid System: Abuse, WA68  
 Legal Service Commission Staff, WA177  
 Legal Services Commission, WA291  
 Legal Services Commission Staff, WA177, WA179, WA288  
 Legislative Consent Motions: Assembly Approval, WA315  
 Levy: Single-use Carrier Bag, WA41, WA42  
 Levy: Single-use Plastic Bag, WA42  
 Libraries NI: Disadvantaged Areas, 247, 248  
 Lisburn and Castlereagh Councils: Merger, WA42  
 Literacy and Numeracy Project, WA225, WA232, WA239  
 Literacy and Numeracy Two-year Teaching Support Posts, WA351  
 Litter Dropping: Fixed Penalties, WA274, WA275

Livestock Injuries, WA4  
 Local Angling and Fishing Tourism, WA263  
 Local Government Employees, WA40  
 Local Speed Limits, WA296  
 Londonderry Magistrates Court: Contested Domestic Violence Cases, WA72  
 Londonderry Port and Harbour: Fodder Transport Scheme, WA211  
 Londonderry's Walls: Security Gates, WA75, WA179  
 Lough Neagh: Fish Stocks and Habitats, 246  
 Loughmacrory Lough, RWA1  
 Lowering Unemployment, WA35  
 Lurgan: Sexual Offences, WA389

## M

Maghaberry Prison: Addiction Treatment, WA173  
 Maghaberry Prison: Near Death of a Prisoner, WA174, WA176, WA177, WA287  
 Maghaberry Prison: Roe 1 and Roe 2 Accommodation Units, WA75  
 Magilligan Prison, WA71  
 Magistrates Court Cases: Non-contested Preliminary Enquiries, WA70  
 Mains Rehabilitation Programme: Low Water Pressure, WA183  
 Maintained Primary Schools, WA341  
 Maintained Primary Schools: Pupils, WA223  
 Manufacturing Sector Employees, WA374  
 Marine Atlas, 75  
 Marine Bill: Final Stage, 174, 175, 176, 177, 178  
 Marine Bill: Further Consideration Stage, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 17, 26, 27  
 Marriage (Same Sex Couples) Bill, 78  
 Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulation 2011, WA378  
 Maze Conflict Transformation Centre, WA103  
 Maze Development: Road Infrastructure Proposals, WA1  
 Maze/Long Kesh Regeneration Site, WA3  
 Maze/Long Kesh: Balmoral Show, 299  
 Medical Professionals' Representations, WA150  
 Mental Health Issues: Funding, WA380  
 Mental Health Prison Wing or Unit, WA389  
 Mesothelioma Support Scheme, WA101  
 Metro Bus Passengers, WA190  
 Mid Ulster Hospital, WA50  
 Mid Ulster Hospital Minor Injury Unit, WA385  
 Mid Ulster Hospital: Outpatients Department, WA283  
 Milk Quotas, WA320, WA321  
 Minister of Education and Secretary of State for Education, 251  
 Minority Ethnic Background: Legislation, WA292  
 Minority Ethnic Development Fund, 121, 122  
 Mobile Classrooms, WA19, WA119, WA120  
 Moderate or Severe Learning Difficulties: Students, WA259, WA260  
 Modular Examinations: Removal, WA13  
 Moira to Lisburn Road: Incinerator, WA270  
 Monkscoole House, Rathcoole, WA307  
 Motorway Network Maintenance, WA410  
 Moyle District Council Area: Social Housing Units, WA308  
 Moyle Interconnector, WA266  
 Muckamore Abbey Hospital, WA56  
 Multilingual Signage, WA268  
 Multiple Deprivation Measures, WA46  
 Multiple Sclerosis, WA168, WA169  
 Multiple Sclerosis Nurses, WA283  
 Multiple Sclerosis Patients: Availability of Treatment, WA66  
 Murder of Drummer Lee Rigby, 221, 222, 223, 224

## N

Narrow Water Bridge, WA276, 183, 184  
 National Institute for Health and Clinical Excellence: Guidance on Fertility, WA58  
 National Insurance: Numbers, Schooling and Basic Health Support, WA412  
 National Museums Northern Ireland, WA116, WA117  
 Native Trees: Destruction, WA7  
 Neonicotinoid Chemicals in Pesticides, WA110  
 Neonicotinoid Pesticides, WA8  
 Neonicotinoids, WA7  
 Neurological Services, WA381  
 New Flagpoles, WA378  
 New School Builds, WA131  
 New School Builds: Planning Permission, WA331, WA332  
 New Transfer Tests, WA133  
 Newcastle Road, Kilkeel Bridge, WA188  
 Newcastle, County Down: Town Centre Public Realms Work and Urban Regeneration, WA196  
 Newcastle: Park-and-ride Facility, WA403  
 Newcomer Funding, WA128  
 Newly Qualified Teachers, WA246  
 Newry and Armagh: Suicide and Self-harm, WA161  
 Newtownabbey and Carrickfergus: Door-to-Door Transport Service, WA190  
 'No Ball Games' Signs, WA415  
 Non-domestic Rates, WA377, 76, 77  
 North and East Antrim: Farming Communities, WA101  
 North Antrim: Gaelic Games-related Facilities, WA268  
 North Antrim: Housing Schemes, WA199  
 North Antrim: Natural Heritage Grants Scheme, WA275  
 North Antrim: Nursery, Primary and Post-primary Pupils, WA350  
 North Antrim: Social Housing, WA199  
 North Belfast: First Choice School or Nursery Unit, WA124  
 North Down Borough Council: Planning Applications, WA145  
 North Down: Arts Opportunities, WA331  
 North Down: Epilepsy Diagnoses, WA386  
 North Down: Grass Cutting, WA403  
 North Down: Grass Cutting and Weed Spraying, WA411  
 North Down: Grass-cutting Schedule, WA293  
 North Down: Housing Executive Properties, WA196  
 North Down: Housing Waiting List, WA195  
 North Down: New Social Housing Builds, WA419  
 North Down: Nursery Pupils, WA222  
 North Down: Nursery School Placement, WA351  
 North Down: Park-and-ride Spaces, WA299  
 North Down: Primary 1 Places, WA222, WA352  
 North Down: Young People Not in Education, Employment or Training, WA46  
 North Down: Youth Employment Scheme, WA356  
 North West 200 in 2014, WA364  
 North West 200, WA267, WA404  
 North West Regional College: Staff, WA263  
 North/South Bodies: Pensions Scheme, WA276  
 North/South Ministerial Council: Education for Protestant Children, WA103  
 North/South Ministerial Council: Environment, 65, 66, 67, 68, 69  
 North/South Ministerial Council: Special EU Programmes, 254, 255, 256, 257, 258  
 Northern Amateur Football League's Primacy Rule, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354

Northern and Western Health and Social Care Trusts: Staff, WA162  
 Northern Health and Social Care Trust, WA380  
 Northern Health and Social Care Trust Papers, WA159  
 Northern Health and Social Care Trust: Chief Executive, WA63  
 Northern Health and Social Care Trust: Day Opportunities Programme, WA285  
 Northern Health and Social Care Trust: Multi-agency Support Teams for Schools, WA57, WA58  
 Northern Health and Social Care Trust: Recruitment, WA165  
 Northern Ireland Agrifood Industry, WA210  
 Northern Ireland Ambulance Trust: Emergency Medical Technicians and Paramedics, WA383  
 Northern Ireland Civil Service, WA134  
 Northern Ireland Civil Service and the Northern Ireland Legal Services Commission, WA174  
 Northern Ireland Civil Service Pay Awards, WA119  
 Northern Ireland Civil Service: Equal Pay Entitlement Claims, WA46  
 Northern Ireland Community Safety College, 179, 180  
 Northern Ireland Events Company, WA36  
 Northern Ireland Executive: Financial Penalty, WA95, WA96  
 Northern Ireland Fire and Rescue Service, WA66, WA169, WA280  
 Northern Ireland Hospice, WA281  
 Northern Ireland Housing Executive, WA94  
 Northern Ireland Housing Executive Properties, WA302  
 Northern Ireland Legal Services Commission, WA68, WA70, WA74, WA75, WA173  
 Northern Ireland Legal Services Commission and Human Resources Department Staff, WA174  
 Northern Ireland Legal Services Commission Staff, WA176  
 Northern Ireland Legal Services Commission: Accountancy Allowance, WA174  
 Northern Ireland Legal Services Commission: Pay Strategy, WA396, WA397  
 Northern Ireland Legal Services Commission: Staff, WA72, WA396  
 Northern Ireland Memorial Fund, WA2  
 Northern Ireland Police Fund, WA178, WA289, WA292, WA293  
 Northern Ireland Prison Service, WA288  
 Northern Ireland Prison Service Anti-bullying Policy, WA290  
 Northern Ireland Prison Service Staff, WA291  
 Northern Ireland Prison Service Staff: Training, WA388  
 Northern Ireland Prison Service: Hot or Cold Debriefs, WA388  
 Northern Ireland Prison Service: Prisoner Attendance at Funerals, WA388  
 Northern Ireland Prison Service: Prisoners at Risk, WA292, WA401  
 Northern Ireland Prison Service: Psychology Services, WA177  
 Northern Ireland Prison Service: Supporting Prisoners at Risk, WA290  
 Northern Ireland Red Squirrel Forum: Funding, WA39  
 Northern Ireland Rural Development Programme 2007 – 2013, WA205, WA206, WA207  
 Northern Ireland Transport Holding Company, WA406  
 Nurses and Nursing Assistants, 124  
 Nursing Homes, WA170

## O

Offender Levy, WA68  
 Office of the First Minister and deputy First Minister, 120  
 Offshore Wind Farm: South Down, WA34

Oldpark Road/Manor Street Junction, WA187  
 Omagh: Acute Mental Health Services, WA170  
 Open University Degrees, WA261  
 Open University Funding, WA256  
 Operation Loft: Debriefing, WA76  
 Orchard County Primary School, WA335, WA336  
 Organ Donation, WA286  
 Organisation for Economic Co-operation and Development: Programme for International Student Assessment, WA247, WA248  
 Ormiston House, WA201, WA202  
 Orthopaedic Patients, WA61  
 Orthopaedic Posts, WA61  
 Ovarian Cancer, WA55  
 Oversubscribed Integrated Preschools, WA121  
 Owner-occupied Houses: Oil to Gas Switch, WA197

## P

Paediatric Cardiac Surgeries, WA157  
 Paediatric Congenital Cardiac Services, 126, 127  
 Paediatric Heart Patients, WA55  
 Paid and Unpaid Invoices, WA12, WA59, WA90, WA97, WA104, WA112, WA135, WA136, WA142, WA146, WA175  
 Park-and-ride Facilities, WA412  
 Parkhall Integrated College, Antrim, WA254  
 Parking Fines: Payment Defaults, WA404  
 Parking Spaces: Disabled Persons, WA182, WA183  
 Parkinson's Disease/Other Neurological Conditions, WA381  
 Parkinson's Disease: Diagnoses, WA382  
 Parkinson's Disease: Diagnosis, WA381  
 Parkinson's Disease: Speech and Language Therapists, WA382  
 Parole Commissioners: Marian Price, WA387  
 Partial Transport Funding, WA250, WA251  
 Pathways to Success, WA27  
 Patient and Client Council Report, WA356  
 Patton Group, WA374, WA375  
 PAYE, WA276  
 Peace Monitoring Report, 122, 123  
 Peace Monitoring Report: Residential Segregation, 298, 299  
 Peace-building and Conflict Resolution Centre, WA24, WA107  
 Peace-building and Conflict Resolution Centre: Business Case, WA105  
 Peace-building and Conflict Resolution Centre: Colliers International, WA106  
 Peace-building and Conflict Resolution Centre: Committee for the Office of the First and deputy First Minister, WA106  
 Peace-building and Conflict Resolution Centre: Consultation Process, WA106  
 Peace-building and Conflict Resolution Centre: Income and Employment Generation, WA105  
 Peace-building and Conflict Resolution Centre: Participation of Schools, WA107  
 Peace-building and Conflict Resolution Centre: Research, WA106  
 Peace-building and Conflict Resolution Centre: Section 75 Obligations, WA107  
 Pedestrian Safety: Urban and town Settings, WA181  
 Penalty Charge Notices, WA76, WA411  
 People Moved from Welfare into Employment, WA25, WA26  
 People not in Education, Employment or Training, WA255, WA375  
 People with a Learning Disability: Views, WA260  
 People with a Psychotic Disorder: Guilty of Serious Offences, WA291

- People with Disabilities: Work Experience, WA360  
 People with Learning Disabilities: Work Placements or Employment, WA270  
 People with Special Needs: Posts in Councils, WA272  
 Permanent Staff, WA71  
 Permanent Staff: Contractual Right to Pay Progression, WA396  
 Pet First Aid Training Courses, WA204  
 Petroleum Licences and Petroleum Exploration, WA364  
 Petroleum Prospecting Licence, WA32  
 Physical Disabilities: Council Staff, WA276  
 Physical Regeneration Concept Master Plans, WA97  
 Physiotherapy: Self-referrals, WA383  
 Pinewood Residential Home, Ballymena, WA159, WA160  
 Planning Appeals Commission, WA2  
 Planning Appeals Commission: Appeals and Article 31 Hearings, WA107, WA316  
 Planning Appeals Commission: Temporary Staff, WA203  
 Planning Application M/2011/0126/F, WA36, 25  
 Planning Applications: Approved, WA38  
 Planning Bill, CS1, CS2, CS3, CS4, CS5  
 Planning Permission, WA38  
 Planning Service: Tree Officers, WA367  
 Planning: Uncompleted Developments, 71, 72  
 Police Museum, WA400  
 Police Rehabilitation and Retraining Trust: Former Chairperson, 180  
 Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013, 344, 345  
 Pomeroy: Primary School, WA220  
 Portadown: Carleton Over-50s Association, WA330, WA420  
 Portrush to Coleraine: 06:43 Train, WA189  
 Postage Costs, WA326  
 Post-excavation Storage and Archiving, WA37  
 Postgraduate Certificate in Education, WA348, WA349, WA358  
 Post-primary Education: East Belfast, 272, 274, 275, 276  
 Post-primary Schools: Area Planning, 250, 251  
 Post-primary Schools: Streaming, WA255  
 Posts Filled without Public Competition, WA368  
 Pothole Repairs, WA90  
 Potholes Unrepaired, WA91  
 Power NI: Prices, 300  
 Premature Deaths: Air Pollution, WA145  
 Presbyterian Mutual Society, WA264  
 Presbyterian Mutual Society Directors, WA264  
 Preschool Allocation, WA352  
 Preschool Children: Equality of Provision, WA352  
 Preschool Education Places, WA220  
 Preschool Places, 252, 253  
 Preschool Places: Newtownabbey, WA254  
 Preschools: Minimum Security Standards, WA353  
 Primary 1 Places: Capped Enrolment Numbers, WA222  
 Primary and Post-primary School Pupils, WA352  
 Primary and Post-primary Schools, WA123  
 Primary Legislation: Entry Criteria, WA354  
 Primary School Places: Refused First Choice, WA350  
 Primary Schools, WA247  
 Primary Schools: Computer-based Assessments, 169, 171, 172, 173  
 Primary Schools: Costs, WA252  
 Primary Schools: Craigavon, 252  
 Primary Schools: Prioritising Children, WA124  
 Printing 3D: Firearms, WA400  
 Prison Governor: Theft Convictions since 2000, WA70  
 Prisoner: Attempted Suicide, WA288  
 Prisoner: Temporary Release, WA399  
 Prisoners/Staff Members: Assaults, WA389  
 Prisoners: Compassionate Bail, WA388  
 Prisoners: Illegal or Non-prescribed Drugs, WA389  
 Prisoners: Non-payment of Fines, WA179  
 Prisoners: Pay and Privileges, WA71, WA72  
 Prisoners: Pre-release Assessment, 183  
 Prisoners: Temporary Release, WA287  
 Prisoners: Vulnerable, WA287, WA288  
 Prisons: Suicides and Attempted Suicides, WA174  
 Prisons: Suicides and Suicide Attempts, WA172  
 Private Care Home Referrals, WA59  
 Private Companies: Disabled Car Parking Spaces, WA402  
 Private Consultancy Firms and Events Companies: Cost to DE, RWA3  
 Private Disabled Parking Spaces, WA90  
 Private Medical Insurance: Health and Social Care Trust Staff, WA63  
 Private Residential Care and Nursing Homes, WA271  
 Private Sector Landlords: Notice of Unfitness and Disrepair, WA95  
 Probation Board for Northern Ireland, WA397  
 Probation Board for Northern Ireland Staff, WA172  
 Probation Board for Northern Ireland: Prisoner Releases, WA398  
 Probation Board: Administrative Personnel, WA73, WA75  
 Proceeds of Crime: People with Disabilities, WA178  
 Professional Standards Unit, WA69, WA177  
 Programme for Government: Commitment 25, WA135  
 Programme for Government: Commitment 36, WA134, WA135  
 Programme for Government: Delivery Plans, WA316, WA317  
 Programme for International Student Assessment, WA250, WA338, WA350  
 Programme for International Student Assessment: Rasch Model, 253, 254  
 Projected Capital Spend, WA19  
 Proposed Children's Heart Surgery Facility, Dublin, WA151  
 Prospecting Licences, 26  
 Prostate Cancer Screenings, WA165  
 PSNI Serious and Organised Crime Branch, WA288  
 PSNI Serious Organised Crime Branch: Seized Assets, WA76  
 PSNI: Front Line Services, WA388  
 Public and Private Housing Stock: Single-skin Properties, WA413  
 Public Consultations, WA329  
 Public Inquiry System, WA84  
 Public Petition: Cushendall Fire Station, 224  
 Public Petition: Health Service Dental Care, 1, 2  
 Public Procurement Contracts: Social Clauses, WA378  
 Public Sector Employees: Compensation, WA372  
 Public Service Pensions Bill, WA49  
 Public Transport: Audiovisual Equipment, 184  
 Pupil Places: Year 1, WA223  
 Pupils: Support, WA128
- ## Q
- Quaker Heritage, WA218  
 Qualifications: 2010-11 and 2011-12, WA134  
 Queen's Diamond Jubilee Medal, WA401  
 Queen's Parade, Bangor, WA197  
 Queen's University Belfast and Stranmillis University College, WA27  
 Queen's University Students' Union: G4S, WA136, WA137  
 Queen's University Students' Union: Stewarding Service, WA136  
 Queens Avenue, Magherafelt, WA191



**R**

Radio One Big Weekend, WA218  
 Rail Passenger Numbers, WA297  
 Ramada Hotel, Portrush: NAMA, WA49  
 Randalstown Main Streets: Funding and Upgrading, WA100  
 Randalstown: Regeneration, WA307, WA415  
 Rates: Empty Properties, WA49  
 Rates: Welfare Reform, 77, 78  
 Rathmoyle Residential and Day-care Facility, WA165  
 Ravenhill Stadium Project, WA327  
 Recruitment Agencies, 18, 19  
 Redundancy Payments: Principals and Vice-Principals, WA132  
 Regional Airport Freight Services: Funding, WA364  
 Regional Colleges: Management Information Systems, WA259  
 Regional Development, 183  
 Regional Economic Recovery, WA268  
 Regional Infrastructure Programme: Woman, WA313  
 Regional Infrastructure Support Programme, WA200  
 Regional Psychosexual and Gender Identity Service, WA387  
 Registered Carers: Return to Education, WA357  
 Relocation of the Rivers Agency/Fisheries, WA319  
 Renewable Energy Jobs, WA376  
 Report on Apartments: Northern Ireland Law Commission, WA376  
 Reservoirs: Private and Public Ownership, WA91  
 Residential Care Beds, WA284  
 Residential Care Homes, WA62, WA153  
 Residential Care Homes: Closure, WA151, WA279, WA285  
 Residential Care Homes: Closures, WA159  
 Residential Care Homes: Respite Beds and Intermediate Care Beds, WA152  
 Residential Care: Bed Numbers, WA379  
 Residential Homes: Closure, WA62, WA63  
 Residential Homes: Private Sector, WA63  
 Residential Homes: Statutory, WA62  
 Resource Departmental Expenditure Limits, WA373  
 Retired Teachers, WA119  
 Review of Public Administration, RWA2, RWA4  
 River Courses: Invasive Alien Species, WA367  
 River Miles, WA331  
 Rivers Agency: Flooding Risk, 243, 244  
 Road Safety: North/South Co-operation, 72, 73  
 Roads Service: Capital and Structural Maintenance, WA88  
 Roads Service: Final Adoption Certificate, WA85, WA89  
 Roads Service: Preliminary Adoption Certificate, WA85, WA89  
 Roadside Monuments, WA407  
 Roadside Parking Bays, WA403  
 Roadside Shrines, WA191, WA192  
 Roe House, Maghaberry: 2010 Agreement, WA292  
 Rowan Sexual Assault Referral Centre, WA71  
 Royal Belfast Hospital for Sick Children: Clark Clinic, WA54  
 Royal Exchange Development, WA25  
 Royal Hospitals Site, Belfast: New Women's and Children's Hospital, WA382  
 Royal Victoria Hospital, Belfast: Building Project, WA170  
 Royal Victoria Hospital, Belfast: Genito-urinary Medicine Clinic, WA279  
 Royal Victoria Hospital: Maternity Leave, WA280  
 Royston House, Belfast: Medical Assessments, WA306, WA412  
 RUC Reserve Gratuity Fund, WA173  
 Rugby, WA218  
 Rural and Urban Primary Schools: Costs, WA251  
 Rural Areas: Poverty and Deprivation, WA370  
 Rural Communities: Boost Scheme, WA322

Rural Development Council: Rural Proofing Assessment, WA13  
 Rural Development Funding, WA204  
 Rural Dwellers: Non-farming, WA43  
 Rural Primary Schools: Closure, WA322  
 Rural Primary Schools: Closures, WA123  
 Rural Schools, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102

**S**

SAE Education Limited, WA26  
 Saintfield: Social Housing Newbuilds, WA200  
 Salary Differences, WA64  
 Salmon and Inland Fisheries Forum, WA327  
 Savings Delivery Plans, WA9  
 School Pupils: Free Public Transport, WA133, WA301  
 School Uniform Costs, WA23  
 School Uniform Guidelines, WA22, WA23  
 Schools Access Team, WA9  
 Schools Enhancement Programme, WA18, WA339  
 Schools in Intervention, WA252  
 Schools Placed in Intervention, WA131  
 Schools: Governors, Trustees and Chairpersons, WA250  
 Schools: Newcomer Guidelines, WA127  
 Science, Technology, Engineering and Maths Subjects, WA121, WA123  
 Scrapies: Sheep Herds, WA5  
 Seagahan Dam: Armagh Fisheries, WA189  
 Self-harm: Depression, WA59  
 Severe Weather: Farming, WA116  
 Severe Weather: Fishing Fleet Assistance, WA203  
 Sexual Health Promotion Strategy and Action Plan 2008-2013, WA384  
 Sexual Offences Prevention Order, WA396  
 Sexual Offences Prevention Orders, WA71  
 Sexual Offences Prevention Orders: Breach, WA71, WA396  
 Shackleton Barracks, WA2  
 Shadow Councils, WA43  
 Shanaghy Road, Ballymoney: Flooding, WA210  
 Shared Education, 251, 252  
 Shared Education: Promotion and Facilitation, WA349  
 Shared Future, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203  
 Shared Neighbourhood Developments, WA200  
 Shared Social Housing Development, WA302  
 Shooting Sports, WA216  
 Single Education System, 249, 250  
 Single Farm Payment, WA4, WA207  
 Single Farm Payment: Applications in 2010 and 2012, WA204  
 Single Farm Payment: Claims, WA208  
 Single Farm Payment: Field Boundary Restoration Work, WA114  
 Single Farm Payments, 242, 243, WA215  
 Single Farm Payments and Agrienvironment Scheme Funding, WA4  
 Single Farm Payments: Map Errors, 240, 241  
 Single Wind Turbines, WA36  
 Single-tier Taxi Licensing System, WA367  
 Single-tier Taxi System, WA367  
 Single-use Carrier Bag Levy, 78, 79  
 Skeagh House, Dromore, WA156  
 Skeagh House: Closure, WA52, WA53  
 Skeagh House: Residents, WA385  
 Skeagh House: Staff, WA53  
 Skills Solutions Service, WA355  
 Slievemore Nursing Home, Derry, WA161

- Small Business Rate Relief Scheme, WA49  
 Small Businesses Funding, WA362  
 Smart Specialisation Strategy, WA139  
 Smoking Cessation Courses, WA167  
 Social Care Funding, WA67  
 Social Housing: Double Glazing, WA304  
 Social Housing: Shared Developments, 238, 239  
 Social Housing: Special Needs and Assisted Living, 236, 237  
 Social Investment Fund, WA2, WA3, WA104  
 Social Investment Zone Steering Groups, WA315  
 Social Security Agency, WA414, WA420  
 Social Security Agency Procedures, WA304  
 Social Security Agency Staff, WA302  
 Social Security Agency: Recruitment, WA305  
 Social Security Benefit Appeal Hearings, WA412  
 Social Security Benefits Up-rating Order (Northern Ireland) 2013, 27, 28  
 Social Services: Background Checks, WA60  
 Social Value Act, WA147  
 South Antrim: Community Service, WA398  
 South Antrim: One- and Two-bedroom Social Housing Units, WA417  
 South Antrim: Pupils, WA250  
 South Antrim: Small Care Homes in Residential Areas, WA65  
 South Belfast: Pavement Repairs, WA296  
 South Belfast: Residents Parking Schemes, WA295  
 South Down: Future Investment Opportunities, WA140  
 South Down: Infrastructure Projects, WA184  
 South Tyrone: Rural Regeneration: Villages, WA211  
 South Tyrone: Safer Routes to School Project, WA404  
 South West College and Belfast Metropolitan College, WA257  
 South West College, Dungannon Campus, WA257  
 Southern Education and Library Board: Public Liability Insurance, WA246, WA247, WA352  
 Southern Health and Social Care Trust: Psychiatric Intensive Care, WA170  
 Southern Regional College, WA258  
 Speaker's Business, 337  
 Special Educational Needs Resource File, WA128  
 Special Enterprise Zones, WA107  
 Specialist Beds: Delivery, WA379  
 Specialist Benefit Advice Services, WA305  
 Specialist Schools, WA22  
 Specialist Schools Programme, WA339  
 Speed Limits: 20 miles per hour, WA181, WA182  
 Sperrinview Special School, WA253, WA254, WA338  
 Sperrinview Special School, Dungannon, WA17  
 Sport and Physical Activity in Northern Ireland, WA220  
 Sport NI, WA330  
 Sport NI: Netball Northern Ireland, WA331  
 Sport: People with Disabilities, 247  
 St Mary's University College/Stranmillis University College/Queen's University, Belfast: Merger, WA354  
 St Patrick's Barracks, Ballymena, WA95  
 Staff Training: Discriminatory Advertising, WA354  
 Statutory Care Homes: Admissions, WA158  
 Statutory Care Homes: Staff, WA156  
 Statutory Residential Homes: Closure, WA154  
 Step Ahead 50+, 357, 358  
 Strangford: Article 11 Enforcement Notices, WA85, WA86  
 Strangford: Outstanding Water Surety Bond, WA86  
 Strangford: Unadopted Roads, WA87, WA88  
 Stranmillis University College, WA28, WA29, 358, 359  
 Stranmillis University College: Chair of the Board of Governors, WA137  
 Strategic Investment Board: Asset Management Unit, WA44  
 Strategic Investment Board: Consultants, WA108  
 Strategic Investment Board: Staff Costs, WA109  
 Strategic Regeneration Frameworks, WA96  
 Street Furniture, WA180  
 Street Lighting: Cost of Electricity, WA411  
 Street Lighting: Costs and Maintenance, WA411  
 Stroke Lysis Treatment, WA380  
 Student Finance, WA259  
 Student Finance: Private Institutions, 356, 357  
 Students: Scottish Universities, 18  
 'Study of the Teacher Education Infrastructure in Northern Ireland', WA358  
 Substitute Teachers, WA251  
 Success Through Skills, 355  
 Suicide, WA148  
 Suicide from Depression, WA47  
 Suicide: Depression, WA60  
 Surgical Podiatry, WA61  
 Surplus Food Project, WA201
- ## T
- Tamboran Resources, WA141  
 Tamboran Resources Hydrocarbon Reserve Claims, WA141  
 Taxing Masters, WA69  
 Teacher Education Infrastructure, 161, 163, 164, 165, 166, 167, 168  
 Teacher Training, WA130  
 Teachers and Principals on Long-term Sick Leave, WA14  
 Teachers: Unsatisfactory, WA10, WA11  
 Teaching Graduates, WA126  
 Teaching Posts, WA124, WA125  
 Television Licence Fee, WA74  
 Thackeray Day Centre, Limavady, WA151  
 'The Effects of the Selective System of Secondary Education in Northern Ireland', WA356  
 'The Socio-economic Impact of the Traditional Protestant Parading Sector in Northern Ireland', WA418  
 The Young Farmers' Clubs of Ulster, WA318  
 Third-level Education, WA137  
 Three Rivers Project, Strabane, WA116  
 Titanic Belfast Visitors, WA143  
 Tobacco Retailers Bill: Extension of Committee Stage, 225  
 'Together: Building a United Community', 55, 57, 58, 59, 60, 61, 62, 63, 64, WA147, WA177, WA200, WA220, WA256, WA316, WA359  
 Together: Building a United Community Strategy, WMS1  
 Together: Building a United Community: NEETS, WA361  
 Top 100 Companies: Headquarters in Belfast, WA373, WA374  
 Tourette's Disorder, WA382  
 Tourette's Syndrome, WA169  
 Tourism Signage: Irish Language, WA362  
 Tourist Destinations, WA29  
 Trachea, Bronchus and Lung Cancer Deaths, WA64  
 Trade Enhancement, WA34  
 Trade Mission to China: Full Costs, WA103  
 Trade: Diversification, WA138  
 Training for Success: Programme-led Apprenticeships, WA361  
 Trains and Buses: Audio-visual Information, WA269  
 Tranquilliser and Anti-psychosis Drugs, WA280  
 Transforming Your Care, WA278  
 'Transforming Your Care' Review, 234, 235, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272  
 Transforming Your Care: Older People, WA169  
 Transgender Community, WA328

Transition Committees, WA365  
 Translations: Costs, WA328  
 Translink, WA406  
 Translink: Fare Increases, WA406  
 Translink: Try the Train Advertising, WA185  
 Transporting Pupils to and from School: Costs, WA353  
 Travel and Hotel Expenses: Payment from Public Funds, WA146  
 Treasury Discussions, WA50  
 Trees: Pollarding and Felling, WA7  
 TV and Radio Advertising: Influence of Drink or Drugs, WA274

## U

UK City of Culture 2013, WA215  
 UK City of Culture: Legacy Plan, WA218  
 Ulster Hospital: Mental Health Services, 125, 126  
 Ulsterbus: Rural Network Coverage, WA77  
 Ulster-Scots Newspaper, WA218, WA323  
 Unadopted Roads, WA181, WA190  
 Unanswered Question: AQW 14189/11-15, WA30  
 Unanswered Question: AQW 19647/11-15, WA107  
 Unanswered Question: AQW 20005/11-15, WA364  
 Unanswered Questions: AQW 20662/11-15 and AQW 21080/11-15, WA109  
 Unanswered Questions: AQW 21176/11-15; AQW 21177/11-15; AQW 21178/11-18; AQW 21179/11-15; and AQW 21180/11-15, WA330  
 Unanswered Questions: AQW 21973/11-15; AQW 21974/11-15; and AQW 21975/11-15, WA318  
 Unemployed: Financial Assistance, WA45, WA46  
 Unemployment Benefit Claimant Count, WA371  
 Unemployment: All-Ireland Strategy, 24, 25  
 Union Flag: Flying, WA400  
 Unionist Students: University, WA263  
 United Youth Programme, WA255, WA256, WA264  
 Universal Credit, WA92, WA101  
 Universal Credit Claimants, WA97  
 Universities: Applications, WA361, WA362  
 Universities: Protestant Students, 19, 20  
 Universities: Student Numbers, WA26  
 University of Ulster: Day Care Facilities, WA134  
 Unoccupied Private Properties, WA371  
 Upper Bann: Farmers' Markets, WA6  
 US/Northern Ireland Investment Conference 2008, 22, 23  
 Use of Helicopters: Cost, WA114  
 Utility Companies: Restoration Works, WA182  
 Utility Regulator: Chief Executive, WA377

## V

Valid Firearms Certificates: Seizure of Weapons, WA390  
 Vehicle Fuel Duty, 70, 71, 80, 81, 82, 83, 84, 85, 86, 87, 88  
 Vehicle Testing: Heavy Goods Vehicles, 362, 363  
 Vehicles Damage: Badly Maintained Roads, WA85  
 Venue in Derry's Ebrington Square: Permanent Arena, WA421  
 Victims and Survivors of Historical Institutional Abuse: Support Service, WA107, WA108  
 Victims Groups: Alleged Irregularities, WA103  
 Village Area, Belfast: Regeneration, WA310  
 Vital Venue at Ebrington, Derry: Permanent Arena, WA421  
 Volunteer Now, WA310

## W

Waiting List Initiative, WA384  
 Waringstown Branch Surgery: Temporary Closure, WA386  
 Water Fluoridation Pilot Study, WA287  
 Water Turbines: Fish Kills, WA326  
 Water Turbines: Installation, WA329  
 Welfare Reform Bill, WA415, WA416, WA417  
 Welfare Reform: Advice, WA310  
 Welfare Reform: Information Booklets, WA99  
 Welfare Reform: Underoccupancy Penalty, WA312  
 West Bank, Coleraine: Emergency Housing, WA304  
 West Belfast: Traffic-calming Measures, WA86  
 West Belfast: Window Replacements, WA96  
 West Tyrone: Regenerating Villages and Small Towns, WA5  
 Western Health and Social Care Trust: Annual Budget, WA155  
 Western Health and Social Care Trust: Cancelled Hospital Appointments, WA164  
 Whitemountain Quarries Hazardous Waste Transfer Site, West Belfast, 216, 217, 218, 219  
 Widening Access Programme, WA349, WA358  
 Wind Energy: Heritage Sites, 361  
 Wind Power, WA141  
 Wind Turbine Applications, WA110  
 Wind Turbines: Grid Connections, WA33, WA34  
 Wind Turbines: Livestock Abortions, WA322  
 Wind Turbines: OffShore, WA34  
 Women's Aid: Craigavon/Banbridge, WA93  
 Woodford Fly Fishery: Fishing Competition, WA328  
 Work Capability Assessment, WA417  
 Work Capability Assessment Decisions: Foyle, WA198  
 Work Capability Assessments, WA199  
 Work Capability Assessments: Cancer Patients, 237, 238  
 Work Connect, WA360  
 World Host Training, WA354  
 World Police and Fire Games 2013, WA324, WA326, WA389

## Y

Young Farmer Incentive Schemes, WA4, WA5  
 Young Offenders Institution, WA391, WA392  
 Young Offenders: Early Intervention, 181, 182  
 Young Offenders: Release, WA395  
 Young Offenders: Release Processes, WA393  
 Young People, WA147  
 Young People Not in Education, Employment or Training, WA373  
 Young People with Special Educational Needs, WA252  
 Young People: Diverse Range of Needs, WA137  
 Young People: Training, WA115, WA196  
 Youth Employment, 355, 356  
 Youth Employment Scheme, WA24  
 Youth Employment Service Scheme, WA354, WA355

## Z

Zero Carbon Social Housing, WA309  
 Zero-carbon Homes: Construction, WA370, WA370



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# Strangers' Index

**Armstrong, Mr Billy (Former Member)**

Revised Written Answers  
Consultancy Fees, RWA5

**Committee Clerk, The**

Committee Stages  
Planning Bill, CS2, CS3, CS4

**Kennedy, Ms Irene (Department of the Environment)**

Committee Stages  
Planning Bill, CS1

**Maye, Mr Ian (Department of the Environment)**

Committee Stages  
Planning Bill, CS1, CS2

**O'Loan, Mr Declan (Former Member)**

Revised Written Answers  
Consultancy, RWA4  
Education and Skills Authority: Implementation Team,  
RWA4  
Review of Public Administration, RWA4

**Robinson, Mrs Iris (Former Member)**

Revised Written Answers  
Consultancy Firms, RWA1



# Journal of Proceedings





# Minutes of Proceedings



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# Northern Ireland Assembly

Monday 13 May 2013

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Public Petition

### 2.1 Public Petition – Opposition to cuts to Health Service dental care

Mr Kieran McCarthy was granted leave, in accordance with Standing Order 22, to present a Public Petition relating to opposing cuts to Health Service dental care.

## 3. Executive Committee Business

### 3.1 Further Consideration Stage: Marine Bill (NIA 5/11-15)

The Minister of the Environment moved the Further Consideration Stage of the Marine Bill.

8 amendments were tabled to the Bill.

*Debate ensued.*

*The sitting was suspended at 2.20pm for Question Time.*

*The sitting resumed at 2.30pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

## 4. Question Time

### 4.1 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

### 4.2 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

*The Speaker took the Chair.*

## 5. Executive Committee Business (Cont'd)

### 5.1 Further Consideration Stage: Marine Bill (NIA 5/11-15)

#### Clauses

After debate, Amendment 1 to Clause 10 was **negatived** without division.

After debate, Amendment 2 to Clause 10 was **negatived** without division.

*As Amendment 1 was not made, Amendment 3 was not called.*

*As Amendment 1 was not made, Amendment 4 was not called.*

After debate, Amendment 5 to Clause 22 was **negatived** without division.

*As Amendment 5 was not made, Amendment 6 was not called.*

*As Amendment 5 was not made, Amendment 7 was not called.*

After debate, Amendment 8 to Clause 25 was **negatived** without division.

Bill (NIA 5/11-15) stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

### 5.2 Motion: Social Security Benefits Up-rating Order (Northern Ireland) 2013

#### Proposed:

That the Social Security Benefits Up-rating Order (Northern Ireland) 2013 be approved.

*Minister for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 5.3 Motion: Child Support Maintenance Calculation Regulations (Northern Ireland) 2012

#### Proposed:

That the Child Support Maintenance Calculation Regulations (Northern Ireland) 2012 be approved.

*Minister for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 5.4 Motion: The Child Support Maintenance (Changes to Basic Rate Calculation and Minimum Amount of Liability) Regulations (Northern Ireland) 2012

#### Proposed:

That the Child Support Maintenance (Changes to Basic Rate Calculation and Minimum Amount of Liability) Regulations (Northern Ireland) 2012 be approved.

*Minister for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 5.5 Motion: The Child Support (Management of Payments and Arrears) (Amendment) Regulations (Northern Ireland) 2012

#### Proposed:

That the Child Support (Management of Payments and Arrears) (Amendment) Regulations (Northern Ireland) 2012 be approved.

*Minister for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 6. Private Members' Business

### 6.1 Motion: Child Poverty Targets

**Proposed:**

That this Assembly notes the Office of the First Minister and deputy First Minister's report 'Improving Children's Life Chances - the second year', which details that 93,000 children are currently living in poverty, and the report by the Joseph Rowntree Foundation 'Monitoring Poverty and Social Exclusion in Northern Ireland 2012' which details that 120,000 children are currently living in poverty; acknowledges that further welfare cuts will only act to exacerbate this situation; and calls on the Office of the First Minister and deputy First Minister to bring forward legislation to ensure that we have our own child poverty targets separate from those of the Westminster parliament.

*Mr C Eastwood*

*Mr M Durkan*

*Mrs D Kelly*

*The Deputy Speaker (Mr Beggs) took the Chair*

*Debate ensued.*

The Question being put, the Motion was **negatived** (Division).

## 7. Assembly Business

### 7.1 Motion - Extension of sitting on Monday 13 May 2013 under SO 10(3A)

**Proposed:**

That, in accordance with Standing Order 10(3A), the sitting on Monday 13 May 2013 be extended to no later than 7.30pm.

*Mr P Weir*

The Question being put, the Motion was **carried** without division.

## 8. Private Members' Business (Cont'd)

### 8.1 Motion: Energy Costs

**Proposed:**

That this Assembly recognises that energy costs are of concern to businesses and consumers; congratulates the Minister of Enterprise, Trade and Investment and the Minister of Finance and Personnel for successfully negotiating a derogation from the Carbon Price Floor for Northern Ireland; notes that this negotiation prevented an increase in local energy bills of between 10 and 15 percent, which would have had a detrimental impact on households and businesses; and calls on the Minister of Enterprise, Trade and Investment to continue to work with industry to keep energy affordable.

*Mr R Newton*

*Mr P Frew*

*Mr G Dunne*

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Question being put, the Motion was **carried** without division

## 9. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.52pm.*

**Mr William Hay**

**The Speaker**

13 May 2013

# Northern Ireland Assembly

13 May 2013

Division

**Motion: Child Poverty Targets**

**Proposed:**

That this Assembly notes the Office of the First Minister and deputy First Minister's report 'Improving Children's Life Chances - the second year', which details that 93,000 children are currently living in poverty, and the report by the Joseph Rowntree Foundation 'Monitoring Poverty and Social Exclusion in Northern Ireland 2012' which details that 120,000 children are currently living in poverty; acknowledges that further welfare cuts will only act to exacerbate this situation; and calls on the Office of the First Minister and deputy First Minister to bring forward legislation to ensure that we have our own child poverty targets separate from those of the Westminster parliament.

*Mr C Eastwood*

*Mr M Durkan*

*Mrs D Kelly*

The Question was put and the Assembly divided.

**Ayes:** 28

**Noes:** 56

**AYES**

*Mr Agnew, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Mr Gardiner, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGlone, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Ayes: Mr A Maginness and Mr McGlone.*

**NOES**

*Mr Allister, Mr Anderson, Mr Bell, Mr Boylan, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Irwin, Mr G Kelly, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Ms Ní Chuilín, Mr Ó hOisín, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wilson.*

*Tellers for the Noes: Ms Fearon and Mr G Robinson.*

Question accordingly negatived.

# Marine Bill

## Marshalled List of Amendments

### Further Consideration Stage

### Monday 13 May 2013

Amendments tabled up to 9.30am Thursday, 9 May 2013 and selected for debate

**Amendment 1** [Negatived]

**Clause 10**, Page 7, Line 36

At end insert -

- '(c) that the document, or part of the document, is irrational;
- (d) that the document, or part of the document, is incompatible with any of the Convention rights.'

*Mr Steven Agnew*

**Amendment 2** [Negatived]

**Clause 10**, Page 7, Line 38

At end insert -

- '(5A) Notwithstanding the generality of subsection (4), applications under that subsection may be made by<sup>3/4</sup>
- (a) a natural or legal person affected or likely to be affected by, or having an interest in, the relevant document;
- (b) a non-governmental organisation promoting environmental protection.'

*Mr Steven Agnew*

**Amendment 3** [Not Called]

**Clause 11**, Page 8, Line 15

At end insert -

- '(c) that the document, or part of the document, is irrational;
- (d) that the document, or part of the document, is incompatible with any of the Convention rights.'

*Mr Steven Agnew*

**Amendment 4** [Not Called]

**Clause 12**, Page 8, Line 39

At end insert -

- '“the Convention rights” has the same meaning as in the Human Rights Act 1998;'

*Mr Steven Agnew*

**Amendment 5** [Negatived]

**Clause 22**, Page 16, Line 7

At end insert -

- '(8A) Where the authority has given notice under subsection (5), it should only proceed with the act if it is satisfied that—
- (a) there is no other means of proceeding with the act which would create a substantially lower risk of hindering the achievement of conservation objectives stated for the MCZ,
- (b) the benefit to the public of proceeding with the act clearly outweighs the risk of damage to the environment that will be created by proceeding with it, and
- (c) where possible, the authority will undertake, or make arrangements for the undertaking of, measures of equivalent environmental benefit to the damage which the act will or is likely to have in or on the MCZ.
- (8B) The reference in subsection (8A)(a) to other means of proceeding with an act includes a reference to proceeding with it—
- (a) in another manner, or
- (b) at another location.'

*Mr Steven Agnew*

**Amendment 6** [Not Called]

**Clause 24**, Page 17, Line 40

Leave out 'section' and insert 'sections 22(8A)(c) and'

*Mr Steven Agnew*

**Amendment 7** [Not Called]

**Clause 25**, Page 18, Line 7

After 'section 22(2)' insert ', or the duty imposed by section 22(8A),'



*Mr Steven Agnew*

**Amendment 8** [Negatived]

**Clause 25**, Page 18, Line 12

Leave out paragraphs (a) and (b) and insert -

- '(a) if the achievement of the conservation objectives stated for an MCZ is hindered as a result of the failure, a public authority is, unless there was a reasonable excuse for the failure, guilty of an offence and is liable on summary conviction to a fine not exceeding £20,000 or on conviction on indictment to a fine; and
- (b) in all other cases the Department must request from the public authority an explanation for the failure and the public authority must provide the Department with such an explanation in writing within the period of 28 days from the date of the request or such longer period as the Department may allow.'

*Mr Steven Agnew*

# Northern Ireland Assembly

## Papers Presented to the Assembly on 8 May – 13 May 2013

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

16th Report of the Financial Reporting Advisory Board Report for the period April 2012 to March 2013 (DFP).

Guidance for Forensic Science Northern Ireland on International Human Rights Standards by the Attorney General for Northern Ireland (Attorney General).

Guidance for the State Pathologist's Department on International Human Rights Standards by the Attorney General for Northern Ireland (Attorney General).

Finding the Balance: matching human resources with priorities in the Police Service of Northern Ireland May 2013 (DOJ).

An inspection of community supervision by the Probation Board for Northern Ireland May 2013 (DOJ).

Disposal of Records Schedule for (Name of School) (DCAL).

Northern Ireland Education and Library Boards Retention and Disposal of Records Schedule (DCAL).

### 5. Assembly Reports

Final Report on the Committee's Inquiry into Used Tyre Disposal (NIA 112/11-15) (Committee for the Environment).

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees (NIA 113/11-15) (Examiner of Statutory Rules).

### 6. Statutory Rules

S. R. 2013/118 The Scrapie (Fees) (Amendment) Regulations (Northern Ireland) 2013 (DARD).

S. R. 2013/127 The Disposal of Vehicles (Prescribed Period) Regulations (Northern Ireland) 2013 (DRD).

#### For Information Only:

### 7. Written Ministerial Statements

### 8. Consultation Documents

Blue Badge Scheme in Northern Ireland (DRD).

Single Tier Taxi Licensing (DOE).

Industry Noise Action Plan drafted pursuant to the Environmental Noise Regulations (Northern Ireland) 2006 (DOE).

### 9. Departmental Publications

Steps 2 Success (NI): Response to Consultation (DEL).

## 10. Agency Publications

## 11. Westminster Publications

Crime and Courts Act 2013 Chapter 22.

Enterprise and Regulatory Reform Act 2013 Chapter 24.

## 12. Miscellaneous Publications



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# Northern Ireland Assembly

Tuesday 14 May 2013

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Speaker's Business

The Speaker advised the House that Mr Robin Newton would not be in a position to introduce the topic for the Adjournment debate later that day.

## 3. Executive Committee Business

### 3.1 Statement – Together: Building a United Community

The First Minister, Rt Hon Peter Robinson, made a statement regarding 'Together: Building a United Community', following which he replied to questions.

### 3.2 Statement – North South Ministerial Council meeting in Environmental Sectoral Format

The Minister of the Environment, Mr Alex Attwood, made a statement regarding the North South Ministerial Council meeting in Environmental sectoral format, held on 23 April 2013, following which he replied to questions.

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 4. Private Members' Business

### 4.1 Motion – Single All-Island Agreed Rate of Duty on Vehicle Fuel

#### **Proposed:**

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

*Mr D McKay*

*Mr M McLaughlin*

*Ms M Fearon*

## 4.2 Amendment 1

### Proposed:

Leave out all after 'how' and insert:

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

*Mr D Bradley*

*Mr A Maginness*

*The sitting was suspended at 12.35pm.*

*The sitting resumed at 2.00pm, with the Speaker in the Chair.*

## 5. Question Time

### 5.1 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Alex Attwood.

### 5.2 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Sammy Wilson.

## 6. Private Members' Business (Cont'd)

### 6.1 Motion - Single All-Island Agreed Rate of Duty on Vehicle Fuel

*The Deputy Speaker (Mr Dallat) took the Chair.*

*Debate resumed on the Motion.*

The Question being put, the Amendment **fell**.

The Question being put, the Motion, was **negatived** (Division).

### 6.2 Motion – Future of Rural Schools

#### Proposed:

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

*Mr M Storey*

*Miss M McIlveen*

*Mr J Craig*

*Mrs B Hale*

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

**6.3 Amendment 1****Proposed:**

After 'planning' insert:

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

Mr D Kinahan

Mrs J Dobson

*Debate ensued.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division

**7. Adjournment**

Mr Robin Newton did not speak to his topic on Post-Primary education in East Belfast.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.00pm.*

**Mr William Hay**

**The Speaker**

14 May 2013

# Northern Ireland Assembly

14 May 2013

Division

**Motion: Single All-Island Agreed Rate of Duty on Vehicle Fuel - Amendment 1**

**Proposed:**

Leave out all after 'how' and insert:

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

*Mr D Bradley*

*Mr A Maginness*

The Question was put and the Assembly divided.

**Ayes:** 25

**Noes:** 50

**AYES**

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

*Tellers for the Ayes: Ms Fearon and Mr McKay.*

**NOES**

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

*Tellers for the Noes: Mr D McIlveen and Mr McQuillan.*

The Amendment **fell**.



# Northern Ireland Assembly

## Papers Presented to the Assembly on 14 May 2013

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules

S. R. 2013/128 The Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 (Amendment) Regulations (Northern Ireland) 2013 (DEL).

### For Information Only:

S. R. 2013/131 County Court Divisions (Amendment) Order (Northern Ireland) 2013 (DOJ).

S. R. 2013/132 County Court Divisions Order (Northern Ireland) 2013 (DOJ).

7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications

Department for Work and Pensions Government Response to the Fifth Report of the House of Commons Work and Pensions Select Committee, Session 2012-13, into Part 1 of the draft Pensions Bill (DWP).

12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 14 May 2013

### 2011-2015 Mandate

#### Executive Bills

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill NIA Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13		
Superannuation Bill NIA Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
Inquiry into Historical Institutional Abuse Bill NIA Bill 7/11-15	12.06.12	25.06.12	26.10.12	24.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Business Improvement Districts Bill NIA Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	21.03.13
Criminal Justice Bill NIA Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13	08.04.13	25.04.13
Charities Bill NIA Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill NIA Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill NIA Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
/Air Passenger Duty (Setting of Rate) Bill NIA Bill 15/11-15	08.10.12	16.10.12	N/A	N/A	22.10.12	05.11.12	06.11.12	11.12.12
Water and Sewerage Services (Amendment) Bill NIA Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	25.04.13
Planning Bill NIA Bill 17/11-15	14.01.13	22.01.13	07.06.13					
/Budget Bill NIA Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	14.03.13
Tobacco Retailers NIA Bill 19/11-15	15.04.13	23.04.13	06.06.13					

**2011-2015 Mandate****Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Civil Service (Special Advisers) Bill NIA Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13	19.03.13			

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

Monday 20 May 2013

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Matter of the Day

### 2.1 Graeme McDowell – World Match Play Golf

Mr Gregory Campbell made a statement, under Standing Order 24, in relation to Graeme McDowell's World Match Play Golf Success. Other Members were also called to speak on the matter.

## 3. Private Members' Business

### 3.1 Further Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15)

Mr Jim Allister moved the Further Consideration Stage of the Civil Service (Special Advisers) Bill.

20 amendments were tabled to the Bill.

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 4. Question Time

### 4.1 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the First Minister, Rt Hon Peter Robinson. The junior Minister, Mr Jonathan Bell, also answered a number of questions.

### 4.2 Health, Social Services and Public Safety

Questions were put to, and answered by, the Minister of Health, Social Services and Public Safety, Mr Edwin Poots.

## 5. Private Members' Business (Cont'd)

### 5.1 Further Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15)

*The Speaker took the Chair.*

*Debate resumed on the Bill.*

*The debate stood suspended at 6.02pm.*

## 6. Assembly Business

### 6.1 Motion - Extension of sitting on Monday 20 May 2013 under SO 10(3A)

**Proposed:**

That, in accordance with Standing Order 10(3A), the sitting on Monday 20 May 2013 be extended to no later than 9.30pm.

*Ms C Ruane*

The Question being put, the Motion was **carried** without division.

## 7. Private Members' Business (Cont'd)

### 7.1 Further Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15)

*Debate resumed on the Bill.*

After debate, Amendment 1 to clause 2 was **made** (Division 1).

After debate, Amendment 2 to Clause 2 was **negatived** (Division 2).

After debate, Amendment 3 to Clause 2 was **made** (Division 3).

After debate, Amendment 4 to Clause 3 was **made** (Division 4).

*As Amendment 2 was not made, Amendments 5 to 7 were not called*

After debate, Amendment 8 to Clause 3 was **negatived** (Division 5).

After debate, Amendment 9 to Clause 3 was **negatived** (Division 6).

After debate, Amendment 10 to Clause 3 was **negatived** (Division 7).

After debate, Amendment 11 to Clause 3 was **negatived** without division.

After debate, Amendment 12 to Clause 3 was **made** (Division 8).

After debate, Amendment 13 to Clause 3 was **made** without division.

After debate, Amendment 14 to Clause 4 was **made** without division.

After debate, Amendment 15 to Clause 4 was **made** without division.

After debate, Amendment 16 to Clause 4 was **made** without division.

After debate, Amendment 17 to Clause 10 was **made** without division.

*As Amendment 2 was not made, Amendment 18 was not called.*

After debate, Amendment 19 to Clause 12 was **made** without division.

*As Amendment 2 was not made, Amendment 20 was not called.*

Bill NIA 12/11-15 stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

### 7.2 Motion: Sustainability of Hill Farming

**Proposed:**

That this Assembly recognises the particular difficulties experienced by hill farmers; and calls on the Minister of Agriculture and Rural Development to bring forward additional measures to support the sustainability of farming on lands classified as less favoured areas.

*Mr I Milne*

*Mr O McMullan*

*Mr D McAleer*

### 7.3 Amendment 1

**Proposed:**

Leave out all after 'particular' and insert:

'and unique difficulties experienced by hill farmers; and calls on the Minister of Agriculture and Rural Development to earmark grant aid support for the improvement of farm buildings and bring forward additional measures to support the sustainability of farming on lands classified as less favoured areas.'

*Mr J Byrne*

*Mr S Rogers*

*Debate ensued.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

## 8. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 8.49pm.*

**Mr William Hay**

**The Speaker**

20 May 2013

# Northern Ireland Assembly

20 May 2013  
Division No. 1

**Clause 2: Special advisers: serious criminal convictions – Amendment 1**

**Proposed:**

In page 1, line 13, leave out “Commissioners” and insert “Department of Finance and Personnel”.

*Mr J Allister*

The Question was put and the Assembly divided.

**Ayes:** 59

**Noes:** 40

**AYES**

*Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, 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 Ayes: Mr Allister and Mr McNarry.*

**NOES**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Durkan and Mr McCartney.*

The Amendment was **made**.



# Northern Ireland Assembly

20 May 2013  
Division No. 2

## Clause 2: Special advisers: serious criminal convictions – Amendment 2

### Proposed:

In page 1, leave out subsections (4) and (5).

*Mr D Bradley*  
*Mr A Maginness*

The Question was put and the Assembly divided.

**Ayes:** 20

**Noes:** 78

### AYES

*Mr Agnew, Mr Attwood, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McDevitt, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.*

*Tellers for the Ayes: Mr Byrne and Mr Durkan.*

### NOES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Copeland, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McNarry, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Allister and Mr McNarry.*

The Amendment **fell**.

# Northern Ireland Assembly

20 May 2013  
Division No. 3

**Clause 2: Special advisers: serious criminal convictions – Amendment 3**

**Proposed:**

In page 1, line 22, leave out "Commissioners" and insert "Department".

*Mr J Allister*

The Question was put and the Assembly divided.

**Ayes:** 58

**Noes:** 39

**AYES**

*Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, 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 Ayes: Mr Allister and Mr McNarry.*

**NOES**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Durkan and Mr McCartney.*

The Amendment was **made**.

# Northern Ireland Assembly

20 May 2013  
Division No. 4

## Clause 3: Determination of eligibility of special advisers by Commissioners – Amendment 4

### Proposed:

In page 2, leave out lines 4 to 11 and insert

*“(1) This section applies where an appointment, or proposed appointment, of a person as a special adviser is referred to the Department under section 2(2) or (5).*

*(2) The Department must, within 14 days of the referral, establish a review panel and refer the matter to it.*

*(3) The review panel must determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.*

*(4) The person is only eligible if the review panel is”.*

*Mr J Allister*

The Question was put and the Assembly divided.

**Ayes:** 57

**Noes:** 39

### AYES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, 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 Ayes: Mr Allister and Mr McNarry.*

### NOES

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilin, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Durkan and Mr McCartney.*

The Amendment was **made**.

# Northern Ireland Assembly

20 May 2013  
Division No. 5

## Clause 3: Determination of eligibility of special advisers by Commissioners – Amendment 8

### Proposed:

In page 2, line 17, leave out from “contrition” to the end of line 18 and insert

*“regret for and acknowledgement of, and accepts the gravity and consequences of, the offence to which the serious criminal conviction relates,”.*

*Mr D Bradley  
Mr A Maginness*

The Question was put and the Assembly divided.

**Ayes:** 19

**Noes:** 77

### AYES

*Mr Attwood, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McDevitt, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.*

*Tellers for the Ayes: Mr Byrne and Mr Durkan.*

### NOES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Copeland, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McNarry, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Mrs Overend, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Allister and Mr McNarry.*

The Amendment **fell**.

# Northern Ireland Assembly

20 May 2013  
Division No. 6

## Clause 3: Determination of eligibility of special advisers by Commissioners – Amendment 9

### Proposed:

In page 2, line 19, leave out paragraph (b) and insert

*“(b) whether the person has demonstrated, where applicable, a commitment to non-violence and exclusively peaceful and democratic means for political change.”.*

*Mr D Bradley  
Mr A Maginness*

The Question was put and the Assembly divided.

**Ayes:** 12

**Noes:** 83

### AYES

*Mr Attwood, Mr D Bradley, Mr Byrne, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr McDevitt, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.*

*Tellers for the Ayes: Mr Byrne and Mr Durkan.*

### NOES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McNarry, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Mrs Overend, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Allister and Mr McNarry.*

The Amendment **fell**.

# Northern Ireland Assembly

20 May 2013  
Division No. 7

## Clause 3: Determination of eligibility of special advisers by Commissioners – Amendment 10

### Proposed:

In page 2, line 23, at end insert

*“, in consultation with the Commissioner for Victims and Survivors.”.*

*Mr D Bradley  
Mr A Maginness*

The Question was put and the Assembly divided.

**Ayes:** 30

**Noes:** 66

### AYES

*Mr Attwood, Mr Beggs, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mr Hussey, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McDevitt, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Ayes: Mr Byrne and Mr Durkan.*

### NOES

*Mr Allister, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McNarry, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Allister and Mr McNarry.*

The Amendment **fell**.

# Northern Ireland Assembly

20 May 2013  
Division No. 8

## Clause 3: Determination of eligibility of special advisers by Commissioners – Amendment 12

### Proposed:

In page 2, line 24, leave out "Commissioners" and insert "Department".

*Mr J Allister*

The Question was put and the Assembly divided.

**Ayes:** 57

**Noes:** 39

### AYES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, 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 Ayes: Mr Allister and Mr McNarry.*

### NOES

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Durkan and Mr McCartney.*

The Amendment was **made**.

# Civil Service (Special Advisers) Bill

## Marshalled List of Amendments

### Further Consideration Stage

### Monday 20 May 2013

Amendments tabled up to Thursday, 16 May 2013 and selected for debate

**Amendment 1** [Made on Division]

**Clause 2**, Page 1, Line 13

Leave out 'Commissioners' and insert 'Department of Finance and Personnel'

*Mr Jim Allister*

**Amendment 2** [Negatived on Division]

**Clause 2**, Page 1

Leave out subsections (4) and (5)

*Mr Dominic Bradley*

*Mr Alban Maginness*

**Amendment 3** [Made on Division]

**Clause 2**, Page 1, Line 22

Leave out 'Commissioners' and insert 'Department'

*Mr Jim Allister*

**Amendment 4** [Made on Division]

**Clause 3**, Page 2

Leave out lines 4 to 11 and insert -

'(1) This section applies where an appointment, or proposed appointment, of a person as a special adviser is referred to the Department under section 2(2) or (5).

(2) The Department must, within 14 days of the referral, establish a review panel and refer the matter to it.

(3) The review panel must determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.

(4) The person is only eligible if the review panel is'

*Mr Jim Allister*

**Amendment 5** [Not Called]

**Clause 3**, Page 2, Line 6

Leave out from 'or' to end of line 7

*Mr Dominic Bradley*

*Mr Alban Maginness*

**Amendment 6** [Not Called]

**Clause 3**, Page 2, Line 9

Leave out ', or to continue to hold appointment as,'

*Mr Dominic Bradley*

*Mr Alban Maginness*

**Amendment 7** [Not Called]

**Clause 3**, Page 2, Line 11

Leave out ', or to continue to hold appointment as,'

*Mr Dominic Bradley*

*Mr Alban Maginness*

**Amendment 8** [Negatived on Division]

**Clause 3**, Page 2, Line 17

Leave out from 'contrition' to the end of line 18 and insert -

'regret for and acknowledgement of, and accepts the gravity and consequences of, the offence to which the serious criminal conviction relates,'

*Mr Dominic Bradley*

*Mr Alban Maginness*

**Amendment 9** [Negatived on Division]

**Clause 3**, Page 2, Line 19

Leave out paragraph (b) and insert -

'(b) whether the person has demonstrated, where applicable, a commitment to non-violence and exclusively peaceful and democratic means for political change,'



*Mr Dominic Bradley*  
*Mr Alban Maginness*

**Amendment 10** [Negatived on Division]**Clause 3**, Page 2, Line 23

At end insert -

‘, in consultation with the Commissioner for Victims and Survivors.’

*Mr Dominic Bradley*  
*Mr Alban Maginness*

**Amendment 11** [Negatived]**Clause 3**, Page 2, Line 23

At end insert -

‘(d) any information which the proposed appointee wishes to submit in writing.’

*Mr Dominic Bradley*  
*Mr Alban Maginness*

**Amendment 12** [Made on Division]**Clause 3**, Page 2, Line 24

Leave out ‘Commissioners’ and insert ‘Department’

*Mr Jim Allister***Amendment 13** [Made]**Clause 3**, Page 2, Line 26

At end insert -

‘(5) The Department must—

- (a) appoint independent persons to be members of the review panel,
- (b) pay those persons such fees, allowances or expenses as appear appropriate,
- (c) provide the review panel with staff, accommodation or other facilities as appear appropriate.

(6) A review panel may regulate its own procedure.

(7) A review panel only remains in existence for so long as is necessary for it to exercise its functions.’

*Mr Jim Allister***Amendment 14** [Made]**Clause 4**, Page 2, Line 28

Leave out ‘the Commissioners’ and insert ‘a review panel’

*Mr Jim Allister***Amendment 15** [Made]**Clause 4**, Page 2, Line 32

Leave out ‘Commissioners’ and insert ‘review panel’

*Mr Jim Allister***Amendment 16** [Made]**Clause 4**, Page 2, Line 34

Leave out ‘Commissioners’ and insert ‘review panel’

*Mr Jim Allister***Amendment 17** [Made]**Clause 10**, Page 4

Leave out lines 28 and 29

*Mr Jim Allister***Amendment 18** [Not Called]**Clause 11**, Page 4

Leave out clause 11

*Mr Dominic Bradley*  
*Mr Alban Maginness*

**Amendment 19** [Made]**Clause 12**, Page 5, Line 2

Leave out ‘Sections 2(5), 3, 7, 8’ and insert ‘Sections 1, 2(5), 3, 4, 5, 7, 8, 9’

*Mr Jim Allister***Amendment 20** [Not Called]**The Schedule**, Page 6

Leave out the Schedule

*Mr Dominic Bradley*  
*Mr Alban Maginness*

# Northern Ireland Assembly

## Papers Presented to the Assembly on 15 May – 20 May 2013

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules

### For Information Only:

S. R. 2013/129 The Cycle Routes (Amendment No. 2) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/130 The Roads (Speed Limit) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/133 The Parking and Waiting Restrictions (Strabane) (Amendment) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/134 The Road Races (Cairncastle Hill Climb) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/135 The Cycle Routes (Amendment No. 3) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/136 The Parking Places on Roads (Londonderry) (Amendment) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/140 The County Court (Amendment No. 2) Rules (Northern Ireland) 2013 (DOJ).

7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly

Tuesday 21 May 2013

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement – Update on the Department for Employment and Learning Review of Teacher Education Infrastructure in Northern Ireland

The Minister for Employment and Learning, Dr Stephen Farry, made a statement regarding an Update on the Department for Employment and Learning Review of Teacher Education Infrastructure in Northern Ireland, following which he replied to questions.

### 2.2 Statement – Computer Based Assessments

The Minister of Education, Mr John O'Dowd, made a statement regarding Computer Based Assessments, following which he replied to questions.

### 2.3 Final Stage – Marine Bill (NIA 5/11-15)

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Minister of the Environment, Mr Alex Attwood, moved that the Final Stage of the Marine Bill (NIA 5/11-15) do now pass.

*Debate ensued.*

The Marine Bill (NIA 5/11-15) passed Final Stage.

*The sitting was suspended at 12.44pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

## 4. Question Time

### 4.1 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

### 4.2 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

## 5. Private Members' Business

### 5.1 Motion – Announcement on a Shared Future

**Proposed:**

That this Assembly notes that the development of a shared future and building a strong economy are inextricably linked; further notes the statement from the First Minister and deputy First Minister entitled Together: Building a United Community; calls for the individual projects announced to be subject to public consultation, where appropriate; and stresses the importance of the Executive developing a comprehensive shared future strategy which includes a clear vision, action plan, targets, budgeting and delivery mechanisms, and which addresses issues such as integrated education, mixed housing, shared space, the regulation of the flying of flags, parades and dealing with the past.

*Mr C Lyttle*

*Mr T Lunn*

*Mr S Dickson*

*The Speaker took the Chair.*

### 5.2 Amendment 1

**Proposed:**

Leave out all after 'Community;' and insert:

'and that the good relations strategy was subject to full consultation; urges all relevant parties to fully and constructively participate in the All-Party Group to find solutions on the issues of parades and protests, flags, emblems and symbols and the past; welcomes the statement from the First Minister and deputy First Minister that all relevant departments will be invited to participate in the detailed project design stage; and calls on all Executive Ministers to ensure their departments fully and constructively participate, where relevant, in this process.'

*Mr S Moutray*

*Mr J Spratt*

*Mr G Robinson*

### 5.3 Amendment 2

**Proposed:**

Leave out all after 'Community;' and insert:

'expresses concern at the lack of consultation with other parties, the absence of detail and uncertainty over costing; calls for the individual projects announced to be subject to public consultation, where appropriate; and stresses the importance of the Executive developing a comprehensive shared future strategy which includes a clear vision, action plan, targets, budgeting and delivery mechanisms, and which addresses issues such as a single education system by introducing a statutory promotion and facilitation of shared education and learning from existing integrated education techniques as a means of achieving that, mixed housing, shared space, the regulation of the flying of flags, parades, dealing with the past and reconciliation.'

*Mr M Nesbitt*

*Mr D Kinahan*

*Debate ensued.*

The Question being put, Amendment No. 1 was **made** (Division).

Amendment No. 2 was not put.

The Question being put, the Motion, as amended, was **carried** without division.

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

#### 5.4 Motion – Fall in Farm Incomes

**Proposed:**

That this Assembly notes the recent publication of the Statistical Review of Northern Ireland Agriculture 2012 and Farm Incomes in Northern Ireland 2011/12; expresses significant concern about the collapse in the Total Income From Farming (TIFF) which fell by 50.6 per cent, 52.2 per cent in real terms, to £143 million compared to £290 million in 2011; notes that farmers have experienced an exceptionally difficult 12 months, due to a multitude of aggravating circumstances; and therefore calls upon the Minister of Agriculture and Rural Development to detail the actions she has taken to alleviate the pressures which are faced by farmers and their families which are within her control.

*Mrs J Dobson*

*Mr R Swann*

#### 5.5 Amendment 1

**Proposed:**

Insert after 'circumstances':

' , including restricted bank credit facilities'

*Mr J Byrne*

*Mr S Rogers*

*Debate ensued.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division

## 6. Adjournment

Ms Rosaleen McCorley spoke to her topic regarding the Whitemountain Quarry Hazardous Waste Transfer Site, West Belfast.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.58pm.*

**Mr William Hay**

**The Speaker**

21 May 2013

# Northern Ireland Assembly

21 May 2013

Division

**Motion: Shared Future – Amendment 1**

**Proposed:**

Leave out all after 'Community;' and insert:

'and that the good relations strategy was subject to full consultation; urges all relevant parties to fully and constructively participate in the All-Party Group to find solutions on the issues of parades and protests, flags, emblems and symbols and the past; welcomes the statement from the First Minister and deputy First Minister that all relevant departments will be invited to participate in the detailed project design stage; and calls on all Executive Ministers to ensure their departments fully and constructively participate, where relevant, in this process.'

*Mr S Moutray*

*Mr J Spratt*

*Mr G Robinson*

The Question was put and the Assembly divided.

**Ayes:** 60

**Noes:** 31

## **AYES**

*Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr McQuillan and Mr G Robinson.*

## **NOES**

*Mr Allister, Mr Attwood, Mr Beggs, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Mr Ford, Mr Hussey, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McDevitt, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mr Kennedy and Mr Kinahan.*

The Amendment was **made**.

# Northern Ireland Assembly

**Papers Presented to the Assembly on  
21 May 2013**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules

**For Information Only:**

7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
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12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 21 May 2013

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	
Superannuation Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
Inquiry into Historical Institutional Abuse Bill 7/11-15	12.06.12	25.06.12	26.10.12	24.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Business Improvement Districts Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	21.03.13
Criminal Justice Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13	08.04.13	25.04.13
Charities Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
/Air Passenger Duty (Setting of Rate) Bill 15/11-15	08.10.12	16.10.12	N/A	N/A	22.10.12	05.11.12	06.11.12	11.12.12



<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Water and Sewerage Services (Amendment) Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	25.04.13
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13					
/Budget Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	14.03.13
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	06.06.13					

**2011-2015 Mandate****Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Civil Service (Special Advisers) Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13	19.03.13	20.05.13		

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

Tuesday 28 May 2013

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Matter of the Day

### 2.1 Murder of Drummer Lee Rigby

Mr Mike Nesbitt made a statement, under Standing Order 24, in relation to the Murder of Drummer Lee Rigby. Other Members were also called to speak on the matter.

## 3. Public Petition

### 3.1 Public Petition – Call for a replacement Fire Station in Cushendall

Mr Oliver McMullan was granted leave, in accordance with Standing Order 22, to present a Public Petition relating to a call for a replacement Fire Station in Cushendall.

## 4. Committee Business

### 4.1 Motion - Extension of Committee Stage: Tobacco Retailers Bill (NIA Bill 19/11-15)

#### **Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 18 October 2013, in relation to the Committee Stage of the Tobacco Retailers Bill (NIA Bill 19/11-15).

*Chairperson, Committee for Health, Social Services and Public Safety.*

Question being put, the Motion was **carried** without division.

## 5. Private Members' Business

### 5.1 Motion – Epilepsy Service Provision

#### **Proposed:**

That this Assembly calls for the provision of services of the highest quality for people diagnosed with epilepsy, including frequent reviews of their treatment and condition; acknowledges the rights of young people with epilepsy to a first appointment with a specialist within a reasonable time of their diagnosis; and calls on the Minister of Health, Social Services and Public Safety to ensure that epilepsy services here are equivalent to those in the rest of the UK.

*Mr G Robinson*

*Ms P Bradley*

*Ms P Brown*

*Mr G Dunne*

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Question being put, the Motion was **carried** without division.

## 5.2 Motion – Transforming your Care Review

### Proposed:

That this Assembly expresses concern that the implementation of the 'Transforming Your Care' review of health and social care, commissioned by the Minister of Health, Social Services and Public Safety, has enabled Health and Social Care Trusts to take decisions on the closure of care homes; is concerned by the detrimental impact which the privatisation of many aspects of health and social care will have on vulnerable people; urges the Minister to ensure that the patient, and not profit, is put at the centre of care provision by the Health and Social Care Board; and calls on the Minister to introduce legislation to protect services from privatisation by stealth.

*Mr C McDevitt*

*Mr M Durkan*

*Mr P Ramsey*

*The sitting was suspended at 12.29pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

## 6. Question Time

### 6.1 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Nelson McCausland.

### 6.2 Agriculture and Rural Development

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

### 6.3 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

### 6.4 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

*The Speaker took the Chair.*

## 7. Executive Committee Business

### 7.1 Statement - North South Ministerial Council meeting in Special EU Programmes sectoral format

The Minister of Finance and Personnel, Mr Sammy Wilson, made a statement regarding the North South Ministerial Council meeting in Special EU Programmes sectoral format, held on 10 May 2013, following which he replied to questions.

## 8. Private Members' Business (Cont'd)

### 8.1 Motion – Transforming your Care Review (cont'd)

*Debate resumed on the Motion.*

### 8.2 Amendment 1

#### Proposed:

Leave out all after 'Safety,' and insert:

'saw Health and Social Care Trusts moving rapidly to seek to close residential care homes; welcomes the Minister's intervention to halt those proposals and establish a new regional process; supports a range of options promoting independence being available for older people; recognises that all nursing home care packages and three quarters of residential packages are currently provided by private or voluntary sector organisations; reaffirms the necessity for radical reform of health and social care; further supports the founding principles of the National Health Service; and calls on the Minister to ensure services are patient-centred with the home becoming the hub of care.'

*Mr J Wells*

*Ms P Bradley*

*Mr G Dunne*

### 8.3 Amendment 2

**Proposed:**

Leave out all after 'Safety' and insert:

'; whilst having the potential to improve healthcare by empowering GPs and the Primary Care sector to deliver faster and more efficient localised services, has been negatively impacted by the flawed decision by the Health and Social Care Trusts to consult on closing all statutory residential care homes by 2018; recognises the need to take on board the previous recommendations by the Commissioner for Older People for Northern Ireland and to treat all older people with respect and dignity; and calls on the Minister to provide appropriate local residential care together with a range of accessible care options such as supported housing and domiciliary care to best meet the needs and desires of vulnerable older people.'

*Mr R Beggs  
Mr S Gardiner  
Mr R Swann*

*Debate ensued.*

The Question being put, Amendment No. 1 **fell** (Division 1).

The Question being put, Amendment No. 2 **fell** (Division 2).

The Question being put, the Motion, was **carried** (Division 3).

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 9. Adjournment

Mr Robin Newton spoke to his topic regarding Post-Primary Education in East Belfast.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 7.22pm.*

**Mr William Hay  
The Speaker**

28 May 2013

# Northern Ireland Assembly

28 May 2013  
Division No. 1

## Motion – Transforming your Care Review – Amendment 1

### Proposed:

Leave out all after 'Safety,' and insert:

'saw Health and Social Care Trusts moving rapidly to seek to close residential care homes; welcomes the Minister's intervention to halt those proposals and establish a new regional process; supports a range of options promoting independence being available for older people; recognises that all nursing home care packages and three quarters of residential packages are currently provided by private or voluntary sector organisations; reaffirms the necessity for radical reform of health and social care; further supports the founding principles of the National Health Service; and calls on the Minister to ensure services are patient-centred with the home becoming the hub of care.'

### Proposed:

*Mr J Wells*  
*Ms P Bradley*  
*Mr G Dunne*

The Question was put and the Assembly divided.

**Ayes:** 30

**Noes:** 60

### AYES

*Mr Anderson, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Ms P Bradley 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, Ms Fearon, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Swann.*

*Tellers for the Noes: Mr Durkan and Mr Eastwood.*

The Amendment **fell**.

# Northern Ireland Assembly

28 May 2013  
Division No. 2

## Motion – Transforming your Care Review – Amendment 2

### Proposed:

Leave out all after 'Safety' and insert:

'; whilst having the potential to improve healthcare by empowering GPs and the Primary Care sector to deliver faster and more efficient localised services, has been negatively impacted by the flawed decision by the Health and Social Care Trusts to consult on closing all statutory residential care homes by 2018; recognises the need to take on board the previous recommendations by the Commissioner for Older People for Northern Ireland and to treat all older people with respect and dignity; and calls on the Minister to provide appropriate local residential care together with a range of accessible care options such as supported housing and domiciliary care to best meet the needs and desires of vulnerable older people.'

### Proposed:

*Mr R Beggs*  
*Mr S Gardiner*  
*Mr R Swann*

The Question was put and the Assembly divided.

**Ayes:** 43

**Noes:** 47

### AYES

*Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr Beggs and Mr Gardiner.*

### NOES

*Mr Agnew, Mr Allister, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Durkan and Mr Eastwood.*

The Amendment **fell**.

# Northern Ireland Assembly

28 May 2013  
Division No. 3

## Motion – Transforming your Care Review

### Proposed:

That this Assembly expresses concern that the implementation of the 'Transforming Your Care' review of health and social care, commissioned by the Minister of Health, Social Services and Public Safety, has enabled Health and Social Care Trusts to take decisions on the closure of care homes; is concerned by the detrimental impact which the privatisation of many aspects of health and social care will have on vulnerable people; urges the Minister to ensure that the patient, and not profit, is put at the centre of care provision by the Health and Social Care Board; and calls on the Minister to introduce legislation to protect services from privatisation by stealth.

*Mr C McDevitt  
Mr M Durkan  
Mr P Ramsey*

The Question was put and the Assembly divided.

**Ayes:** 47

**Noes:** 43

### AYES

*Mr Agnew, Mr Allister, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Byrne and Mrs McKeivitt.*

### NOES

*Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Ms P Bradley and Mr G Robinson.*

The Motion was **carried**.



# Northern Ireland Assembly

## Papers Presented to the Assembly on 22 - 28 May 2013

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

Civil Service (Special Advisers) Bill [as amended at Further Consideration Stage] (NIA Bill 12/11-15).

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

Report of the Northern Ireland Assembly Commissioner for Standards for 2012-2013 (Commissioner for Standards).

Legislative Consent Memorandum Care Bill (DHSSPS).

Legislative Consent Memorandum Pensions Bill (DSD).

Northern Ireland Law Commission - Apartments Report (DOJ).

Explanatory Memorandum - Assembly Consent Motion The Public Bodies (Abolition of the Registrar of Public Lending Right) Order 2013 (DCAL).

Memorandum Accompanying Legislative Consent Motion in Respect of the Marriage (Same Sex Couples) Bill (DFP).

### 5. Assembly Reports

Report on Assembly Committees' Priorities for European Scrutiny 2013 (NIA 108/11-15) (Committee for the Office of the First Minister and deputy First Minister).

### 6. Statutory Rules

S. R. 2013/137 The Forestry (Felling of Trees) (Calculation of the Area of Land) Regulations (Northern Ireland) 2013 (DARD).

S. R. 2013/139 The Forestry (Felling of Trees) Regulations (Northern Ireland) 2013 (DARD).

S. R. 2013/141 The Health and Personal Social Services (Superannuation) (Injury Benefits) (Amendment) Regulations (Northern Ireland) 2013 (DHSSPS).

S. R. 2013/142 The Statistics and Registration Service Act 2007 (Disclosure of Pupil Information) Regulations (Northern Ireland) 2013 (DFP).

S. R. 2013/143 The Statistics and Registration Service Act 2007 (Disclosure of Higher Education Student Information) Regulations (Northern Ireland) 2013 (DFP).

#### For Information Only:

S. R. 2013/138 (C. 9) The Forestry (2010 Act) (Commencement No. 3) Order (Northern Ireland) 2013 (DARD).

### 7. Written Ministerial Statements

Together: Building a United Community Strategy (OFMDFM).

## 8. Consultation Documents

## 9. Departmental Publications

Memorandum on the Twelfth Report from the Public Accounts Committee Mandate 2011-2015 (DFP).

## 10. Agency Publications

Youth Justice Agency Corporate Plan 2013-2016 (DOJ)

## 11. Westminster Publications

Marine Navigation Act 2013 Chapter 23

## 12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 28 May 2013

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	
Superannuation Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
Inquiry into Historical Institutional Abuse Bill 7/11-15	12.06.12	25.06.12	26.10.12	24.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Business Improvement Districts Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	21.03.13
Criminal Justice Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13	08.04.13	25.04.13
Charities Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
/Air Passenger Duty (Setting of Rate) Bill 15/11-15	08.10.12	16.10.12	N/A	N/A	22.10.12	05.11.12	06.11.12	11.12.12

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Water and Sewerage Services (Amendment) Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	25.04.13
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13					
/Budget Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	14.03.13
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13					

**2011-2015 Mandate  
Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Civil Service (Special Advisers) Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13	19.03.13	20.05.13		

/ Bill progressing by accelerated passage.

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.

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# Northern Ireland Assembly

Monday 3 June 2013

*The Assembly met at noon, the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement – Recent visit to China

The deputy First Minister, Mr Martin McGuinness, made a statement regarding the recent visit to China, following which he replied to questions.

### 2.2 First Stage – Carrier Bags Bill (NIA 20/11-15)

The Minister of the Environment, Mr Alex Attwood, introduced a Bill to amend the Climate Change Act 2008 to confer powers to make provision about charging for carrier bags; and for connected purposes.

The Carrier Bag Bill (NIA 20/11-15) passed First Stage and ordered to be printed.

*The Speaker took the Chair.*

## 3. Private Members' Business

### 3.1 Final Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15)

Mr Jim Allister, moved that the Final Stage of the Civil Service (Special Advisers) Bill (NIA 12/11-15) do now pass.

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 4. Question Time

### 4.1 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the deputy First Minister, Mr Martin McGuinness. The junior Minister, Ms Jennifer McCann, also answered a number of questions.

### 4.2 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

*The Speaker took the Chair.*

## 5. Private Members' Business (Cont'd)

### 5.1 Final Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15)

*Debate resumed on the Bill.*

*The debate stood suspended.*

## 6. Assembly Business

### 6.1 Motion - Extension of sitting on Monday 3 June 2013 under SO 10(3A)

**Proposed:**

That, in accordance with Standing Order 10(3A), the sitting on Monday 3 June 2013 be extended to no later than 3.00am.

*Mr P Weir*

The Question being put, the Motion was carried without division.

## 7. Private Members' Business (Cont'd)

### 7.1 Final Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15)

*Debate resumed on the Bill.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

*The Speaker took the Chair.*

The Civil Service (Special Advisers) Bill (NIA 12/11-15) passed Final Stage (Division).

## 8. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 8.23pm.*

**Mr William Hay**

**The Speaker**

3 June 2013

# Northern Ireland Assembly

3 June 2013

Division

**Final Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15)**

The Question was put and the Assembly divided.

**Ayes:** 56

**Noes:** 28

**AYES**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, 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 Ayes: Mr Allister and Mr McNarry.*

**NOES**

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

*Tellers for the Noes: Mr McKay and Mr Sheehan.*

*Resolved:*

That the Civil Service (Special Advisers) Bill [NIA 12/11-15] do now pass.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 29 May – 3 June 2013

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly  
Legislative Consent Memorandum Gambling (Licensing and Advertising) Bill (DSD).
5. Assembly Reports  
Improving Literacy and Numeracy Achievement in Schools (NIA 116/11-15) (Public Accounts Committee).  
Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees (NIA 117/11-15) (Examiner of Statutory Rules).
6. Statutory Rules  
S. R. 2013/144 The Agriculture (Hardship Payment) Scheme (Northern Ireland) 2013 (DARD).  
S. R. 2013/146 The Charities Act 2008 (Consequential Provision and Savings) Order (Northern Ireland) 2013 (DSD).  
S. R. 2013/147 The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) (Amendment) Regulations (Northern Ireland) 2013 (DHSSPS).  
**For Information Only:**  
Draft S. R. 2013 The Renewables Obligation (Amendment No. 2) Order (Northern Ireland) 2013 (DETI).
7. Written Ministerial Statements
8. Consultation Documents  
Consultation Paper on proposals for an Environmental Better Regulation Bill (DOE).  
Improvements to the ADI/AMI Schemes in Northern Ireland (DOE).  
Community Asset Transfer in Northern Ireland (DSD).
9. Departmental Publications  
Northern Ireland Estimates 2013 – 2014 (DFP).
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications



# Northern Ireland Assembly

Tuesday 4 June 2013

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Speaker's Business

The Speaker informed Members that he would be absent from the Assembly for the next two weeks.

## 3. Executive Committee Business

### 3.1 Statement – Gender Issues Relating to Employment, Learning and Skills

The Minister for Employment and Learning, Dr Stephen Farry, made a statement regarding Gender Issues Relating to Employment, Learning and Skills, following which he replied to questions.

### 3.2 Motion – The Draft Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013

#### **Proposed:**

That the draft Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 be approved.

*Minister of the Environment*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 4. Private Members' Business

### 4.1 Motion – Northern Amateur Football League's Primacy Rule

#### **Proposed:**

That this Assembly calls on the Minister of Culture, Arts and Leisure to bring forward proposals on how the Northern Amateur Football League's primacy rule could be removed to promote greater sharing and integration of facilities for soccer.

*Mr C Ó hOisín  
Ms R McCorley  
Mr O McMullan*

*Debate ensued.*

The Question being put, the Motion was **carried** (Division).

*The sitting was suspended at 12.51pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) in the Chair.*

## 5. Question Time

### 5.1 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

### 5.2 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Alex Attwood.

## 6. Private Members' Business (Cont'd)

### 6.1 Motion – Access to the Equal Pay Settlement for PSNI and NIO Staff

**Proposed:**

That this Assembly notes the judgement of His Honour Judge Babington in the recent equal pay case heard in the County Court; recognises the sense of unfairness felt by many civil servants who had worked in, or were working in, the PSNI or the Northern Ireland Office at the time of the equal pay settlement of 2009 but were not entitled to access that settlement; and calls upon the Minister of Justice to address the equal pay concerns of these civil servants as a matter of priority.

*Mr I McCrea*

*Mr P Weir*

*Debate ensued.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Motion was **carried** without division.

## 7. Adjournment

Mr Michael McGimpsey spoke to his topic regarding the proposed amalgamation of Knockbreda High School and Newtownbreda High School, South Belfast.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.18pm.*

**Mr William Hay**

**The Speaker**

4 June 2013

# Northern Ireland Assembly

4 June 2013

Division

## Motion – Northern Amateur Football League's Primacy Rule

### Proposed:

That this Assembly calls on the Minister of Culture, Arts and Leisure to bring forward proposals on how the Northern Amateur Football League's primacy rule could be removed to promote greater sharing and integration of facilities for soccer.

*Mr C Ó hOisín*

*Ms R McCorley*

*Mr O McMullan*

The Question was put and the Assembly divided.

**Ayes:** 45

**Noes:** 43

### AYES

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr McMullan and Mr Ó hOisín.*

### NOES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Anderson and Mr G Robinson.*

The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mr B McCrea

The Motion was **carried**.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 4 June 2013

1. Acts of the Northern Ireland Assembly
  2. Bills of the Northern Ireland Assembly  
Carrier Bags Bill [as introduced] (NIA Bill 20/11-15)
  3. Orders in Council
  4. Publications Laid in the Northern Ireland Assembly
  5. Assembly Reports
  6. Statutory Rules  
S. R. 2013/151 The Quality of Bathing Water (Amendment) Regulations (Northern Ireland) 2013 (DOE).
- For Information Only:**
7. Written Ministerial Statements
  8. Consultation Documents
  9. Departmental Publications  
An Invasive Alien Species Strategy for Northern Ireland May 2013 (DOE).
  10. Agency Publications
  11. Westminster Publications
  12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 4 June 2013

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	
Superannuation Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
Inquiry into Historical Institutional Abuse Bill 7/11-15	12.06.12	25.06.12	26.10.12	24.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Business Improvement Districts Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	21.03.13
Criminal Justice Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13	08.04.13	25.04.13
Charities Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
/Air Passenger Duty (Setting of Rate) Bill 15/11-15	08.10.12	16.10.12	N/A	N/A	22.10.12	05.11.12	06.11.12	11.12.12

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Water and Sewerage Services (Amendment) Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	25.04.13
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13					
/Budget Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	14.03.13
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13					
Carrier Bags Bill 20/11-15	03.06.13							

**2011-2015 Mandate****Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Civil Service (Special Advisers) Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13	19.03.13	20.05.13	03.06.13	

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.